

**INSTITUTIONAL CHANGE AND COMMUNITY BASED  
NATURAL RESOURCE MANAGEMENT IN NORTHERN  
MOZAMBIQUE**

*The Village Goes Forward: Governance and Natural Resources  
in North Niassa*

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## Frontispiece

*'Gatsby believed in the green light, the orgiastic future that year by year recedes before us. It eluded us then, but that is no matter – tomorrow we will run faster, stretch out our arms farther.....And one fine morning –*

*So we beat on, boats against the current, borne back ceaselessly into the past.'*

F. Scott Fitzgerald (1932:150) *The Great Gatsby*

*'When its war – well that's our work! When it's hunting, well that's our work! When it's love-making, there's no denying that's our work too! But my son whatever it is, do it thoroughly and "fanisa kasee kanaoomi" [work with integrity- Kiswahili]'*

The advice of a Yao elder in Sanga District, northern Niassa to his son quoted in Sutherland (1912:47) *The Adventures of an Elephant Hunter*

Map 1:

### Location of Field Research



## ABSTRACT

The objective of this study is to examine how the extensive institutional change of reforms to policy and legislation in Mozambique over the past decade has affected evolutions at the local level in the governance of natural resources. The particular focus of the research is an analysis of a community based natural resource management (CBNRM) initiative in North Sanga District of Niassa Province and a longitudinal study of its development between 1999 and 2007 based on my involvement as both field practitioner and researcher.

The analytical approach uses the framework of complex adaptive cycles emphasising time and scale aspects of institutional change allied to a review of theories and philosophies on democratic governance and decentralisation of natural resource management. This frame has been used in a detailed analysis of firstly the political history of Mozambique and its specific history of natural resource management over the past 50 years and with an emphasis on the recent post-war reforms in democratisation at the national political scale and the reforms in land and resource tenure. Secondly it has analysed 500 years of history of the Yao people of Niassa Province and in particular the governance features associated with their matrilineal system and the colonial and post independence contexts of local histories. These different scales are drawn together in the specific analysis of the development of the CBNRM initiative in North Sanga.

The research reveals institutional change in the governance of natural resources by communities in North Sanga as non-linear, non-equilibrium and scale interactive; as well as the agency in change being contingent on specific contexts (historical, social and environmental) and responsive to the beliefs of the actors involved. The importance of 'crisis' in promoting new cycles of adaptation for local governance is emphasised as is the significance of gaining formal ownership of the land by the community in acting as a key promoter of their agency in institutional and governance change.

The thesis questions the preoccupation in the scholarship on democratisation in natural resource governance that gives considerable weighting to the issue of institutional choice between public and private entities ('de-centralisation' and 'de-volution'). It argues that such concerns over the 'correct' institutional choice places too much emphasis on structure, external design or abstract political theory; and in privileging central power and authority as a starting point of negotiation, reinforces a bureaucratic view of the state and a subject rather than citizen approach to democracy. The thesis stresses the significance throughout history of the opposite dynamic and cycles of governance – how to hold on to (or return to) the strengths and diversity of communal and customary institutions with diffused governance from multiple sources, balanced with the need to delegate upwards certain powers and authority, while retaining downward accountability.

The critical aspect identified in this research is what factors can generate community agency to promote such governance in adaptive and context specific conditions; and concludes that in the case of north Sanga District, a process of (and tensions around) re-localisation and restitution of land and resource proprietorship has been a potent source of such agency. The thesis ends with some methodological reflections on the value of the 'practitioner-scholar' approach used in this study.

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## ACRONYMS

<b>ACORD</b>	Agency for Cooperation in Research and Development (NGO)
<b>CASS</b>	Centre for Applied Social Sciences, University of Zimbabwe
<b>CBNRM</b>	Community Based Natural Resource Management
<b>CGC</b>	Community Management Committee ( <i>Comite de Gestão Comunitario</i> ). A community only representative CBNRM body
<b>COGEP</b>	Community Management Council ( <i>Conselho de Gestão Participativo</i> ). A co-management CBNRM body of community, state, NGOs, private sector membership.
<b>DNAC</b>	National Directorate for Conservation Areas – in Ministry of Tourism ( <i>Direção Nacional de Areas de Conservação</i> )
<b>DNFFB</b>	National Directorate for Forestry and Wildlife – in Ministry of Agriculture ( <i>Direção Nacional de Florestas e Fauna Bravia</i> ) as of 2006 DNTF – National Directorate of Land and Forests.
<b>DUAT</b>	Mozambican state-granted land right and single form of land tenure ( <i>Direito de Uso e Aproveitamento da Terra</i> )
<b>FAO</b>	Food and Agricultural Organisation of the United Nations
<b>FRELIMO</b>	<i>Frente de Libertação de Moçambique</i> . Mozambique Liberation Front (currently the governing political party)
<b>GON</b>	<i>Governo do Niassa</i> . Niassa Provincial Government
<b>IUCN</b>	The World Conservation Union (NGO)
<b>NGO</b>	Non Government Organisation
<b>PCC</b>	Chipanje Chetu CBNRM Programme ( <i>Programa Chipanje Chetu</i> )
<b>PROAGRI</b>	National Programme for Agriculture
<b>RENAMO</b>	<i>Resistencia Nacional Mocambicana</i> Mozambican National Resistance (currently the main opposition political party)
<b>RUAT</b>	Resource Use Assessment – a village based planning technique
<b>SGDRN</b>	Society for the Management and Development of Niassa Reserve ( <i>Sociedade de Gestão e Desenvolvimento de Reservo do Niassa</i> )
<b>SPFFB</b>	Provincial Services for Forestry and Wildlife ( <i>Servicos Provincias de Florestas e Fauna Bravia</i> )
<b>SPGC</b>	Provincial Services for Geography and Cadastre ( <i>Servicos Provincias de Geografico e Cadastro</i> )
<b>TFCA</b>	Trans-frontier Conservation Area
<b>UNDP</b>	United Nations Development Programme
<b>WWF</b>	World Wide Fund for Nature and/or World Wildlife Fund (NGO)

## CHAPTER 1

### **INTRODUCTION**

*'If you cannot retain a handful of causes in your explanation, then your understanding is simplistic. If you require more than a handful of causes then it is unnecessarily complex. If you cannot explain it to you neighbour, you do not truly understand it.'* (Holling 2001:5).

#### **1. INTRODUCTION**

This study analyses a process of change over time in the institutions of governance and natural resources in Mozambique and aims to emphasise the interactive links between governance in the national and political sphere and that of land and natural resources at the local level.

These are complex issues and the approach taken to address them is a narrative and analytical basis using comparative history as a means to understand the forces and causes of change over time and applying this historical analysis at different scales of governance in Mozambique from the local rural level to the national one.

The core of this study and the thread that runs through it is a local level initiative in the remote northern part of Mozambique known as Chipanje Chetu (meaning 'Our Wealth' in the local Chi-Yao language<sup>1</sup>) that was concerned with a process of institutional change in transferring governance over land and natural resources to the people living in an area of around 6,500 sqkm. I was both in a position of researcher in the process that developed between 1999 and the present and also more directly involved in implementing and facilitating activities with the local community in the initial efforts to transfer governance over these resources to local institutions at this scale, and particularly between 1999 and the end of 2002. The practical opportunities and challenges in this evolving process of local institutional change reinforced the need for

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<sup>1</sup> Also referred to as *Chipange Chetu*, *Chipanje Cheto* etc; for simplicity the initiative is standardised here as Chipanje Chetu.

causes and explanations to take account of the specifics of local history and in particular the social and political history of the matrilineal society of this area.

This initiative was taking place in a wider context of change and historical continuities. Mozambique as a country was, from the early 1990's, to go through a period of intense change. This was generated by the end of a period of instability and war that in various phases of intensity stretched back to the mid 1960's. Over the past 15 years Mozambique has had its first series of multi-party elections, shown consistent and impressive macro-economic growth and undertaken whole-scale reforms to political and administrative governance, land tenure reform and restructuring of natural resource management approaches. This has been supported and influenced by donors and multi-lateral agencies who have heavily invested in the country's transformation and rebuilding. Mozambique has become widely perceived as a success story in political and economic recovery from a state of collapse.

However, there is a growing concern that in particular the democratisation process has become minimally consolidated largely around national elections, and that the structure of governance remain most prominent in systems of vertical top down power and authority with little dispersal to local levels. The ambitious aims of policies and reforms to devolve land and natural resource governance have also been characterised as facing challenges in moving from general intent to actual practice. The slowness in effecting such reforms has been viewed as related to the concentration of governance decision making in centralised structures of elite political and economic interests. Again history and historical continuities provide a mechanism to better understand causes at this national level.

The sheer dynamism and extent of inter-linked change in political and land and natural resource governance over these past 15 years in Mozambique can help to support reflection on causes and explanations more widely on issues of power, authority and accountability in the current context in the region. From this study of the history at different scales of the governance of land and natural resources in the dynamic current context of Mozambique, I aim to draw attention to the extent that the experiences of local initiatives to transfer such governance provide a powerful gauge (barometer) of wider democratic realities. They also contain the mechanisms and applied examples

(beacon) with the potential to encourage the consolidation of resilient democratic systems built upwards and from a wide base.

## 2. RESEARCH PROBLEM

*‘There is no way the use and management of natural resources can be intelligibly discussed and alternative people-driven uses conceptualised if the so-called “conservation and management”.. of natural resources is abstracted from relations of power and its exercise in society, both local and central, that is from governance...The so-called community participation is no alternative to bottom up democratic governance’.* Shivji (2001:46), emphasis as in original.

The research problem this thesis seeks to address is the challenges of democratic governance from ‘the bottom up’, noted by Shivji above, and the inter-relationship between these broad political issues and the more specific one of institutional change in natural resources and land rights, management and benefit.

It is useful at this point to clarify what is meant here in this study by institutional change and governance. I use institutions and institutional change following the approach of North (1990:3):

‘Institutions are the rules of the game in society or: more formally are the humanly devised constraints that shape human interaction. In consequence, they structure incentives in human exchange whether political, social or economic. Institutional change shapes the way societies evolve through time.’

His approach to institutional change stresses the significance of understanding history and its continuities.

‘History matters. It matters not just because we can learn from the past, but because the present and the future are connected to the past by the continuity of a society’s institutions. Today’s and tomorrow’s choices are shaped by the past.’

I use governance in this study as referring to;

the formal or informal structures and processes of **power, authority and accountability** that govern decision making and dispute resolution, whether related to natural resource governance or national political and local governance (adapted from Woodhouse *et al* 2000:22-23).

One of the most influential movements in natural resource management in southern Africa has been Community Based Natural Resource Management Programmes

(CBNRM), which stresses the transference of governance in the management and benefit from natural resources from national to local levels. CBNRM has contested meanings and there are many regional typologies (see Barrow and Murphree 2001), but one of the broadest definitions, and the working definition for this study, is that of Murombedzi (2003:12):

‘(CBNRM) ..defines a wide range of interventions that are designed to improve the management of natural resources in communal tenure regimes, through the devolution of certain rights to these resources, and for the ostensible benefit of the owners and thus managers of these resources.’

CBNRM has been implemented throughout much of southern Africa from the late 1980's onwards with Zimbabwe's CAMPFIRE programme being one of the most influential of the national initiatives (see Jones and Murphree 2001). As will be discussed further in the next chapter, it has however become increasingly questioned. This has ranged from critiques of its contribution to biodiversity conservation, to socio-economic development or poverty reduction; and to driving a process of privatisation by external actors of communal land and resources (see overviews in Hutton et al 2005; Hulme and Murphree 2001).

However, for present purposes focused on governance, a critical aspect emphasised from an early stage in CBNRM evolutions in southern Africa has been the political and governance issue of adequate devolution of power, authority and accountability over land and natural resources to the local scale. To put it another way, while considerable policy and legal reforms have been undertaken and technical and management advances been made, a widespread challenge has been the limits to which devolution of governance has occurred.

Devolution has been identified from the initial visions of CBNRM programmes in southern Africa, assessments of progress, identifications of constraints and the writings of observers and academics as being at the core of the CBNRM sustainability or probability of success; whether in institutional, tenure, ecological, economic, political or social terms (see Rihoy 1995 for early overview; Hulme and Murphree 2001; Jones 2004a for recent regional analysis). However, the reality in almost all cases has been a conclusion that what was intended or said has fallen short of what has been done or

achieved. This includes assessments that the devolutionary aim has so far reached stages of aborted devolution, strategic compromises, partial devolution, more like decentralization than devolution or similar indications of qualified progress (Murphree 2000a; Murphree 2000b; Shackleton and Campbell 2000; Jones 2004a).

A very similar process has occurred and similar conclusions drawn in the wider or more conventional arena of local government and local democracy. While national multi-party democratic election systems are now the norm in the region and during the 1990's in 6 out of the 10 countries democratic transitions occurred to multi-party election systems and a few changes in ruling parties, a consolidation of democracy beyond national elections has been less widespread (Bratton and de Waal 1997). In particular at local governance level there has emerged a plethora of competing institutions, including a growing incidence of the reification of 'traditional authority' (Buur and Kyed 2005), and the maintenance of considerable discretionary powers in the state administration at this local scale (Jones 2004b). Strong 'democratic decentralization' to locally elected public bodies seems as elusive and as aborted in the region (see Ribot 2005), as 'devolution' to semi autonomous community natural resource management bodies. In many of the countries in the region there have also been efforts at land and tenure reform during the past 15 years in which many of the contestations and stalemates evident in the local democratization process have been evident (Cousins 2003).

As summarized by Turner (2004:12-13):

'CBNRM is about local governance. If local governance is ineffective, so is CBNRM....The current crisis in that local governance is the real crisis of southern African CBNRM'

The research problem this thesis seeks to address is thus around the problematic of local governance, and how the local management and use of natural resources is both reflected in and interactive with these dynamics. It seeks to understand the problem of why devolution has been aborted, difficult or slow to occur from the conceptual basis of governance as a structure and process of power, authority, and accountability.

Mozambique provides an interesting case in local-national governance terms having undergone a particularly turbulent history during the last 30 years and one in which considerable changes have occurred in ideology and practical approaches to governance

at different scales and different sectors. In particular the major reforms concentrated in the past 10 years allows the linkages of democratic governance and resource governance to be more clearly seen and shared causalities to be better understood.

### **3. RESEARCH AIM AND OBJECTIVES**

#### **3.1 Research Aim**

The core aim of the research is to examine the relationship between the governance structures and processes of society at different scales or time and the use and management of natural resources.

#### **3.1 Research Objectives and Questions**

The core objective of the research has been;

To understand how the extensive institutional change of reforms to policy and legislation in Mozambique over the last decade has affected evolutions at the local level governance of natural resources.

Specifically the research has analysed the evolving institutions at the national level and studied the development of a local level Community Based Natural Resource Management Programme in northern Mozambique.

The hypothesis of this research is that:

The transfer of land and natural resource rights, use and management to the lowest scale feasible will promote an evolutionary process of socio-economic and political benefits in the adaptive interactions between the local and the national scales of governance.

The objective and hypothesis therefore has emphasised scale and time as two important variables in the analysis of both the institutional change of reforms and the governance context of power, authority, accountability and legitimacy in which they operate, evolve or are created. It has emphasised that governance processes are multi-scaled and evolve over time. If institutional change reflects historical contexts and can be 'path dependent'



(North 1990), the stress here on CBNRM as adaptive evolutionary process is to argue that it is non-linear in progression and non-equilibrium in its multi-scale dynamics. It thus draws on evolutionary, scale interactive and adaptive cycle paradigms of the natural sciences and of the longitudinal story of democratic governance in societies from historical scholarship; and will argue for considerable convergence between the two in terms of the dynamic roles of local actors and agency in cyclical but evolutionary change.

The main research questions that this study has sought to answer are:

- 1 How have the national level reforms relating to democracy, local government, land and natural resources interacted with the more local scales of CBNRM implementation in northern Mozambique?
- 2 How have historical factors and historical continuities influenced the pace and adaptive capacity of institutional change at these scales?
- 3 How have local contexts of power, authority and accountability in the matrilineal society of the Yao people of northern Mozambique influenced community agency in the new evolutions of governance over land and natural resources?
- 4 To what extent can CBNRM initiatives act as indicators of democratic consolidation and as mechanisms to promote it and what are some critical local actors and agency lessons from CBNRM initiatives that have implications for these wider democratic governance evolutions?

#### **4. OUTLINE OF CHAPTERS**

The chapters are essentially structured by moving from national scales to local scales (Mozambique to north Sanga District) and tackling historical evolutions, continuities and issues in these contexts before bringing them together in an analysis of a CBNRM initiative and the concluding chapter.

Chapter 2 presents the concepts and theoretical approaches of this thesis and the research methods, positionality and ethics of the study. It examines the concepts and theoretical approaches of governance and democracy, linking this to ideas and practice of decentralisation; and brings them together through tools available from Complex Adaptive cycle ideas of interactive and multi-scale governance.

Chapter 3 looks at the national scale and the context of Mozambique. It reviews the history of the country with a focus over the past 50 years and with an emphasis on governance. It analyses the recent reforms that have been made to policy and legislation in respect of land, natural resources and local democracy. It reaches conclusions about the challenges and trends of these transformations.

Chapter 4 looks at the history of conservation in Mozambique since the 1950s and particularly phases in the cycle of change in the past 15 years and its political economy. It goes on to examine the development of programmes involving local communities in the use and management of natural resources and what has evolved in governance terms at this scale over the past decade and the potential and challenges that remain.

Chapters 5 and 6 first introduces the setting of northern Mozambique and takes a historical approach to the study of the Yao people of northern Niassa Province. These chapters are particularly focused on the matrilineal aspects of this society and how this social organisation relates to governance in small scales and how and why this has persisted over time. The chapters draw out some persistent historical continuities that run through the meso-scale of Niassa Province and the smaller scale of local society in the northern area of the province. The chapter ends with some propositions drawing from this analysis of the 'deep' history of this small society about how the matrilineal organisation acts in relation to institutional change.

Chapter 7 looks at the specific scale of 5 villages in north Sanga District in Niassa Province. It outlines the results of research into the different elements of governance that exist in this area and assesses natural resource use by these villages and their perceptions of priorities and options for management of these resources.

Chapter 8 analyses the implementation of a CBNRM programme in north Sanga District that has focused on the devolution of land and natural resource rights to the local community. It details how this implementation has both been facilitated and constrained by the new reforms. It outlines how important scale is to governance of natural resources and assesses the evolution of the new local governance organisation and institutions. It traces the new economic and political agency gained at local scales during the process and the breakthroughs and breakdowns as challenges to the new rights and benefits to land and to natural resource management at this local level have become increasingly contested.

Chapter 9 summarises and concludes the key findings of this research. It discusses what have emerged from the analysis of governance of natural resources and the extent that CBNRM can act as both beacon and barometer in democratic consolidation and the challenges of local governance. It identifies what options for implementation or research may prove useful for future advances.

## CHAPTER 2

### **THEORETICAL APPROACHES AND RESEARCH METHODS**

#### **1 INTRODUCTION**

This chapter aims to outline the concepts and theoretical approaches that underpin this thesis and serve as the foundation for the chapters that follow.

The section on concepts and theoretical approaches first introduces some of the challenges around transfers of authority and power over natural resources and land that have been highlighted in regional scholarship on CBNRM and emphasise a historical perspective from other times and places. It then moves on to examine theoretical approaches and philosophies around governance and democracy and undertakes a critique of devolutionary and decentralisation discourses. It brings these strands together in introducing the key tools and concepts of Complex Adaptive Socio-economic systems and the stress of this body of scholarship on linking temporal and spatial scale with governance in a dynamic and interactive manner.

The section on research methods presents the methodologies used and the field work approach based on combining investigation with support to the implementation ('scholar-practitioner' roles) in a CBNRM initiative in northern Mozambique.

#### **2 CONCEPTS AND THEORETICAL APPROACHES**

##### **2.1 Introduction**

*"We are resolved to be cheated no longer, nor be held under the slavish fear of you no longer, seeing the Earth was made for us as well as for you: And if the Common Land belongs to us who are the poor oppressed, surely the woods that grow upon the Commons belong to us likewise. If we lie still, and let you steale away our birthrights, we perish ... though we have paid taxes, given free quarter and ventured our lives to preserve the Nations freedom as much as you, and therefore by the law of contract with you, freedom in the land is our portion as well as yours, equal with you. Therefore we require, and we resolve to take both Common Land and Common woods to be a livelihood for us, and look upon you as equal with us."* An extract from A Declaration from the Poor and Oppressed People of England, Gerard Winstanley et al 1649 (in Lewis 2003: 73)

This declaration comes from around 360 years ago in the period of the English Revolution where supporters of Parliament had just ‘liberated’ England from efforts of Charles I to institute an unpopular (religious) ideology and an absolute form of monarchy against the broad will of the people. However, the leaders of the Parliamentary faction had then gone on to utilize their new elite status to attempt a land and resource grab of state and common land – the above declaration being a reaction to this and addressed to the new elite. It was a reaffirmation from those who had fought in this ‘liberation war’ of their rights to land and also to the resources upon it, explicitly linking their land proprietor rights to the management and benefits of resources on those communal lands.

The Declaration was not however a call for devolution or decentralization; it had as its basis no sense that local democracy or natural resource management and rights were achieved through a function of a downward extending state or public hierarchy. Instead it ‘required’ and ‘resolved’ the restitution of land and resources on the basis of a belief in equality and a mutually binding contract of rights. It did so with reference in its text to the extensive history of local self government embodied in the English Common Law and framed by custom and precedent in an adaptive process over more than 500 years.

The point of this narrative is that it represents a demand for rights and benefits from communal land and resources, it comes from a historical framework of governance rooted in a society with institutions and beliefs around local spheres of self-governance that pre-dated the existence of a national electoral democracy. Finally, it contains the basis of this demand in a ‘contract’ binding both the local and the national level of governance to obligations, rights and responsibilities; breaking of this contract being the basis for the withdrawal of legitimacy granted to the national government.

It stands in contrast with some of the challenges and observations on CBNRM in the region of natural resource governance being supplied or granted downwards in a resistant or contingent way from a central level whose legitimacy in democratic terms rest often on a rather minimalist basis of national elections.

Over ten years ago Murphree noted the close inter-relationship of CBNRM, local democracy, national governance, tenure rights, and local political activism:

'[In the context of CBNRM] tenural rights will make the difference between rural democratic representation and the persistence of perpetual adolescence for rural peoples in national structures of governance ... optimal conditions for CBNRM require strong tenural rights, this requires fundamental devolution of power, one which politicians are unlikely to make unless there is a strong political reason to do so. This reason can only lie in a strong, politically potent constituency demand that this takes place...this is the rural resource-managing communities themselves'. Murphree (1995:3), emphasis added.

Also a decade or more ago Parker (1993:2) noted, regarding Zimbabwe's CAMPFIRE CBNRM programme and its structural limits over conceding *de jure* land and resource proprietorship to local communities, that:

'Hopefully the dichotomy in policy is transient: a stepping stone to conceding the benefits of full ownership. Yet if it sticks halfway – as at present– the CAMPFIRE programmes will stress to the owners what they are missing – not what they are getting. And for this reason the project will fail.'

But I would argue (and later provide historical evidence from global political evolutions) that failure in a linear conceived process is not the only option; stressing what is 'missing' is one practical way of generating 'potent constituency' demand necessary to shift from the supply basis of state or administrative discretion.

This section therefore has two main premises running through it. The first is that CBNRM can be characterized as a process that is experimenting with and promoting tensions and demands for local democratization in interactive scales of local and national; and the second is that the political elements of CBNRM are not evolving in a novel or unique situation of the region in the early 21<sup>st</sup> century, or limited to today's shifting marketplace of natural resource governance theories, but has wider histories, philosophies and experiences to draw upon.

## **2.2. Governance and Democracy**

As noted previously this thesis uses governance as the structures and processes of power, authority and accountability that govern decision making (after Woodhouse et al 2000). Democracy is one form of governance containing ideas on how power and authority are accountable in society.

Democracy in its most basic definition is the idea of governance by the people. A concept that authority is granted upwards from the citizens of a polity and is accountable downwards to them; a principle (Bratton and de Waal 1997:11) of popular sovereignty in which ordinary citizens are equally endowed with the right and ability to govern themselves. Bratton and de Waal (1997:13) describe democracy procedurally as;

‘a form of political regime in which citizens choose, in competitive elections, the occupants of the top political offices of the state’

And that transitions to democratic regimes occurs with;

‘...the installation of a government chosen on the basis of one competitive election, as long as that election is freely and fairly conducted within a matrix of civil liberties, and that all the contestants accept the validity of the election results’

A more nuanced and broader approach to understanding the elements of democracy is that of Crick (2002:3) who sees 3 different components;

‘There is democracy as a principle or doctrine of government; there is democracy as a set of institutional arrangements or constitutional devices; and there is democracy as a type of behaviour (the antithesis of both deference and of unsociability). They do not always go together.’

This is a useful definition for the following discussion as it draws attention to the fact that minimalist or procedural democracy can form around institutional arrangements such as national electoral forms of politico-administrative democracy but that principles and beliefs also remain critical to broader, pluralist consolidated forms of democracy. As North (1996) noted in his revisions to his original ideas (North 1990) on institutional change, beliefs and mental models (behaviour) are of great importance in shaping how institutions (rules of the game) are formed and evolve over time.

To better understand how the principles, institutional arrangements and beliefs of democracy as a form of governance have emerged it is useful to consider this in a (albeit highly summarised) historical narrative. It does so through consideration first of democracy (as a political doctrine) in its origins over 2,000 years ago in Greece, in the turbulent political context of 17<sup>th</sup> century England, in the American revolution and into the growing development of abstract ideological and central state focused governance that was to arise in the French Revolution and be taken onwards in the authoritarian regimes of the 20<sup>th</sup> century; and the current emphasis of transitions to democratic regimes, national elections and top down decentralisations or democracy by design and supply that particularly characterise Africa.

Democracy arose in ancient Greece in the context of change as small long standing communal systems of self governance evolved into larger more complex structures and people became engaged in struggles against despotic rule and injustice. Based on Osbourne (2007) at this early stage the turbulence produced political reforms that sought to hold back the centralisation of power in the new city-states by ‘recreating the diffusion of power that had existed in small customary institutions’ (Ibid: 54). One of the key earlier figures was Democritus who (Ibid: 78 emphasis added);

‘saw the political process as a practical endeavour that needed continued work, revision, mutual help and generosity, not theoretical constructs.’

This basis of democracy in pragmatism and adaptive experiment was to be eroded by the dominant figures of Socrates and Plato and the critical growth of abstract rationality and ideas on governance and philosophical approaches that stressed the need for political evolutions to be determined by an intellectual and/or propertied elite. Thus although working models of pluralist democracy existed some 2,500 years ago, this was not taken forward into the Roman republican governance or its empire; nor was prominent in the next 18 centuries.

This is not to imply that forms of governance largely based around adaptive change and the local society norms and customs were not significant features of western Europe. Churchill (1956) in his 4 volumes on the history of the English speaking peoples, consistently emphasises the resilience and importance of institutions of local governance in tenure over resources and land, in organisation based on the parish scale linking upwards and most importantly the codification of local custom, experience and adaptation over time for governance at this and other scales of the Common Law. These survived the colonial conquest by the Normans in 1066 and provided the checks and balances and core basis of semi-autonomous self government at local scale that interacted with Monarch and the limited democratic representative structure of parliament that emerged 500 years ago.

The English civil war and revolution of the 18<sup>th</sup> century noted previously was essentially not about applying new and abstractly devised forms of governance and democracy; but a contest profoundly mediated by the local against efforts by both King and by Parliament to impinge on long-standing rights, the beliefs of the people in the



primacy of English common law and dispersed forms of governance in multi-scales. What this period of turbulence and the linked American Revolution was to generate was further political thought and philosophies on governance. A key point in this was the extent that these were not abstract ideas from an intellectual or other elite but developed on the debates and experiences grounded in practice of diverse members of society (Osbourne 2007). They essentially concerned, not how to pass power and authority downwards, but how they could be delegated upwards while remaining downwardly accountable.

One of the most significant of these was that arising from the English revolution of the idea of the inalienable rights of all citizens to life, liberty and property first outlined by John Locke as being the basis for a social contract for governance and later incorporated in the core of the American Declaration of Independence and Bill of Rights (Lewis 2003).

However, elsewhere in the late 18<sup>th</sup> century a rather different approach was to emerge that was to have considerable relevance to the emergence of authoritarian and centralised governance and especially globally in the 20<sup>th</sup> century and continue to leave its mark in Africa. The French Revolution was to look to political theory in the context of long standing experience of authoritarian governance during its attempts to free itself from despotism. It looked, as was to become more prevalent in the late 18<sup>th</sup> century, not at political ideas developing in response to events, but political ideas and theories themselves influencing and inspiring political change. In France this was to lead to a short period of 'liberty, equality, fraternity' followed by a period of revolutionary terror and the emergence of a dominant individual (Napoleon) or vanguard elite controlling the highly centralised machinery of a modern state; a pattern for Leninism, Stalinism, Maoism, Hitler's Germany and other totalitarian regimes of the 20<sup>th</sup> century (see Osbourne 2007; Harvey 2003; Ferguson 2007).

What such 20<sup>th</sup> century governance regimes have in common is their link with the prevalence in the late 19<sup>th</sup> century of abstract political theory in which (either by Hegel or Marx) history is presented as a linear progression of inevitabilities determined by grand economic or political forces rather than as an adaptive non-linear evolution of complex interactive scales. What they also share with France post-revolution is a

tendency to rigidity in central governance (and an emphasis on power passed down from the top- decentralisation) and on to cycles of rapid collapse.

In this context it is useful to draw on the findings of de Tocqueville in the mid 19<sup>th</sup> century who went to America to try and understand the very different trajectories of France and America after revolutions to promote new governance (see de Toqueville 1968). His key findings were the importance of America's federal, dispersed and multi-scale form of governance with authority delegated upwards as necessity required, but retaining strong accountability and rights downwards to local citizens and institutions. He concluded that the pre-requisites for success in establishing this democratic governance system were based on (see Siedentop 2000: 8-24):

- The habit of local self governance (drawing on the small community historical basis of American settlement)
- A common language
- An open political class dominated by lawyers (not by civil servants and in the context of trial by jury, adaptive common law etc)
- Shared moral beliefs about governance and democracy.

It is now worth turning to developments in CBNRM scholarship in the region given this historical narrative on governance and democracy (non-linear in cyclic evolutions and non-equilibrium on dynamics where local actor agency rather than structure were key) and also to the developments and emerging trends of democratisation in Africa.

A feature that has emerged in CBNRM scholarship in the region is one that moves on from the recognition of the challenges faced by transferring powers downwards to a (re) emphasis on scale interactions in natural resource and land governance, rooted in a more dynamic context of interactive local and central governance. Marshall Murphree in his 2000 paper on scale and boundaries, that shifted CBNRM debates beyond the stalemate of focus on the pervasive structural experience in southern Africa of 'aborted devolution', appears to draw on the ideas and practical governance experiences of the 18th century political philosophers of America in their evolutions of federal government in tackling interactions between jurisdictional scales and institutions in governance.

In this paper (Murphree 2000a) the emphasis was that devolution in natural resource governance is not an exercise in isolationism, but a process of finding local regime

inter-dependence within the larger setting of inter-dependence at many scales. The key elements being:

- *Jurisdictional parsimony* - is responsive to the imperatives of organisational dynamics and resource specificity and places emphasis on strong, localised jurisdiction;
- *Delegated Aggregation* – local jurisdictions delegate upwards aspects of their responsibility and authority to collective governance of larger scope in which they continue to play a role.
- *Constituent Accountability* - each institutional tier above the community level is accountable downwards to the constituency that empowered it.

These principles and ideas relating to CBNRM governance share many elements with those of Madison, Adams or de Tocqueville regarding the challenges faced in a more purely political field. In particular the emphasis (as in ‘jurisdictional parsimony’ above) of retaining a considerable degree of self government at a local level as a solid basis to building governance above this to respond to scale challenges of authority and accountability (Madison’s ‘compound republic’). To put it another way - the federal model of the USA, the adaptive custom-based governance characteristic of England and its unwritten constitution, are historically congruent with the ideas of ‘jurisdictional parsimony’ and an emphasis on governance resilience from a strong, localised base.

Some scholarship on democratic transformations in Africa are also pointing to the need for re-thinking and challenging the current trends towards minimalist democracy around national electoral structures and towards more pluralist and historically or socially embedded multi-scale forms of governance.

The late Claude Ake (Ake 2000: 191) notes:

‘While the masses want concrete economic and social rights, it [electoral democracy] offers them only abstract political rights; while they want empowerment and more control over their lives and destiny, it offers them ritual participation; while they want self realisation in recreating the principles of democracy anew in their cultural and historical setting, it offers them alienation by reducing democracy to a historical practice.’

He goes on to argue the need for a ‘democracy of the base’ with concrete social and economic rights. He sees a way out from what Ostheimer (2001) calls the ‘permanent entrenchment of democratic minimalism’ via the reinvigoration of democracy itself from this new base and concludes (Ibid:192):

“It would appear that it is in the lowly and struggling regions of the world, such as Africa, that the historic mission of democracy will be finally vindicated or betrayed”

The trends of democratisation in Africa have generally been perceived as slowing down since the mid 1990s. In their extensive analysis of these transitions Bratton and van de Walle (1997) look at how the uncertainties of politics interact with persistent institutional structures and argue that ‘transitions unfolded distinctively according to the nature of the previous political regimes’ (Ibid: 276). They conclude that: ‘experiments to construct stable democracies in countries with little or no heritage of political competition will be fragile, possibly transitory and constantly threatened by reversal’ and continue to operate within a context of patronage and clientelism such that ‘the prospects for the consolidation of democracy in Africa are quite limited’ (Ibid: 278). Such pessimism is shared in many reviews on political governance changes (see review in Bauer and Taylor 2005) and in publications that point to the increased ‘criminalisation of the state’ in Africa (Bayart et al 1999) or the widespread use by patrimonial elites of the ‘political instrumentalisation of disorder’ (Chabal and Daloz 1999). However these pessimistic observations of realities do not help much with identifying options for change.

It is in Ake’s promotion of the importance of ‘democracy of the base’ and the link between this local context and CBNRM’s political agency concerning land and natural resource governance and the global framework of the historical context of democratic governance that this research is framed.

### **2.3. Decentralisation and Devolution**

*“It is at the local level where bargains are made, deals negotiated and politics practised ....With multiple and competing lines of authority, the local political context is key, and is often ignored in the standard models and assessments of decentralization policies” (Norfolk 2004: 47, emphasis added)*

Democratic decentralisation and devolution are words with contested meanings as often the case with key elements of complex development or academic narratives (see Roe 1991). They have in their shared basis of the transference of powers from the centre to support local democracy also been highly contested in practice.

In the context of southern Africa Murphree (2000b: 6) notes ‘CBNRM has not been tried and found wanting, it has been found difficult and rarely tried’ because the prerequisite of devolution of proprietary rights from the centre for CBNRM to effectively function has been notably absent. Murombedzi (2003) sums up a broad body of regional analysis by noting that most CBNRM initiatives which characterize themselves as ‘devolved’ ‘reflect rhetoric more than substance’ and that in reality they continue to be ‘characterised by some continuation of substantive central government control and management over natural resources rather than a genuine shift in authority to local people’.

A similar discourse of arrested change occurs in the wider area of democratic decentralisation. Larsen and Ribot (2005) note that democratic decentralisation in general or in natural resource management is ‘barely happening’ despite considerable investment and the fact that decentralisation has become a truly global movement and favoured narrative of donor agencies. All the case studies in their global research highlight problems with power transfer down hierarchies from central government to local entities and/or accountability from such entities to constituents. Democratic decentralisation of natural resources is caught in an ‘if-then’ proposition – if the institutions are right then the outcomes will be positive. They note;

“We cannot yet say whether these ‘**if then**’ propositions are right because...decentralisations are not getting to ‘**if**’ “ (Larson and Ribot 2005:7).

Ribot (2002) is a widely quoted source of definitions and descriptions of democratic decentralisation and related concepts within the ‘decentralisation’ narrative (see box below).

**Ribot – Decentralisation**

Decentralisation is any act in which a central government formally cedes powers to actors and institutions at lower levels in a political-administrative and territorial hierarchy.

Administrative Decentralisation or Deconcentration involves the transfer of power to local branches of the central state (such as local administration) which are upwardly accountable bodies.

Democratic decentralisation occurs when powers and resources are transferred to authorities representative of and downwardly accountable to local populations. Democratic decentralization aims to increase public

participation in local decision making. Through greater participation, democratic decentralisation is believed to help internalize social, economic, developmental and environmental externalities; to better match social services and public decisions to local needs and aspirations; and to increase equity in the use of public resources.

Privatisation is the permanent transfer of powers to any non-state entity, including individuals, corporations, NGOs and so on. Privatisation, although often carried out in the name of decentralisation, is not a form of decentralisation. It operates on an exclusive logic, rather than on the inclusive public logic of decentralisation.

Further clarification on definitions of decentralization in Ribot (2005:5) notes that:

‘theorists define decentralization as the transfer of powers from central government to lower levels **within** government’s political-administrative hierarchy’ (emphasis as in original).

Murphree (2000a) provides a definition (and distinction from democratic decentralisation) in the more widely southern Africa CBNRM use of a devolution narrative. He interprets devolution as;

**Murphree – Devolution**

‘the creation of relatively autonomous realms of authority, responsibility and entitlement, with a primary accountability to their own constituencies’.

While there is considerable overlap (and potential for confusions) in these terms and their definitions there are some critical differences.

The devolution narrative is concerned with ‘relatively autonomous’ entities that can encompass bodies holding for example land or resource title and legal entity status (such as Trusts or cooperatives) and that do not have to be within a government political-administration hierarchy.

The democratic decentralization narrative theorises that this devolution approach to natural resource management operates on an exclusive logic and endangers the emergence, cohesiveness and effectiveness of elected local governments in consolidating local interests in the political-administrative hierarchy (Ribot 2002). It consigns devolution in the above CBNRM southern Africa common usage, as beyond the pale of democratic decentralisation and into the category of ‘privatisation’.

Ribot and Larsen (2005) and Ribot (2005), from case studies from around the world in decentralisation context, particularly see dangers in non-public entities (as in the ‘devolution’ options) in natural resource management and local government. They point to the importance of institutional choice selection for public bodies so as to counter the threats of elite capture of natural resources in conditions with a/ weak elected local government, b/ a proliferation of local public-private institutions and c/ in the growth in state use of ‘traditional’ authority in local governance.

However, there is also clearly emerging a more nuanced and less doctrinal approach to options for local scale management of natural resources. This can be seen in recent writings on the general decentralisation narrative. For example, Ribot (2007:4) takes a more pragmatic approach to proliferating local entities than in his earlier work:

“Competition between different entities can be divisive, or it may lead to more efficiency and better representation all round. It can undermine the legitimacy of local democratic authorities while producing conditions for elite capture, or it may produce a pluralism of competition and cooperation that helps establish and thicken civil society”

Larsen (2005) from studies in Guatemala, where democratic decentralisation had largely stagnated due to central government resistance, argues for re-thinking decentralisation models and especially recognising the importance of ‘decentralisation from below’, and its informality and dynamism.

After 7 years of largely failed efforts to develop elected local government through democratic decentralisation reforms in Mozambique, Baptista-Lundin (1998:24) notes (apparently without intentional irony);

‘there seems to be a need to think about inverting the democratisation process, to attempt to let it develop from the bottom’

It is worth moving on now to examine whether there are perhaps some underlying aspects which has;

- a/ made these ‘*de-processes*’ of democratic decentralisation and devolution complex to the point of stalemates being reached in the efforts to apply them and which;
- b/ forces gymnastics in the language of theorists (‘democratic decentralisation from below’ or ‘attempting to develop democracy from the bottom’).

According to the Merriam-Webster dictionary<sup>1</sup> the ‘de-’ functions as a prefix with its etymology based on the latin roots of ‘from, down, away’.

In the case of **de-centralisation** this provides a meaning of – *to act from the centre to move down, away, from.*

In case of **de-volution** (the latin ‘volvere’ meaning ‘to roll’) – *literally to roll down, away, from..*

The antonym of the prefix ‘de-’ is ‘re-’ meaning ‘back’ and ‘anew’ – to roll backwards/up/anew would thus be the word ‘**re-volution**’ and the antonym of decentralization would be ‘**re-localisation**’.

Consequently, the words decentralisation and devolution inevitably act to privilege the centre as a starting point (from, down), creating a ‘mental model’ around which central power and authority is the starting point of negotiation and is in control of both direction and speed of the process. In privileging the centre it reinforces a bureaucratic view of the state and a subject rather than citizen approach to democracy<sup>2</sup>. It’s hard to get to the deed (effective local democracy, empowered citizenship, self government) if the word privileges and hands out discretionary control to the centre.

Finally the concept that ‘a central government formally cedes powers to actors and institutions at lower levels in a political-administrative and territorial hierarchy’ appears rather empty of historical precedent or applied political philosophy noted in the previous section. This is least of all from the political histories of those countries that have been bankrolling this narrative or constituting its main theorists and proponents.

If democratic ideas have been profoundly influenced (see previous section) by political philosophies that start with inalienable rights of citizens to life, liberty, and that government’s legitimacy and prime function, based on the consent of the governed, is to defend such rights; then the ‘aborted devolution’ and generally observed absence of progress in ‘democratic decentralisation’ brings into sharp focus the claim to legitimacy of resistant government and central elites. An underlying theme of the next chapters is looking at how CBNRM in its local experiments in Mozambique has in fact created

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<sup>1</sup> www.m-w.com/dictionary.

<sup>2</sup> This draws upon Mamdani’s (1996) thesis that the colonial state in Africa, which was reproduced after independence, was ‘bifurcated’, with different modes of rule for urban (predominantly colonists or ‘westernized’) ‘citizens’ and rural (predominantly indigenous ‘traditional’ Africans) ‘subjects’.



tensions and questions over such legitimacy and demands for restitution of land and rights.

The main point stressed here is an awareness of epistemological traps and constraints in the decentralisation narrative with its neo-ideological construct, weak historical precedence and little supporting ballast from political philosophy. It is also to raise the issue that CBNRM can also be as much about **‘re-revolution’ and re-localisation’** in the applied (and historically grounded) context of raising tensions from local scales upwards about power, authority and accountability over land, natural resources and the institutions involved in this governance.

#### **2.4. Complex Adaptive Cycles**

This emerging theoretical approach is used as a tool to help in understanding complexity and the identification of interactions between history and scales noted in the two previous sections in terms of governance, democracy and questioning allocations of local governance as a normative process granted from above.

The concepts, originating in ecological science, address dynamic systems over different scales (hierarchical or spatial) and over time. The key published works on complex adaptive cycles, resilience and panarchy (the interaction of human and ecological in adaptive cycles) are Gunderson and Holling (2002) and Ruitenbeek and Cartier (2001). New scholarship linking complex adaptive systems, resilience and multi-level governance is outlined in Ostrom and Janssen (2002).

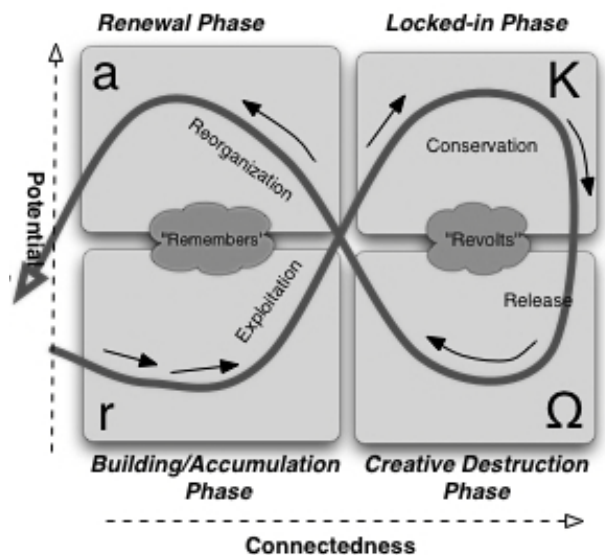
These concepts allow change to be analysed not on the basis of simple binary choices or linear outcomes (such as success or failure, narratives versus counter-narratives, transformations in institutions governing natural resources or political decisions) but in terms of adaptive cycles.

The core elements of this scholarship used here in addressing natural resource governance are;

- 1/ The basic process of the cycle with its key 4 phases (adaptive cycles)
- 2/ The inter-relation between cycles operating at different scales (panarchy)
- 3/ The association of particular actors or 'group types' with varying agency in these phases

The basic premise of this tool is that of interconnected *adaptive cycles* (Holling 1986). The adaptive cycle moves over time between phases of monopoly and conservation of structure – collapse – reorganization/renewal – growth - monopoly (and so on into to new cycles).

**Figure 1: Schematic of Complex Adaptive Cycles**



Within this cycle, resilience to perturbation, change or disturbance to structure builds up between the reorganisation/renewal phase and is highest around the growth or exploitation phase then declining in the monopoly or conservation phase to the point of collapse of structure (collapse and release phase). In simple terms what this means is that innovation and novelty is most possible after the collapse of the structure and during periods of reorganisation and renewal (the *backloop*) and can reconfigure the structure during the growth phase. Following this the structure becomes slowly less resilient before rapidly collapsing after a shock or perturbation.

Resilience in this cycle can be described as the capacity of a system to absorb disturbance and reorganize while undergoing change so as to still retain essentially the same function, structure, identity, and feedbacks (Gundersson and Holling 2002).

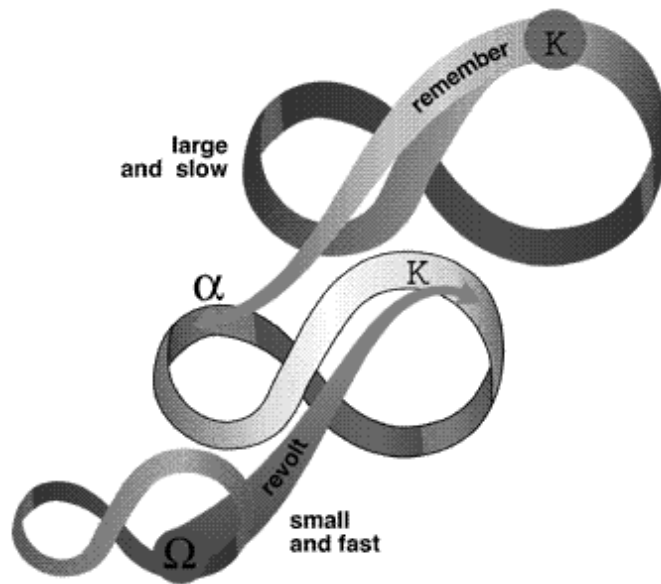
The adaptive cycle involves changes in three main variables: resilience; potential in the form of accumulated resources in biomass or in physical, human, and social capital; and connectedness, meaning the tightness of coupling among the controlling variables that determine the system's ability to modulate external variability.

In the exploitation phase, potential and connectedness are low but resilience is high; in the conservation phase, resilience decreases while the other values increase. Eventually, some internal or external event triggers the release phase, in which potential crashes; finally, in the reorganization phase, resilience and potential grow, connectedness falls, unpredictability peaks, and new system entrants can establish themselves. Holling and Gunderson (2002) stress that the adaptive cycle is a metaphor that can be used to generate specific hypotheses; exact interpretations of resilience, potential, and connectedness are system dependent.

One aspect to note about such cyclic systems is that they do not necessarily lead to states of 'desirable' change. Conservative phases may remain over long periods, injustice or inequality in key systems may become more resilient and 'undesirable' configurations can persist. What these cycle ideas do raise is the strategic issues over how and where interventions can best be addressed to achieve goals (eg triggering collapse of orthodoxies, building the resilience of desired configurations) and that collapse in the short term is not always something to be taken as conclusive (e.g. apparently 'failing' CBNRM initiatives) but can be healthy, positive and necessary over the medium-longer term.

In *spatial or hierarchical scale terms*, this scholarship emphasizes an interactive relationship (or panarchy) between cycles operating at different scales (such as national or local) which can be operating at different speeds (over short time periods or longer ones) and where fast changing small scale cycles can have significant influence on slower revolving large scale systems (Gunderson and Holling 2002). For the CBNRM context this implies the potential that the relatively narrow scope of resource governance can influence a wider societal governance scope or that small peripheral field initiatives can influence central or national policy.

**Figure 2: Cycles, Linkages and Scale – Panarchy**



The concept of ‘Panarchy’ is that ecological and social-ecological systems form nested sets of adaptive cycles. The larger, slower cycles generally constrain the smaller, faster ones and maintain system integrity, but, during the release and reorganization phases, critical cross-scale interactions can operate, particularly “Revolt” connections, in which a release phase collapse on one level triggers a crisis one level up, and “Remember” connections, in which the a phase of a cycle is organized by a higher-level conservation phase. The Revolt and Remember forms of cross-scale interaction, and panarchy itself, assume that the hierarchically related systems are following adaptive cycles.

A further element of the theory is its identification of *actors groups*, individuals or institutions or organizations and their strategies that are significant in different phases of the 4-phase cycle (Gunderson et al 1995) The value of this is that it can be used to illustrate empirical observations of why, for example, certain individuals or organizations (NGOs, donors, field staff, community structures, power elites) appeared to have different impacts in different phases in the evolution of CBNRM in Mozambique.

Scholars (Gunderson et al 1995) have identified 4 basic ‘group types’ associated with the 4 phases; *Activists* who are important in shifting structure from the insular

conservative phase to collapse of old orthodoxies, *Catalysts* who develop and promote the adaptation of new ideas and approaches, *Formal Decision makers/Strategist* who have the formal capacity to elaborate new policy or laws and large implementation in the reorganization to growth phase, and finally *Bureaucrats* characteristic of an insular conservative phase with declining resilience to perturbations. A schematic presentation of this is given in the Appendix 1.

The applied value of this relationship of actors and strategies to phases is that it helps to indicate where interventions in CBNRM or local governance can be most usefully applied. For example, if CBNRM in Mozambique could be seen to be in the conservative phase of bureaucracy, then an alternative to the linear assessment of CBNRM ‘failure’ might be the potential of smaller local cycles or ‘actor groups (Activists and Catalysts) to confront orthodoxies and trigger new cycles.

In overview, the use of the complex adaptive cycle theoretical framework in this thesis is as a tool to better understand how in terms of spatial and temporal scale changes have occurred in governance and natural resources in the complex evolutions in Mozambique that are the subject of the study. The frame is not deterministic but (allied with scholarship from history on non-linear and non-equilibrium dynamics in democratic change in societies) a tool to help with clarity and analysis.

### **3 RESEARCH METHODS**

#### **3.1. Scholar-Practitioner Approach**

The design and undertaking of the research process was one that involved both conventional research methods and social science researcher profile; and a ‘practitioner’ profile. In the latter, I was participating, facilitating and learning from being formally part of a process that was piloting a CBNRM initiative in the field in Mozambique with a key emphasis on transfer of land and resource rights to a self-identified community in northern Mozambique.

This dual profile was deliberate and partly a result of choices made on how I could best undertake such research into governance and natural resource management in Mozambique and partly personal choices in a wider context. In the late 1990's I was completing my post as the head of IUCN-The World Conservation Union's county office in Mozambique after 7 years. During these years my work had involved the supporting of early field initiatives in community based rights and benefits from natural resource management and being engaged in the evolving new policies and legislation reforms at the national level. I had experienced both the pleasures of seeing changes happening at both levels but also the frustrations from the resistance to consolidating radical policies in actual commitment to practice by both state agencies and donor systems. The granting in late 1997 by the government sector for wildlife of 42,000 sqkm in newly gazetted boundaries of Niassa Reserve to a joint company representing state and private interests was a particular spur to me considering taking on a new kind of challenge from that of NGO and conservation bureaucrat. The experience of providing the requested support for IUCN to advise on how such a reserve could be managed and benefit local communities (22,000 people enclosed within it) illustrated to me both the extent of my own ignorance and naivety about the *real politique* of power, influence and business in Mozambique but also that arguments or appeals either to natural justice, the failure of most protected area 'fortresses' in conservation in such contexts and the potential for success in community conservation terms fell on deaf ears. I was told I was *supposed to be a conservationist* and that biodiversity should be the prime concern of IUCN or myself. The alternative to this rather fruitless dialogue seemed to be to at least make an effort in reality to support an interested community in Niassa to attain new land rights emerging in the policy reforms and the management rights to benefit from natural resources to counter the growing gulf at national level between what was being said and what was being done.

The Centre for Applied Social Sciences, University of Zimbabwe (CASS) has a long history of supporting and training 'scholar-practioners' in applied research and the methodology of this study follows this combination of engaged enquiry based on studying unfolding events in the field and participating and facilitating experimental learning and feedback (Murphree 1997). A process of learning by doing and linking research and practice. This has similarities to 'Action Research' defined by O'Brien (2001:7) in the following way:

‘Action research...aims to contribute both to the practical concerns of people in an immediate problematic situation and to further the goals of social science simultaneously. Thus, there is a dual commitment in action research to study a system and concurrently to collaborate with members of the system in changing it in what is together regarded as a desirable direction. Accomplishing this twin goal requires the active collaboration of researcher and client, and thus it stresses the importance of co-learning as a primary aspect of the research process.’

The period 1999 to 2001 was spent in research activities largely in practioner mode in northern Mozambique, from then I transitioned more to conventional researcher. Information was collected for the most part on the basis of note writing on observations and discussions in various contexts, semi-structured interviews and through the specific methodologies noted in the resource use assessment technique described below. In addition considerable efforts were made to collect historical data, maps and reports from libraries, second-hand bookshops and historical archives in Maputo (Archivo Historico de Mozambique). Other archival and academic research was made at the University of Cambridge Geography Library and at the University of California, Berkeley Library in 2002.

Research activities were mainly conducted using Portuguese and English (written up largely in English or an amalgam) and in the north of Mozambique supported by colleagues and research assistants in the local languages of Ki-Swahili and Chi-Yao. While ideally fluency in either Ki-Swahili or Chi-Yao would have made the field research better, much communication proved possible in a mixture of these languages. An unintended consequence was that through repetition of questions and answers and need for triangular approaches to make sure I was understood-understanding, clarification was often improved.

### **3.2. Resource Use Assessment Technique**

“Resource Use Assessments” or RUA are a type of Participatory Rural Appraisal (PRA), but with a particular focus on natural resources and their use by local communities. The aim of the RUAs in this research was to collect baseline data on the use of natural resources and identify the biological, physical, institutional, social and political factors which affected the use of natural resources by local communities.

The methods used in the Resource Use Assessments were based on an adapted PRA methodology designed by Dr Tim Lynam for work by WWF-SARPO in the Zambezi valley. This methodology was further adapted by myself in Niassa in 1999-2000 to address the specific research needs there, including low literacy levels and a greater emphasis on information relating to institutions and governance. This section does not present full details on the methods used (more details on the methodology can be found in Lynam 1993 and adaptations in Anstey et al 2000, Anstey and Chinembiri 2002).

A total of 9 people were trained in this methodology during the RUA of north Sanga District. The main facilitators (Resource Use Assessment Team or RUAT) for the studies in 1999/2000 were myself and the research assistants Adolfo Macadona, Marcos Jorge Assane and Manuel Matolino.

The methodology focuses on facilitating the local community to present their realities, problems and solutions (largely related to natural resources issues, but not exclusively so) and for them to remain in control of the process of data gathering and collation. To achieve this the method is based on using between 6 and 10 members of the community elected by the village as selected people who can present their issues best (and have a knowledge of the range of resource concerns) – called the CRUAT (or Community Resource Use Assessment Team).

This CRUAT worked for a period of 7 to 10 days on key research questions such as:

- Describe the status of local communities, their population numbers and histories. What is the history of the village/area, its formal and informal institutions?
- Assess the current status of different natural resources and importance of their use for communities (currently and in the past). Resource issues - what resources exist in the area (e.g. land, water, wildlife, forestry, fish plus list of the species etc) and what is their importance and availability? How do people use these resources, who uses them, their trends etc? What resources should be handed to the next generation and why?
- Family issues – what are the basic necessities for an average family to have an adequate life? What are the difficulties in achieving this and what are some solutions
- Collect information on the institutions (rules, regulations, practices, rights) for natural resource management over time in both the formal (government) and informal sector (traditional systems).



- Identify the different organisations in the area that have influence over natural resource management (government agencies, political parties, religions, traditional systems etc).
- Produce maps of the natural resources, limits of the community areas, and of key physical features (rivers, roads, sacred areas, schools etc)
- Market issues – what is the source of commercialised products and which are they? When are they most sold and what are the difficulties? What projects or initiatives do the CRUAT see as viable based on their local natural resources and what could impede their successful implementation?
- Identify the main constraints for the community, the opportunities or possible solutions for development at the local level.

To develop these themes the CRUAT/RUAT used a number of facilitating tools such as drawing maps and using ‘spidergrams’ to amplify topics and apply sticks or pebbles to record quantitative data or relative weightings. For example the issue of wildlife resources could be amplified via a ‘spidergram’ to carnivores, herbivores, insects, birds etc and then again on the issue of herbivores to types of herbivores (usage, species etc) and their relative importance and abundance measured through assigning pebbles to different species. The data was then recorded by a member of the CRUAT from the rough sketches or estimates on the ground to flip chart paper using felt marker pens and the RUAT also recorded this data in notebooks along with comments or added data.

At the end of the thematic stage the CRUAT presented their results to the whole community for comment and correction. The results (written on flip-chart paper) were kept by each village for future use and as a baseline record. The final data set was then developed into a research report for the village by the compilers using both the CRUAT material and the daily RUAT notebooks.

The RUA process was carried out in the local language of ChiYao and Ki-Swahili with some simultaneous translation into Portuguese. It was written up in Portuguese and summarised in English. Information presented in this thesis is from the original notebooks for each of the 5 villages in which the data is collated in Portuguese (RUA Notebooks – Nova Madeira, Matchedge, II Congresso, Lilumba, Maumbica).

The steps in the RUA in most villages was as follows:

- Preparatory visit one or two weeks before the arrival of the RUAT to explain the process to the leading groups in the village and get acceptance of the proposed activities.
- Day 1 – arrival of the RUAT team, preparation of camp within village. Participate in traditional ceremony relating to the ancestors (or *Chonde Chonde*) to ensure success of the work.
- Day 2 – meeting with whole village to discuss the RUA, the objectives of the PCC and the selection of the team from and by the community to work with – CRUAT.
- Day 3 to Day 8 or 10. RUAT and CRUAT meet daily (usually from 7am to 2pm). In pm writing up of days results or interviews with relevant members of the community (eg chief, traditional healer etc) or specific questionnaires (eg population data).
- Day 9 or 11. Presentation by the CRUAT of the results of the RUA
- Day 10 or 12. Move to next village or write up of results.

The Resource Use Assessments were facilitated by a RUAT team of between two and six people; numbers varied due to a high incidence of malaria experienced by the research assistants and myself in 1999-2000. Of the total of five villages, four (Nova Madeira, II Congresso, Matchedge, Lilumba) were studied in the period between May and August 1999 and the fifth (Maumbica) in May 2000.

Probably one of the most useful outputs of this RUA was that it permitted the local communities and partners in the CBNRM initiative and researchers to develop an open relationship during the 10 to 15 days the RUA teams spent in each village. It also started the relationship based on the dynamic of the local communities presenting their realities, problems and solutions.

#### **4. POSITIONALITY AND RESEARCH ETHICS**

##### **4.1 Positionality**

The issue of being at various times or the same time both researcher and programme facilitator has been discussed earlier. There is no question this affected my positionality whether in terms of officials or in terms of members of the local community but the

shift from practitioner to researcher did allow me to see and be related to in changing ways<sup>3</sup> that provided for different perspectives to be gained.

## **4.2 Research Ethics**

I tried to follow Sidaway's (1992) three principles of conducting ethical research:

*To make no false promises.*

I avoided making false promises although I cannot claim not to have raised expectations in the discussions and processes involved in transfers to the local community of land and resource rights and benefits.

*To be aware of the unintended consequences of my actions.*

I attempted to be aware of the unintended consequences of my research. However, involved in practitioner mode in the above noted power transfers and reactions to them a number of unintended consequences arose over the actual proprietorship of land and natural resources which are still playing out.

*To share the results of the research.*

Over 8 publications, unpublished papers, or guidelines and manuals for village level planning and assessment were produced during the course of this research (see the References Cited section for a selection of these). During the research process conducted with each village; the co-produced results in the forms of village plans were retained by each village; first as the original flip-chart documents and later as typed documents deposited with each village.

## **4. SUMMARY**

This chapter has set out the concepts and theoretical approach of this study and summarised the research methodology used. The concepts and approach focuses on a historical analysis of governance and natural resources in which adaptive applied

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<sup>3</sup> An example of this being how I was referred to by people in North Sanga when conversing which over 3 years progressed from *Patrao* ('Boss'), to *Doutor* ('Doctor') to the general use of *Che Saimone* (a Yao honorific for adult men - something like 'Mr Simon').

experience is given as equal a weight as abstract political theory. In particular it raises questions about the mental models involved in current emphasis on devolution or decentralisation privileging the centre as the primary locus of the dispersal of power.

It is also to raise the issue that CBNRM can also be as much about **'re-revolution' and re-localisation'** in the applied (and historically grounded) context of raising tensions from local scales upwards about power, authority and accountability over land, natural resources and the institutions involved in this governance.

The themes of interactive spatial and temporal scales in governance, democracy and natural resource management, and non-linear institutional change are brought together from historical scholarship using the key tools and basic convergent concepts from complex adaptive cycle scholarship.

## CHAPTER 2

### **THEORETICAL APPROACHES AND RESEARCH METHODS**

#### **1 INTRODUCTION**

This chapter aims to outline the concepts and theoretical approaches that underpin this thesis and serve as the foundation for the chapters that follow.

The section on concepts and theoretical approaches first introduces some of the challenges around transfers of authority and power over natural resources and land that have been highlighted in regional scholarship on CBNRM and emphasise a historical perspective from other times and places. It then moves on to examine theoretical approaches and philosophies around governance and democracy and undertakes a critique of devolutionary and decentralisation discourses. It brings these strands together in introducing the key tools and concepts of Complex Adaptive Socio-economic systems and the stress of this body of scholarship on linking temporal and spatial scale with governance in a dynamic and interactive manner.

The section on research methods presents the methodologies used and the field work approach based on combining investigation with support to the implementation ('scholar-practitioner' roles) in a CBNRM initiative in northern Mozambique.

#### **2 CONCEPTS AND THEORETICAL APPROACHES**

##### **2.1 Introduction**

*"We are resolved to be cheated no longer, nor be held under the slavish fear of you no longer, seeing the Earth was made for us as well as for you: And if the Common Land belongs to us who are the poor oppressed, surely the woods that grow upon the Commons belong to us likewise. If we lie still, and let you steale away our birthrights, we perish ... though we have paid taxes, given free quarter and ventured our lives to preserve the Nations freedom as much as you, and therefore by the law of contract with you, freedom in the land is our portion as well as yours, equal with you. Therefore we require, and we resolve to take both Common Land and Common woods to be a livelihood for us, and look upon you as equal with us."* An extract from A Declaration from the Poor and Oppressed People of England, Gerard Winstanley et al 1649 (in Lewis 2003: 73)

This declaration comes from around 360 years ago in the period of the English Revolution where supporters of Parliament had just ‘liberated’ England from efforts of Charles I to institute an unpopular (religious) ideology and an absolute form of monarchy against the broad will of the people. However, the leaders of the Parliamentary faction had then gone on to utilize their new elite status to attempt a land and resource grab of state and common land – the above declaration being a reaction to this and addressed to the new elite. It was a reaffirmation from those who had fought in this ‘liberation war’ of their rights to land and also to the resources upon it, explicitly linking their land proprietor rights to the management and benefits of resources on those communal lands.

The Declaration was not however a call for devolution or decentralization; it had as its basis no sense that local democracy or natural resource management and rights were achieved through a function of a downward extending state or public hierarchy. Instead it ‘required’ and ‘resolved’ the restitution of land and resources on the basis of a belief in equality and a mutually binding contract of rights. It did so with reference in its text to the extensive history of local self government embodied in the English Common Law and framed by custom and precedent in an adaptive process over more than 500 years.

The point of this narrative is that it represents a demand for rights and benefits from communal land and resources, it comes from a historical framework of governance rooted in a society with institutions and beliefs around local spheres of self-governance that pre-dated the existence of a national electoral democracy. Finally, it contains the basis of this demand in a ‘contract’ binding both the local and the national level of governance to obligations, rights and responsibilities; breaking of this contract being the basis for the withdrawal of legitimacy granted to the national government.

It stands in contrast with some of the challenges and observations on CBNRM in the region of natural resource governance being supplied or granted downwards in a resistant or contingent way from a central level whose legitimacy in democratic terms rest often on a rather minimalist basis of national elections.

Over ten years ago Murphree noted the close inter-relationship of CBNRM, local democracy, national governance, tenure rights, and local political activism:

‘[In the context of CBNRM] tenural rights will make the difference between rural democratic representation and the persistence of perpetual adolescence for rural peoples in national structures of governance ... optimal conditions for CBNRM require strong tenural rights, this requires fundamental devolution of power, one which politicians are unlikely to make unless there is a strong political reason to do so. This reason can only lie in a strong, politically potent constituency demand that this takes place...this is the rural resource-managing communities themselves’. Murphree (1995:3), emphasis added.

Also a decade or more ago Parker (1993:2) noted, regarding Zimbabwe’s CAMPFIRE CBNRM programme and its structural limits over conceding *de jure* land and resource proprietorship to local communities, that:

‘Hopefully the dichotomy in policy is transient: a stepping stone to conceding the benefits of full ownership. Yet if it sticks halfway – as at present– the CAMPFIRE programmes will stress to the owners what they are missing – not what they are getting. And for this reason the project will fail.’

But I would argue (and later provide historical evidence from global political evolutions) that failure in a linear conceived process is not the only option; stressing what is ‘missing’ is one practical way of generating ‘potent constituency’ demand necessary to shift from the supply basis of state or administrative discretion.

This section therefore has two main premises running through it. The first is that CBNRM can be characterized as a process that is experimenting with and promoting tensions and demands for local democratization in interactive scales of local and national; and the second is that the political elements of CBNRM are not evolving in a novel or unique situation of the region in the early 21<sup>st</sup> century, or limited to today’s shifting marketplace of natural resource governance theories, but has wider histories, philosophies and experiences to draw upon.

## **2.2. Governance and Democracy**

As noted previously this thesis uses governance as the structures and processes of power, authority and accountability that govern decision making (after Woodhouse et al 2000). Democracy is one form of governance containing ideas on how power and authority are accountable in society.

Democracy in its most basic definition is the idea of governance by the people. A concept that authority is granted upwards from the citizens of a polity and is accountable downwards to them; a principle (Bratton and de Waal 1997:11) of popular sovereignty in which ordinary citizens are equally endowed with the right and ability to govern themselves. Bratton and de Waal (1997:13) describe democracy procedurally as;

‘a form of political regime in which citizens choose, in competitive elections, the occupants of the top political offices of the state’

And that transitions to democratic regimes occurs with;

‘...the installation of a government chosen on the basis of one competitive election, as long as that election is freely and fairly conducted within a matrix of civil liberties, and that all the contestants accept the validity of the election results’

A more nuanced and broader approach to understanding the elements of democracy is that of Crick (2002:3) who sees 3 different components;

‘There is democracy as a principle or doctrine of government; there is democracy as a set of institutional arrangements or constitutional devices; and there is democracy as a type of behaviour (the antithesis of both deference and of unsociability). They do not always go together.’

This is a useful definition for the following discussion as it draws attention to the fact that minimalist or procedural democracy can form around institutional arrangements such as national electoral forms of politico-administrative democracy but that principles and beliefs also remain critical to broader, pluralist consolidated forms of democracy. As North (1996) noted in his revisions to his original ideas (North 1990) on institutional change, beliefs and mental models (behaviour) are of great importance in shaping how institutions (rules of the game) are formed and evolve over time.

To better understand how the principles, institutional arrangements and beliefs of democracy as a form of governance have emerged it is useful to consider this in a (albeit highly summarised) historical narrative. It does so through consideration first of democracy (as a political doctrine) in its origins over 2,000 years ago in Greece, in the turbulent political context of 17<sup>th</sup> century England, in the American revolution and into the growing development of abstract ideological and central state focused governance that was to arise in the French Revolution and be taken onwards in the authoritarian regimes of the 20<sup>th</sup> century; and the current emphasis of transitions to democratic regimes, national elections and top down decentralisations or democracy by design and supply that particularly characterise Africa.



Democracy arose in ancient Greece in the context of change as small long standing communal systems of self governance evolved into larger more complex structures and people became engaged in struggles against despotic rule and injustice. Based on Osbourne (2007) at this early stage the turbulence produced political reforms that sought to hold back the centralisation of power in the new city-states by ‘recreating the diffusion of power that had existed in small customary institutions’ (Ibid: 54). One of the key earlier figures was Democritus who (Ibid: 78 emphasis added);

‘saw the political process as a practical endeavour that needed continued work, revision, mutual help and generosity, not theoretical constructs.’

This basis of democracy in pragmatism and adaptive experiment was to be eroded by the dominant figures of Socrates and Plato and the critical growth of abstract rationality and ideas on governance and philosophical approaches that stressed the need for political evolutions to be determined by an intellectual and/or propertied elite. Thus although working models of pluralist democracy existed some 2,500 years ago, this was not taken forward into the Roman republican governance or its empire; nor was prominent in the next 18 centuries.

This is not to imply that forms of governance largely based around adaptive change and the local society norms and customs were not significant features of western Europe. Churchill (1956) in his 4 volumes on the history of the English speaking peoples, consistently emphasises the resilience and importance of institutions of local governance in tenure over resources and land, in organisation based on the parish scale linking upwards and most importantly the codification of local custom, experience and adaptation over time for governance at this and other scales of the Common Law. These survived the colonial conquest by the Normans in 1066 and provided the checks and balances and core basis of semi-autonomous self government at local scale that interacted with Monarch and the limited democratic representative structure of parliament that emerged 500 years ago.

The English civil war and revolution of the 18<sup>th</sup> century noted previously was essentially not about applying new and abstractly devised forms of governance and democracy; but a contest profoundly mediated by the local against efforts by both King and by Parliament to impinge on long-standing rights, the beliefs of the people in the

primacy of English common law and dispersed forms of governance in multi-scales. What this period of turbulence and the linked American Revolution was to generate was further political thought and philosophies on governance. A key point in this was the extent that these were not abstract ideas from an intellectual or other elite but developed on the debates and experiences grounded in practice of diverse members of society (Osbourne 2007). They essentially concerned, not how to pass power and authority downwards, but how they could be delegated upwards while remaining downwardly accountable.

One of the most significant of these was that arising from the English revolution of the idea of the inalienable rights of all citizens to life, liberty and property first outlined by John Locke as being the basis for a social contract for governance and later incorporated in the core of the American Declaration of Independence and Bill of Rights (Lewis 2003).

However, elsewhere in the late 18<sup>th</sup> century a rather different approach was to emerge that was to have considerable relevance to the emergence of authoritarian and centralised governance and especially globally in the 20<sup>th</sup> century and continue to leave its mark in Africa. The French Revolution was to look to political theory in the context of long standing experience of authoritarian governance during its attempts to free itself from despotism. It looked, as was to become more prevalent in the late 18<sup>th</sup> century, not at political ideas developing in response to events, but political ideas and theories themselves influencing and inspiring political change. In France this was to lead to a short period of 'liberty, equality, fraternity' followed by a period of revolutionary terror and the emergence of a dominant individual (Napoleon) or vanguard elite controlling the highly centralised machinery of a modern state; a pattern for Leninism, Stalinism, Maoism, Hitler's Germany and other totalitarian regimes of the 20<sup>th</sup> century (see Osbourne 2007; Harvey 2003; Ferguson 2007).

What such 20<sup>th</sup> century governance regimes have in common is their link with the prevalence in the late 19<sup>th</sup> century of abstract political theory in which (either by Hegel or Marx) history is presented as a linear progression of inevitabilities determined by grand economic or political forces rather than as an adaptive non-linear evolution of complex interactive scales. What they also share with France post-revolution is a

tendency to rigidity in central governance (and an emphasis on power passed down from the top- decentralisation) and on to cycles of rapid collapse.

In this context it is useful to draw on the findings of de Tocqueville in the mid 19<sup>th</sup> century who went to America to try and understand the very different trajectories of France and America after revolutions to promote new governance (see de Toqueville 1968). His key findings were the importance of America's federal, dispersed and multi-scale form of governance with authority delegated upwards as necessity required, but retaining strong accountability and rights downwards to local citizens and institutions. He concluded that the pre-requisites for success in establishing this democratic governance system were based on (see Siedentop 2000: 8-24):

- The habit of local self governance (drawing on the small community historical basis of American settlement)
- A common language
- An open political class dominated by lawyers (not by civil servants and in the context of trial by jury, adaptive common law etc)
- Shared moral beliefs about governance and democracy.

It is now worth turning to developments in CBNRM scholarship in the region given this historical narrative on governance and democracy (non-linear in cyclic evolutions and non-equilibrium on dynamics where local actor agency rather than structure were key) and also to the developments and emerging trends of democratisation in Africa.

A feature that has emerged in CBNRM scholarship in the region is one that moves on from the recognition of the challenges faced by transferring powers downwards to a (re) emphasis on scale interactions in natural resource and land governance, rooted in a more dynamic context of interactive local and central governance. Marshall Murphree in his 2000 paper on scale and boundaries, that shifted CBNRM debates beyond the stalemate of focus on the pervasive structural experience in southern Africa of 'aborted devolution', appears to draw on the ideas and practical governance experiences of the 18th century political philosophers of America in their evolutions of federal government in tackling interactions between jurisdictional scales and institutions in governance.

In this paper (Murphree 2000a) the emphasis was that devolution in natural resource governance is not an exercise in isolationism, but a process of finding local regime

inter-dependence within the larger setting of inter-dependence at many scales. The key elements being:

- *Jurisdictional parsimony* - is responsive to the imperatives of organisational dynamics and resource specificity and places emphasis on strong, localised jurisdiction;
- *Delegated Aggregation* – local jurisdictions delegate upwards aspects of their responsibility and authority to collective governance of larger scope in which they continue to play a role.
- *Constituent Accountability* - each institutional tier above the community level is accountable downwards to the constituency that empowered it.

These principles and ideas relating to CBNRM governance share many elements with those of Madison, Adams or de Tocqueville regarding the challenges faced in a more purely political field. In particular the emphasis (as in ‘jurisdictional parsimony’ above) of retaining a considerable degree of self government at a local level as a solid basis to building governance above this to respond to scale challenges of authority and accountability (Madison’s ‘compound republic’). To put it another way - the federal model of the USA, the adaptive custom-based governance characteristic of England and its unwritten constitution, are historically congruent with the ideas of ‘jurisdictional parsimony’ and an emphasis on governance resilience from a strong, localised base.

Some scholarship on democratic transformations in Africa are also pointing to the need for re-thinking and challenging the current trends towards minimalist democracy around national electoral structures and towards more pluralist and historically or socially embedded multi-scale forms of governance.

The late Claude Ake (Ake 2000: 191) notes:

‘While the masses want concrete economic and social rights, it [electoral democracy] offers them only abstract political rights; while they want empowerment and more control over their lives and destiny, it offers them ritual participation; while they want self realisation in recreating the principles of democracy anew in their cultural and historical setting, it offers them alienation by reducing democracy to a historical practice.’

He goes on to argue the need for a ‘democracy of the base’ with concrete social and economic rights. He sees a way out from what Ostheimer (2001) calls the ‘permanent entrenchment of democratic minimalism’ via the reinvigoration of democracy itself from this new base and concludes (Ibid:192):

“It would appear that it is in the lowly and struggling regions of the world, such as Africa, that the historic mission of democracy will be finally vindicated or betrayed”

The trends of democratisation in Africa have generally been perceived as slowing down since the mid 1990s. In their extensive analysis of these transitions Bratton and van de Walle (1997) look at how the uncertainties of politics interact with persistent institutional structures and argue that ‘transitions unfolded distinctively according to the nature of the previous political regimes’ (Ibid: 276). They conclude that: ‘experiments to construct stable democracies in countries with little or no heritage of political competition will be fragile, possibly transitory and constantly threatened by reversal’ and continue to operate within a context of patronage and clientelism such that ‘the prospects for the consolidation of democracy in Africa are quite limited’ (Ibid: 278). Such pessimism is shared in many reviews on political governance changes (see review in Bauer and Taylor 2005) and in publications that point to the increased ‘criminalisation of the state’ in Africa (Bayart et al 1999) or the widespread use by patrimonial elites of the ‘political instrumentalisation of disorder’ (Chabal and Daloz 1999). However these pessimistic observations of realities do not help much with identifying options for change.

It is in Ake’s promotion of the importance of ‘democracy of the base’ and the link between this local context and CBNRM’s political agency concerning land and natural resource governance and the global framework of the historical context of democratic governance that this research is framed.

### **2.3. Decentralisation and Devolution**

*“It is at the local level where bargains are made, deals negotiated and politics practised ....With multiple and competing lines of authority, the local political context is key, and is often ignored in the standard models and assessments of decentralization policies” (Norfolk 2004: 47, emphasis added)*

Democratic decentralisation and devolution are words with contested meanings as often the case with key elements of complex development or academic narratives (see Roe 1991). They have in their shared basis of the transference of powers from the centre to support local democracy also been highly contested in practice.

In the context of southern Africa Murphree (2000b: 6) notes ‘CBNRM has not been tried and found wanting, it has been found difficult and rarely tried’ because the prerequisite of devolution of proprietary rights from the centre for CBNRM to effectively function has been notably absent. Murombedzi (2003) sums up a broad body of regional analysis by noting that most CBNRM initiatives which characterize themselves as ‘devolved’ ‘reflect rhetoric more than substance’ and that in reality they continue to be ‘characterised by some continuation of substantive central government control and management over natural resources rather than a genuine shift in authority to local people’.

A similar discourse of arrested change occurs in the wider area of democratic decentralisation. Larsen and Ribot (2005) note that democratic decentralisation in general or in natural resource management is ‘barely happening’ despite considerable investment and the fact that decentralisation has become a truly global movement and favoured narrative of donor agencies. All the case studies in their global research highlight problems with power transfer down hierarchies from central government to local entities and/or accountability from such entities to constituents. Democratic decentralisation of natural resources is caught in an ‘if-then’ proposition – if the institutions are right then the outcomes will be positive. They note;

“We cannot yet say whether these ‘**if then**’ propositions are right because...decentralisations are not getting to ‘**if**’ “ (Larson and Ribot 2005:7).

Ribot (2002) is a widely quoted source of definitions and descriptions of democratic decentralisation and related concepts within the ‘decentralisation’ narrative (see box below).

**Ribot – Decentralisation**

Decentralisation is any act in which a central government formally cedes powers to actors and institutions at lower levels in a political-administrative and territorial hierarchy.

Administrative Decentralisation or Deconcentration involves the transfer of power to local branches of the central state (such as local administration) which are upwardly accountable bodies.

Democratic decentralisation occurs when powers and resources are transferred to authorities representative of and downwardly accountable to local populations. Democratic decentralization aims to increase public

participation in local decision making. Through greater participation, democratic decentralisation is believed to help internalize social, economic, developmental and environmental externalities; to better match social services and public decisions to local needs and aspirations; and to increase equity in the use of public resources.

Privatisation is the permanent transfer of powers to any non-state entity, including individuals, corporations, NGOs and so on. Privatisation, although often carried out in the name of decentralisation, is not a form of decentralisation. It operates on an exclusive logic, rather than on the inclusive public logic of decentralisation.

Further clarification on definitions of decentralization in Ribot (2005:5) notes that:

‘theorists define decentralization as the transfer of powers from central government to lower levels **within** government’s political-administrative hierarchy’ (emphasis as in original).

Murphree (2000a) provides a definition (and distinction from democratic decentralisation) in the more widely southern Africa CBNRM use of a devolution narrative. He interprets devolution as;

**Murphree – Devolution**

‘the creation of relatively autonomous realms of authority, responsibility and entitlement, with a primary accountability to their own constituencies’.

While there is considerable overlap (and potential for confusions) in these terms and their definitions there are some critical differences.

The devolution narrative is concerned with ‘relatively autonomous’ entities that can encompass bodies holding for example land or resource title and legal entity status (such as Trusts or cooperatives) and that do not have to be within a government political-administration hierarchy.

The democratic decentralization narrative theorises that this devolution approach to natural resource management operates on an exclusive logic and endangers the emergence, cohesiveness and effectiveness of elected local governments in consolidating local interests in the political-administrative hierarchy (Ribot 2002). It consigns devolution in the above CBNRM southern Africa common usage, as beyond the pale of democratic decentralisation and into the category of ‘privatisation’.

Ribot and Larsen (2005) and Ribot (2005), from case studies from around the world in decentralisation context, particularly see dangers in non-public entities (as in the ‘devolution’ options) in natural resource management and local government. They point to the importance of institutional choice selection for public bodies so as to counter the threats of elite capture of natural resources in conditions with a/ weak elected local government, b/ a proliferation of local public-private institutions and c/ in the growth in state use of ‘traditional’ authority in local governance.

However, there is also clearly emerging a more nuanced and less doctrinal approach to options for local scale management of natural resources. This can be seen in recent writings on the general decentralisation narrative. For example, Ribot (2007:4) takes a more pragmatic approach to proliferating local entities than in his earlier work:

“Competition between different entities can be divisive, or it may lead to more efficiency and better representation all round. It can undermine the legitimacy of local democratic authorities while producing conditions for elite capture, or it may produce a pluralism of competition and cooperation that helps establish and thicken civil society”

Larsen (2005) from studies in Guatemala, where democratic decentralisation had largely stagnated due to central government resistance, argues for re-thinking decentralisation models and especially recognising the importance of ‘decentralisation from below’, and its informality and dynamism.

After 7 years of largely failed efforts to develop elected local government through democratic decentralisation reforms in Mozambique, Baptista-Lundin (1998:24) notes (apparently without intentional irony);

‘there seems to be a need to think about inverting the democratisation process, to attempt to let it develop from the bottom’

It is worth moving on now to examine whether there are perhaps some underlying aspects which has;

- a/ made these ‘*de-processes*’ of democratic decentralisation and devolution complex to the point of stalemates being reached in the efforts to apply them and which;
- b/ forces gymnastics in the language of theorists (‘democratic decentralisation from below’ or ‘attempting to develop democracy from the bottom’).



According to the Merriam-Webster dictionary<sup>1</sup> the ‘de-’ functions as a prefix with its etymology based on the latin roots of ‘from, down, away’.

In the case of **de-centralisation** this provides a meaning of – *to act from the centre to move down, away, from.*

In case of **de-volution** (the latin ‘volvere’ meaning ‘to roll’) – *literally to roll down, away, from..*

The antonym of the prefix ‘de-’ is ‘re-’ meaning ‘back’ and ‘anew’ – to roll backwards/up/anew would thus be the word ‘**re-volution**’ and the antonym of decentralization would be ‘**re-localisation**’.

Consequently, the words decentralisation and devolution inevitably act to privilege the centre as a starting point (from, down), creating a ‘mental model’ around which central power and authority is the starting point of negotiation and is in control of both direction and speed of the process. In privileging the centre it reinforces a bureaucratic view of the state and a subject rather than citizen approach to democracy<sup>2</sup>. It’s hard to get to the deed (effective local democracy, empowered citizenship, self government) if the word privileges and hands out discretionary control to the centre.

Finally the concept that ‘a central government formally cedes powers to actors and institutions at lower levels in a political-administrative and territorial hierarchy’ appears rather empty of historical precedent or applied political philosophy noted in the previous section. This is least of all from the political histories of those countries that have been bankrolling this narrative or constituting its main theorists and proponents.

If democratic ideas have been profoundly influenced (see previous section) by political philosophies that start with inalienable rights of citizens to life, liberty, and that government’s legitimacy and prime function, based on the consent of the governed, is to defend such rights; then the ‘aborted devolution’ and generally observed absence of progress in ‘democratic decentralisation’ brings into sharp focus the claim to legitimacy of resistant government and central elites. An underlying theme of the next chapters is looking at how CBNRM in its local experiments in Mozambique has in fact created

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<sup>1</sup> www.m-w.com/dictionary.

<sup>2</sup> This draws upon Mamdani’s (1996) thesis that the colonial state in Africa, which was reproduced after independence, was ‘bifurcated’, with different modes of rule for urban (predominantly colonists or ‘westernized’) ‘citizens’ and rural (predominantly indigenous ‘traditional’ Africans) ‘subjects’.

tensions and questions over such legitimacy and demands for restitution of land and rights.

The main point stressed here is an awareness of epistemological traps and constraints in the decentralisation narrative with its neo-ideological construct, weak historical precedence and little supporting ballast from political philosophy. It is also to raise the issue that CBNRM can also be as much about **‘re-revolution’ and re-localisation’** in the applied (and historically grounded) context of raising tensions from local scales upwards about power, authority and accountability over land, natural resources and the institutions involved in this governance.

#### **2.4. Complex Adaptive Cycles**

This emerging theoretical approach is used as a tool to help in understanding complexity and the identification of interactions between history and scales noted in the two previous sections in terms of governance, democracy and questioning allocations of local governance as a normative process granted from above.

The concepts, originating in ecological science, address dynamic systems over different scales (hierarchical or spatial) and over time. The key published works on complex adaptive cycles, resilience and panarchy (the interaction of human and ecological in adaptive cycles) are Gunderson and Holling (2002) and Ruitenbeek and Cartier (2001). New scholarship linking complex adaptive systems, resilience and multi-level governance is outlined in Ostrom and Janssen (2002).

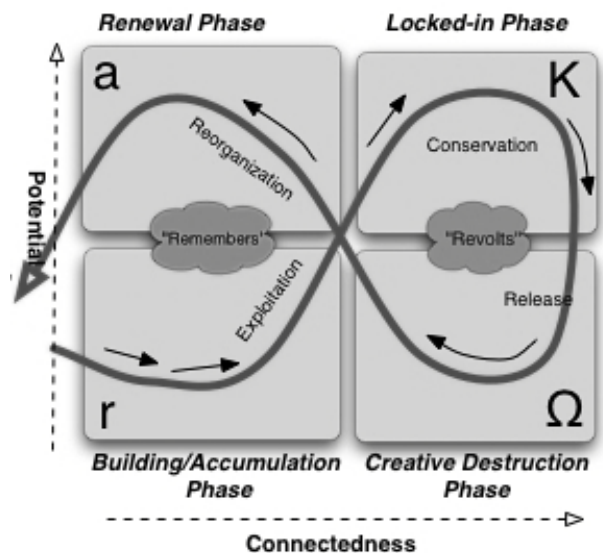
These concepts allow change to be analysed not on the basis of simple binary choices or linear outcomes (such as success or failure, narratives versus counter-narratives, transformations in institutions governing natural resources or political decisions) but in terms of adaptive cycles.

The core elements of this scholarship used here in addressing natural resource governance are;

- 1/ The basic process of the cycle with its key 4 phases (adaptive cycles)
- 2/ The inter-relation between cycles operating at different scales (panarchy)
- 3/ The association of particular actors or 'group types' with varying agency in these phases

The basic premise of this tool is that of interconnected *adaptive cycles* (Holling 1986). The adaptive cycle moves over time between phases of monopoly and conservation of structure – collapse – reorganization/renewal – growth - monopoly (and so on into to new cycles).

**Figure 1: Schematic of Complex Adaptive Cycles**



Within this cycle, resilience to perturbation, change or disturbance to structure builds up between the reorganisation/renewal phase and is highest around the growth or exploitation phase then declining in the monopoly or conservation phase to the point of collapse of structure (collapse and release phase). In simple terms what this means is that innovation and novelty is most possible after the collapse of the structure and during periods of reorganisation and renewal (the *backloop*) and can reconfigure the structure during the growth phase. Following this the structure becomes slowly less resilient before rapidly collapsing after a shock or perturbation.

Resilience in this cycle can be described as the capacity of a system to absorb disturbance and reorganize while undergoing change so as to still retain essentially the same function, structure, identity, and feedbacks (Gundersson and Holling 2002).

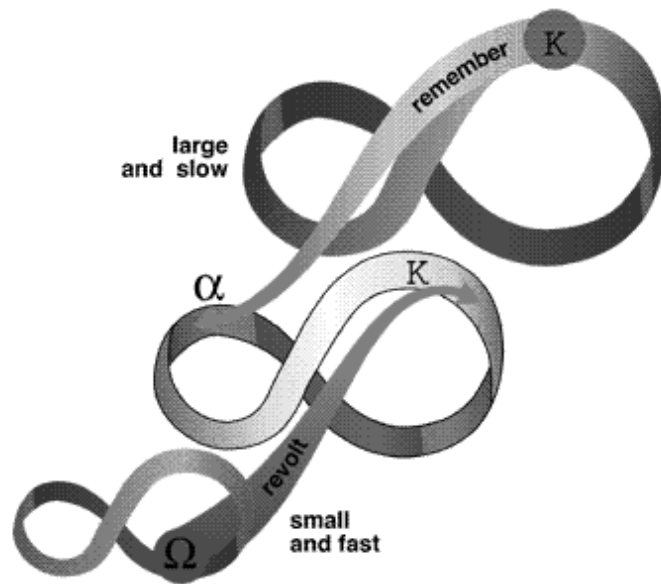
The adaptive cycle involves changes in three main variables: resilience; potential in the form of accumulated resources in biomass or in physical, human, and social capital; and connectedness, meaning the tightness of coupling among the controlling variables that determine the system's ability to modulate external variability.

In the exploitation phase, potential and connectedness are low but resilience is high; in the conservation phase, resilience decreases while the other values increase. Eventually, some internal or external event triggers the release phase, in which potential crashes; finally, in the reorganization phase, resilience and potential grow, connectedness falls, unpredictability peaks, and new system entrants can establish themselves. Holling and Gunderson (2002) stress that the adaptive cycle is a metaphor that can be used to generate specific hypotheses; exact interpretations of resilience, potential, and connectedness are system dependent.

One aspect to note about such cyclic systems is that they do not necessarily lead to states of 'desirable' change. Conservative phases may remain over long periods, injustice or inequality in key systems may become more resilient and 'undesirable' configurations can persist. What these cycle ideas do raise is the strategic issues over how and where interventions can best be addressed to achieve goals (eg triggering collapse of orthodoxies, building the resilience of desired configurations) and that collapse in the short term is not always something to be taken as conclusive (e.g. apparently 'failing' CBNRM initiatives) but can be healthy, positive and necessary over the medium-longer term.

In *spatial or hierarchical scale terms*, this scholarship emphasizes an interactive relationship (or panarchy) between cycles operating at different scales (such as national or local) which can be operating at different speeds (over short time periods or longer ones) and where fast changing small scale cycles can have significant influence on slower revolving large scale systems (Gunderson and Holling 2002). For the CBNRM context this implies the potential that the relatively narrow scope of resource governance can influence a wider societal governance scope or that small peripheral field initiatives can influence central or national policy.

**Figure 2: Cycles, Linkages and Scale – Panarchy**



The concept of ‘Panarchy’ is that ecological and social-ecological systems form nested sets of adaptive cycles. The larger, slower cycles generally constrain the smaller, faster ones and maintain system integrity, but, during the release and reorganization phases, critical cross-scale interactions can operate, particularly “Revolt” connections, in which a release phase collapse on one level triggers a crisis one level up, and “Remember” connections, in which the a phase of a cycle is organized by a higher-level conservation phase. The Revolt and Remember forms of cross-scale interaction, and panarchy itself, assume that the hierarchically related systems are following adaptive cycles.

A further element of the theory is its identification of *actors groups*, individuals or institutions or organizations and their strategies that are significant in different phases of the 4-phase cycle (Gunderson et al 1995) The value of this is that it can be used to illustrate empirical observations of why, for example, certain individuals or organizations (NGOs, donors, field staff, community structures, power elites) appeared to have different impacts in different phases in the evolution of CBNRM in Mozambique.

Scholars (Gunderson et al 1995) have identified 4 basic ‘group types’ associated with the 4 phases; *Activists* who are important in shifting structure from the insular

conservative phase to collapse of old orthodoxies, *Catalysts* who develop and promote the adaptation of new ideas and approaches, *Formal Decision makers/Strategist* who have the formal capacity to elaborate new policy or laws and large implementation in the reorganization to growth phase, and finally *Bureaucrats* characteristic of an insular conservative phase with declining resilience to perturbations. A schematic presentation of this is given in the Appendix 1.

The applied value of this relationship of actors and strategies to phases is that it helps to indicate where interventions in CBNRM or local governance can be most usefully applied. For example, if CBNRM in Mozambique could be seen to be in the conservative phase of bureaucracy, then an alternative to the linear assessment of CBNRM ‘failure’ might be the potential of smaller local cycles or ‘actor groups (Activists and Catalysts) to confront orthodoxies and trigger new cycles.

In overview, the use of the complex adaptive cycle theoretical framework in this thesis is as a tool to better understand how in terms of spatial and temporal scale changes have occurred in governance and natural resources in the complex evolutions in Mozambique that are the subject of the study. The frame is not deterministic but (allied with scholarship from history on non-linear and non-equilibrium dynamics in democratic change in societies) a tool to help with clarity and analysis.

### **3 RESEARCH METHODS**

#### **3.1. Scholar-Practitioner Approach**

The design and undertaking of the research process was one that involved both conventional research methods and social science researcher profile; and a ‘practitioner’ profile. In the latter, I was participating, facilitating and learning from being formally part of a process that was piloting a CBNRM initiative in the field in Mozambique with a key emphasis on transfer of land and resource rights to a self-identified community in northern Mozambique.

This dual profile was deliberate and partly a result of choices made on how I could best undertake such research into governance and natural resource management in Mozambique and partly personal choices in a wider context. In the late 1990's I was completing my post as the head of IUCN-The World Conservation Union's county office in Mozambique after 7 years. During these years my work had involved the supporting of early field initiatives in community based rights and benefits from natural resource management and being engaged in the evolving new policies and legislation reforms at the national level. I had experienced both the pleasures of seeing changes happening at both levels but also the frustrations from the resistance to consolidating radical policies in actual commitment to practice by both state agencies and donor systems. The granting in late 1997 by the government sector for wildlife of 42,000 sqkm in newly gazetted boundaries of Niassa Reserve to a joint company representing state and private interests was a particular spur to me considering taking on a new kind of challenge from that of NGO and conservation bureaucrat. The experience of providing the requested support for IUCN to advise on how such a reserve could be managed and benefit local communities (22,000 people enclosed within it) illustrated to me both the extent of my own ignorance and naivety about the *real politique* of power, influence and business in Mozambique but also that arguments or appeals either to natural justice, the failure of most protected area 'fortresses' in conservation in such contexts and the potential for success in community conservation terms fell on deaf ears. I was told I was *supposed to be a conservationist* and that biodiversity should be the prime concern of IUCN or myself. The alternative to this rather fruitless dialogue seemed to be to at least make an effort in reality to support an interested community in Niassa to attain new land rights emerging in the policy reforms and the management rights to benefit from natural resources to counter the growing gulf at national level between what was being said and what was being done.

The Centre for Applied Social Sciences, University of Zimbabwe (CASS) has a long history of supporting and training 'scholar-practioners' in applied research and the methodology of this study follows this combination of engaged enquiry based on studying unfolding events in the field and participating and facilitating experimental learning and feedback (Murphree 1997). A process of learning by doing and linking research and practice. This has similarities to 'Action Research' defined by O'Brien (2001:7) in the following way:

‘Action research...aims to contribute both to the practical concerns of people in an immediate problematic situation and to further the goals of social science simultaneously. Thus, there is a dual commitment in action research to study a system and concurrently to collaborate with members of the system in changing it in what is together regarded as a desirable direction. Accomplishing this twin goal requires the active collaboration of researcher and client, and thus it stresses the importance of co-learning as a primary aspect of the research process.’

The period 1999 to 2001 was spent in research activities largely in practioner mode in northern Mozambique, from then I transitioned more to conventional researcher. Information was collected for the most part on the basis of note writing on observations and discussions in various contexts, semi-structured interviews and through the specific methodologies noted in the resource use assessment technique described below. In addition considerable efforts were made to collect historical data, maps and reports from libraries, second-hand bookshops and historical archives in Maputo (Archivo Historico de Mozambique). Other archival and academic research was made at the University of Cambridge Geography Library and at the University of California, Berkeley Library in 2002.

Research activities were mainly conducted using Portuguese and English (written up largely in English or an amalgam) and in the north of Mozambique supported by colleagues and research assistants in the local languages of Ki-Swahili and Chi-Yao. While ideally fluency in either Ki-Swahili or Chi-Yao would have made the field research better, much communication proved possible in a mixture of these languages. An unintended consequence was that through repetition of questions and answers and need for triangular approaches to make sure I was understood-understanding, clarification was often improved.

### **3.2. Resource Use Assessment Technique**

“Resource Use Assessments” or RUA are a type of Participatory Rural Appraisal (PRA), but with a particular focus on natural resources and their use by local communities. The aim of the RUAs in this research was to collect baseline data on the use of natural resources and identify the biological, physical, institutional, social and political factors which affected the use of natural resources by local communities.



The methods used in the Resource Use Assessments were based on an adapted PRA methodology designed by Dr Tim Lynam for work by WWF-SARPO in the Zambezi valley. This methodology was further adapted by myself in Niassa in 1999-2000 to address the specific research needs there, including low literacy levels and a greater emphasis on information relating to institutions and governance. This section does not present full details on the methods used (more details on the methodology can be found in Lynam 1993 and adaptations in Anstey et al 2000, Anstey and Chinembiri 2002).

A total of 9 people were trained in this methodology during the RUA of north Sanga District. The main facilitators (Resource Use Assessment Team or RUAT) for the studies in 1999/2000 were myself and the research assistants Adolfo Macadona, Marcos Jorge Assane and Manuel Matolino.

The methodology focuses on facilitating the local community to present their realities, problems and solutions (largely related to natural resources issues, but not exclusively so) and for them to remain in control of the process of data gathering and collation. To achieve this the method is based on using between 6 and 10 members of the community elected by the village as selected people who can present their issues best (and have a knowledge of the range of resource concerns) – called the CRUAT (or Community Resource Use Assessment Team).

This CRUAT worked for a period of 7 to 10 days on key research questions such as:

- Describe the status of local communities, their population numbers and histories. What is the history of the village/area, its formal and informal institutions?
- Assess the current status of different natural resources and importance of their use for communities (currently and in the past). Resource issues - what resources exist in the area (e.g. land, water, wildlife, forestry, fish plus list of the species etc) and what is their importance and availability? How do people use these resources, who uses them, their trends etc? What resources should be handed to the next generation and why?
- Family issues – what are the basic necessities for an average family to have an adequate life? What are the difficulties in achieving this and what are some solutions
- Collect information on the institutions (rules, regulations, practices, rights) for natural resource management over time in both the formal (government) and informal sector (traditional systems).

- Identify the different organisations in the area that have influence over natural resource management (government agencies, political parties, religions, traditional systems etc).
- Produce maps of the natural resources, limits of the community areas, and of key physical features (rivers, roads, sacred areas, schools etc)
- Market issues – what is the source of commercialised products and which are they? When are they most sold and what are the difficulties? What projects or initiatives do the CRUAT see as viable based on their local natural resources and what could impede their successful implementation?
- Identify the main constraints for the community, the opportunities or possible solutions for development at the local level.

To develop these themes the CRUAT/RUAT used a number of facilitating tools such as drawing maps and using ‘spidergrams’ to amplify topics and apply sticks or pebbles to record quantitative data or relative weightings. For example the issue of wildlife resources could be amplified via a ‘spidergram’ to carnivores, herbivores, insects, birds etc and then again on the issue of herbivores to types of herbivores (usage, species etc) and their relative importance and abundance measured through assigning pebbles to different species. The data was then recorded by a member of the CRUAT from the rough sketches or estimates on the ground to flip chart paper using felt marker pens and the RUAT also recorded this data in notebooks along with comments or added data.

At the end of the thematic stage the CRUAT presented their results to the whole community for comment and correction. The results (written on flip-chart paper) were kept by each village for future use and as a baseline record. The final data set was then developed into a research report for the village by the compilers using both the CRUAT material and the daily RUAT notebooks.

The RUA process was carried out in the local language of ChiYao and Ki-Swahili with some simultaneous translation into Portuguese. It was written up in Portuguese and summarised in English. Information presented in this thesis is from the original notebooks for each of the 5 villages in which the data is collated in Portuguese (RUA Notebooks – Nova Madeira, Matchedge, II Congresso, Lilumba, Maumbica).

The steps in the RUA in most villages was as follows:

- Preparatory visit one or two weeks before the arrival of the RUAT to explain the process to the leading groups in the village and get acceptance of the proposed activities.
- Day 1 – arrival of the RUAT team, preparation of camp within village. Participate in traditional ceremony relating to the ancestors (or *Chonde Chonde*) to ensure success of the work.
- Day 2 – meeting with whole village to discuss the RUA, the objectives of the PCC and the selection of the team from and by the community to work with – CRUAT.
- Day 3 to Day 8 or 10. RUAT and CRUAT meet daily (usually from 7am to 2pm). In pm writing up of days results or interviews with relevant members of the community (eg chief, traditional healer etc) or specific questionnaires (eg population data).
- Day 9 or 11. Presentation by the CRUAT of the results of the RUA
- Day 10 or 12. Move to next village or write up of results.

The Resource Use Assessments were facilitated by a RUAT team of between two and six people; numbers varied due to a high incidence of malaria experienced by the research assistants and myself in 1999-2000. Of the total of five villages, four (Nova Madeira, II Congresso, Matchedge, Lilumba) were studied in the period between May and August 1999 and the fifth (Maumbica) in May 2000.

Probably one of the most useful outputs of this RUA was that it permitted the local communities and partners in the CBNRM initiative and researchers to develop an open relationship during the 10 to 15 days the RUA teams spent in each village. It also started the relationship based on the dynamic of the local communities presenting their realities, problems and solutions.

#### **4. POSITIONALITY AND RESEARCH ETHICS**

##### **4.1 Positionality**

The issue of being at various times or the same time both researcher and programme facilitator has been discussed earlier. There is no question this affected my positionality whether in terms of officials or in terms of members of the local community but the

shift from practitioner to researcher did allow me to see and be related to in changing ways<sup>3</sup> that provided for different perspectives to be gained.

## **4.2 Research Ethics**

I tried to follow Sidaway's (1992) three principles of conducting ethical research:

*To make no false promises.*

I avoided making false promises although I cannot claim not to have raised expectations in the discussions and processes involved in transfers to the local community of land and resource rights and benefits.

*To be aware of the unintended consequences of my actions.*

I attempted to be aware of the unintended consequences of my research. However, involved in practitioner mode in the above noted power transfers and reactions to them a number of unintended consequences arose over the actual proprietorship of land and natural resources which are still playing out.

*To share the results of the research.*

Over 8 publications, unpublished papers, or guidelines and manuals for village level planning and assessment were produced during the course of this research (see the References Cited section for a selection of these). During the research process conducted with each village; the co-produced results in the forms of village plans were retained by each village; first as the original flip-chart documents and later as typed documents deposited with each village.

## **4. SUMMARY**

This chapter has set out the concepts and theoretical approach of this study and summarised the research methodology used. The concepts and approach focuses on a historical analysis of governance and natural resources in which adaptive applied

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<sup>3</sup> An example of this being how I was referred to by people in North Sanga when conversing which over 3 years progressed from *Patrao* ('Boss'), to *Doutor* ('Doctor') to the general use of *Che Saimone* (a Yao honorific for adult men - something like 'Mr Simon').

experience is given as equal a weight as abstract political theory. In particular it raises questions about the mental models involved in current emphasis on devolution or decentralisation privileging the centre as the primary locus of the dispersal of power.

It is also to raise the issue that CBNRM can also be as much about **'re-revolution' and re-localisation'** in the applied (and historically grounded) context of raising tensions from local scales upwards about power, authority and accountability over land, natural resources and the institutions involved in this governance.

The themes of interactive spatial and temporal scales in governance, democracy and natural resource management, and non-linear institutional change are brought together from historical scholarship using the key tools and basic convergent concepts from complex adaptive cycle scholarship.

## CHAPTER 3

### **MOZAMBIQUE: GOVERNANCE IN THE LARGE SOCIETY**

*“The truth is that we understand fully what we do not want. But as to what we do want and how to get it our ideas are necessarily vague. They are born out of practice, corrected by practice. We undoubtedly will run into setbacks. But it is from these setbacks that we will learn.” President Samora Machel speaking at Mozambique independence in 1975 (Middleton 1994: 33.)*

## **1. INTRODUCTION**

### **1.1 Chapter Aims**

The above quote from President Samora Machel at Independence emphasising an open and adaptive governance basis and frankly stating that this was to proceed not via abstract ideology but a ‘necessarily vague’ approach guided by experience was rapidly reversed barely 2 years later. In 1977 in the context of the adoption of a Marxist-Leninist path for Mozambique he stated that:

‘Everything must be organised, everything must be planned, everything must be programmed.’ President Samora Machel speech in 1977 (Hall and Young 1997: 67)

A similar period of dynamism followed by more conservative approaches to the dispersal of power and experimentation in governance was to later occur following the end of the civil war in Mozambique in 1992. The following narrative seeks to analyse these cycles, using the tools noted in the theoretical approaches, so as to suggest how and why periods of ‘necessarily vague’ innovation and reform promoting pluralism and local self government can also develop into a situation where the country has three times moved back towards centralised and authoritarian approaches and the society has twice experienced the calamities of war.

This chapter looks at the large scale (the big society) over time and the changes and continuities of the nation-state structures and processes of governance in Mozambique. It examines the historical evolution of political and administrative governance and frames them within the lens of the theoretical approaches of complex adaptive systems, multi-scale governance (democracy and decentralisation) and the belief systems that

both emerged from and influenced this national scale. The narrative form of this chapter is based on the 3 main historical periods (or cycles) in national government over the past 50 years.

## **1.2 National Context**

Before examining the political and administrative evolutions, it is useful to look at the general geographic and social context of the country and how these influence the conception and basis for a nation-state. Geographically the most significant feature is Mozambique's large size (799,000 km<sup>2</sup>) and that it stretches as a band of territory around 500 km wide along 2,500 km of the east-southern coast of Africa (see Map 1), roughly divided in two by the Zambezi River. It neighbours Tanzania, Malawi and Zambia in the north and Zimbabwe, South Africa and Swaziland in the south and the strongest economic or political influences have consistently been with South Africa and Zimbabwe.

The capital Maputo is also in the extreme south of the country resulting in the focus of political and economic power being emphasised in this area (the core is on the very periphery). Other features of the unusual geography of the country are that communication links run west to east (rather than along the country) based around ports and transport corridors that serve South Africa, Zimbabwe and Malawi, and the main river systems flow across the country and also constrain north-south linkages.

Mozambique has a population estimated at 18,082,000 in 2002 (INE 2002) with the highest density living north of the Zambezi River in the provinces of Zambezia and Nampula; and around two-thirds of the population is rural with agriculture being their main livelihood (UNDP 2000:p 16). Socio-economically there are disparities within the country, with the more distant an area is from Maputo the lower the Human Development Index or HDI<sup>1</sup>; Maputo has an HDI 1.8 times higher than the rest of the south, 2.3 times the central zone and 2.9 times the north (UNDP 2000: 23).

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<sup>1</sup> The HDI is a measurement of human welfare and development status based on combining three main indicators; Gross Domestic Product (GDP) per capita, life expectancy, and educational attainment (UNDP 2000: 93-95).

There is also high diversity in the ethno-linguistic groups of the country (over 15 main groupings with the largest single group, the Makua in the central-north) and in religious terms with Islam predominant in the north and a mixture of traditional and Christian elsewhere (UNDP 2000:p 19). In terms of social systems, there is a distinction between patrilineal societies south of the Zambezi River and matrilineal systems north. Although the official language is Portuguese, only about 40% of the general population speak it (biased towards men and urban dwellers) and there are significant regional differences; as few as 27% in the north compared to 60% in the south (UNDP 2000: pp 18-23).

**Map 2: Mozambique: Location, Provinces and Cities**



Mozambique either as a geographic entity or nation state therefore represents considerable diversity and regional disparities. It also thus faces challenges to economic, social and political integration or the process of creating larger scale polities. These integration challenges are not only recent but have been persistent features over a long period of time.



These geographic, social and historical characteristics involving diversity, disparities and cycles over time of integration/dis-integration feature prominently in much of the following analysis.

## **2. HISTORICAL CONTEXT**

### **2.1 The Portuguese Colonial Era**

‘It is one of the much misunderstood curiosities of Portuguese colonial rule that apparently little in the way of European ‘civilisation’ was introduced into Africa over a continuous period of 4 to 5 centuries’ (Newitt 1995:128)

Portuguese influence in Mozambique can be traced to the end of the 15<sup>th</sup> century but, as illustrated by the above quote, this was not a profound colonial impact until much later at the end of the 19<sup>th</sup> century during the ‘Scramble for Africa’. The main influence during these four centuries was limited to the coastal fringe and based around trade in gold, ivory or slaves and the taxation of this trade. Portugal lacked capital or efficient mercantile institutions and thus the state involvement was based around the sale of royal monopolies to individuals or syndicates to control and administer this coastal area and trade. As these monopolies were for limited periods of a few years there was little incentive for investment or administrative development and a tendency to ‘asset stripping’ (Newitt 1995: 168).

Efforts to gain control of the interior of the country and particularly of the gold producing areas of Zimbabwe were unsuccessful and the internal dynamics of African political systems was not greatly impacted by the Portuguese coastal presence. In general these internal dynamics occurred in small social and political units. This was especially so for the matrilineal societies north of the Zambezi which were not integrated into large polities (see Chapter 5). The patrilineal societies, such as those of the Shona, Tsonga or Nguni south of the Zambezi, did form larger polities in their initial conquests into the lowlands that constitute much of Mozambique (Beach 1994). However, environmental features such as drought and limited agriculture potential, leading to famine and war were disintegrative forces, both north and south of the Zambezi, that limited the formation of integrated social or political units over extensive

geographic areas or periods of time. Newitt (1995) has emphasised the association over a long historical period of banditry or warlordism with perturbations to these generally small units. These tended towards cycles in which perturbations, whether caused by environmental factors or other causes, led to a breakdown of local polities, the rise of banditry and then the reformation of small polities under the most influential warlords or leaders, as the perturbations declined in force.

The main political and social institution inland that did evolve in the interior during the 17<sup>th</sup> and 18<sup>th</sup> century as a result of the Portuguese influence was the *prazos* or royal grants of land along the Zambezi valley. These were in effect feudal societies dominated by Afro-Portuguese elites with relatively weak links to Portuguese coastal towns or administration, but illustrated the extent that external influences were absorbed within local culture and politics rather than replaced them (Newitt 1995:237). It is worth noting that the persistent geographical areas of Portuguese influence were this area of the Zambezi valley and urban centres on the coastal zone; especially the northern area around Mozambique Island, which was the centre of Portuguese administration until the early 20<sup>th</sup> century. In overview, this period of 400 years did not represent a transformation of the many local small societies into a single larger polity administered by the Portuguese. However, these zones of influence were crucial to the justifications on which the borders of a new country were created, despite reflecting little social, geographic or economic integration.

The creation of Mozambique ‘the country’, in the late 19<sup>th</sup> century Scramble for Africa however also presented Portugal with problems as it had few resources to pacify, administer or develop it. As Newitt (1995: 364) notes:

‘There was no colonial service and most administrators were career officers from the armed forces for whom a posting to Africa was a far from desirable billet. There was no regular emigration of settlers and the Portuguese community tended to consist of convicts or traders’.

The option chosen in the 1890’s was to transfer these responsibilities to private concessions (mainly represented by two vast Chartered Companies in the north and centre) and retain the *prazo* semi-feudal land holdings in the Zambezi basin (Vail 1976). In all these areas covered two-thirds of the country with only the southern most

provinces and Nampula Province falling under the direct administration of the colonial state (Hall and Young 1997:3). With the collapse in 1926 of the short lived Portuguese republic in a military coup, and its replacement by a fascist dictatorship known as the *Estado Novo* (or New State), there was increased emphasis on more direct colonial state administration and development and a reduction in the role of the private concessions. However, the Companies' impact as a dis-integrative force in the history of the colonial period was considerable;

'only between 1941, when the last of the company charters elapsed and 1974 was Mozambique governed as a single administrative unit with a national economy (Vines 1996: 7).

A further feature carried forward from this company era, given its emphasis on the extraction of taxes, labour and agricultural products of rural Mozambicans and minimal investment in administration or development, was that 'the concept of the state meant over-rule by a predatory ruling class' (Newitt 1995:453).

The *Estado Novo* was a highly centralised system of administrative bureaucracy with an ideology of close integration of the Portuguese colonies with the metropolis. After the Second World War this ideology was further promoted with the colonies becoming 'overseas provinces' of Portugal. An important aspect of this was the issue of dualism in the status of residents in Mozambique, which since the late 19<sup>th</sup> century been based around two classes; the *indigena* (native) and the *civilizado* (civilized or non-native which included Europeans, Asians and those of mixed race)<sup>2</sup>. Changes occurred over the 20<sup>th</sup> century, including the concept of *assimilado* in which a 'native' could move status to 'civilized' based on criteria of assimilation of Portuguese culture, the abandonment of the extremes of the *indigenato* system (in which 'natives' free movement and labour was highly restricted and regulated) and the granting in the 1960's of citizenship to all (O'Laughlin 2000).

However the basic division remained until independence and formally (if more ambiguous in practice) this division effected administrative, legal, and political structures of governance.

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<sup>2</sup> For a detailed analysis and debate on the evolution of dualism in Mozambique see O'Laughlin (2000), Mamdani (2000), Mamdani (1996).

Such formal structures were similar to elsewhere in southern Africa (Mamdani 1996; Ranger 1983); ‘natives’ were governed by *regulos* or chiefs according to customary law and the ‘civilized’ by administrators according to Portuguese civil codes. In reality, this structural dualism was more diffuse and complex than in neighbouring countries. No extensive ‘native reserves’ developed or rigid cadastral zoning of the whole country between communal, state or private land. The disparities between different areas of the country (urban-rural, core development areas-peripheries) and along administrative hierarchies meant that a varied patchwork of governance existed both within customary society and between it and state administration (see West and Kloek-Jensen 1999; O’Laughlin 2000). The importance of this issue of patchwork and variable existence of ‘dualism’ is that the debates (both post independence and currently) on governance concerning custom versus ‘modern’ have tended to simplify the more ambiguous reality or historical legacy in Mozambique. They have created oppositional discourses either negatively or positively around ‘traditional authority’ and ‘citizen or subject’ (see Mamdani 1996) that reality does not so simply reflect.

What the above discussion also brings out is the wider point that although the *Estado Novo* was in principle a highly centralised administration and political system (from dictatorship in Lisbon to *regulo* [chief] in a remote part of Mozambique) the extent that this functioned was concentrated in certain parts of Mozambique and also more at the upper levels of the hierarchy than the local. The geographic disparities were that much of the economic development of the country was concentrated in the south-centre around the transport routes to South Africa and Rhodesia and the growing economic integration of Mozambique from the 1950’s with these two powerful neighbours. The administration was particularly weak in the northern provinces (as discussed in detail in Chapter 5) and in general was constrained by its highly bureaucratic top-down character and functioning via extensive regulations and legislation. As Newitt notes:

‘In practice, legislation in the Portuguese colonies was always more of a landmark of official thinking ...than a serious framework moulding social and economic development’ (Newitt 1996: 471)

With the Independence War of 1965-74 Mozambique was also to experience geographic polarisation, with the most northern and western provinces being the main concentration of the conflict. However, the Frelimo party was to forge, from its experiences in exile

and from the field, an ideology that would stress a profound transformation of Mozambique so as to create a nation-state, based on socialism and led by the party. Having both 'liberated' Mozambique, and also indirectly Portugal (the stress and contradictions of the colonial wars led to the downfall of the Portuguese dictatorship in 1974), there was optimism that this could be achieved (Hanlon 1984:51).

## **2.2. Independence and the Socialist Era**

From independence in 1975 the new Frelimo national government moved rapidly in applying new governance systems and implementing new development policies.

As the quotation at the start of this chapter from President Samora Machel indicates, what was clear for Frelimo at independence was what it did not want: specifically this was regional, local or ethnic based politics, the exploitative capitalism of the colonial era and what was regarded as the feudalism of traditional structures (Hall and Young 1997: 65; Vines 1996). This focus partly reflected a traumatic period within Frelimo during the independence war when the movement had almost imploded as a result of internal struggles that included divisive views on the roles of chiefs and ethnic/local based nationalism (Cabrita 2000). While views on capitalism were to be fluid, those on ethnic/local politics and 'traditional' authority deeply forged at this time within Frelimo have remained up to the present as influential in beliefs towards, or mental models about, pluralist and inclusive options of governance built around local diversity.

The opportunity to identify what was wanted and how to get it in an adaptive process of broad consensus and learning from setbacks, noted by Machel, faced formidable challenges. Firstly, Frelimo was emerging from a decade as a military structure and as a movement in exile. Secondly, it was taking over administrative and economic roles at a time when these sectors were in chaos with the flight of 90% of the white population who had dominated them. Replacement from within Mozambican capacity was extremely limited, as illustrated by the fact that at the time there was only 40 Mozambican university graduates in the whole country (Hall and Young 1997:50). Thirdly, it inherited a fragile country with the extreme diversity, regional disparities and difficulties of integration noted earlier; and the problem that it's economy was locked

into those of two neighbours (South Africa and Rhodesia), who were now hostile states and increasingly forces of destabilisation.

Thus, whether by ideological choice or practical force of circumstances, the initial post independence pluralism of people's power (*poder popular*) and bottom up governance based around mass mobilisation and locally organised and functioning 'dynamising groups' (*Grupos Dinamizadores*) of the period 1995-1997 quite rapidly became replaced by a centralised downwards directive structure (Cahen 1993). This structure combined centralised political power, administrative top down hierarchies and the formal selection of a Marxist-Leninist path emphasising state ownership and management of the means of production. It was also a social revolution to create a 'new man' and a modernist homogeneous Mozambican society in a unified nation built not from the past or local diversity, but newly by the state (Cahen 1993:50). The 'necessarily vague' of adaptation experimentation and consensus was replaced by central structure and direction.

Leadership in this transformation was provided by Frelimo as an elite vanguard party, operating on the Leninist basis of 'democratic centralism', with a powerful state administration implementing activities from its central core downwards to the local level. This obviously had significant implications for rural Mozambican society in terms of the perceptions by the party-state of existing governance structures and particularly customary ones. That Frelimo perceptions were negative and demonising is well summarised by Hall and Young (1997:86).

'all chiefs were the handmaidens of colonialism, "feudal" and backward; all traditional beliefs were "*obscurantismo*"; all traditional practices were "oppression". In sum all values and beliefs that did not square with modern (western) notions of progress and propriety were illegitimate.'

With all land and natural resources nationalised in the Constitution of 1975 and the economy brought under state control, the emphasis for social and economic development was on state farms and collected villages or state cooperatives. This involved the often forcible co-opting of the peasantry (the majority of the people) into these new structures (Coelho 1994). This resulted in the growth in their dissatisfaction and alienation from the state when it was unable to provide the resources necessary to

make these new structures function, while encroaching on the diversity of their livelihood strategies and social systems (Bowen 2000:203-208).

The political and administrative structures that evolved were not well suited to feeding back the growing problems at the local level or reflecting the diversity of local realities by their function and less obviously by their design. The People's Assembly although an indirectly elected national structure at the apex of provincial and district assemblies, was bound by the Constitution not to 'serve or represent the particular interests of any village, locality, district, province, region' and functioned according to democratic centralism principles; namely a channel for central directives of the vanguard party-state downwards (Hall and Young 1997:71). The state administrative structures were in principle a decentralised form, with sectoral ministries at the centre mirrored at provincial and district levels and subordinate also to provincial and district assemblies (dual subordination). The functioning was in reality a centralised process implementing central decisions and dependent on the centre for funds and resources; with the multiple subordination making linkages and accountability within sectors up or down scale particularly bureaucratically complex. In other words, it was the content of the governance structures and process that was particularly problematic not simply the form.

The tendency to more and more centralised solutions as problems mounted after independence was partly a response to the sheer depth of the challenges and absence of feedback mechanisms, but also to the very limited capacity in economic and human resource terms to achieve Frelimo's transformist visions. This was compounded by the coming together of 'all the worst features of Portuguese bureaucracy and Eastern European central planning' (Vines 1996: 115). Frelimo's response to these problems was less structural changes than seeking to solve stalemates by personal interventions by the elite, presidential 'offensives' or by the transference of the cause of the problems to internal 'enemies'. One medium used to disseminate ideas about these 'enemies' was the cartoon character *Xiconhoca*, who was frequently depicted as a lazy, obstructionist and corrupt bureaucrat or a stooge of external forces (Hall and Young 1997:75).

While Frelimo recognised many of the problems and achieved remarkable success in providing education and health services (Hanlon 1984), it was less able to compromise its national modernist project or centralist approach or deal effectively with the legacy of the colonial bureaucracy (Alpers 1999). This was particularly so when the destabilising forces of an insurgency (Renamo) supported by South Africa and Rhodesia threatened it.

The rigidity that Frelimo held on to its core concepts of a nation state built from above, by a vanguard elite and on the basis modernity (to the extent of almost complete rejection of the diverse values, norms and customs of the majority of the 'masses') needs also to be understood in the context of the social character of the Frelimo elite. According to Cahen (1993: 49-50) the social character of this elite drew largely from individuals in the class of colonial society who were strongest aspirants of modernity (within or on the margins of the '*civilizado*'); were urban and had 'a total separation' from the peasantry; and were drawn from the south with an ethnic distance from the main groups of the country (see also Chabal 1998). From another perspective, the elite was imbued with a commitment to ideals of social justice and egalitarianism, to a culture of discipline and integrity that was particularly driven by the leadership and values represented by Samora Machel (see Christie 1989). This social character matters because the elite has remained a remarkable cohesion in terms of individuals and many of its values since 1970, and still profoundly influences the nature of the state and its directions today.

In this context vagueness and ambiguity became necessary; necessary now not for adaptive policy process but because of the growing distance between the formal central visions and informal local practice, the idea of an ordered state polity and the more disordered reality. Also the centre and periphery became quite separate spheres. The dogma of wholesale transformation at the centre was at the local scale nuanced by local specificity and negotiation between the state actors and the small society in conditions where state power was limited and the legitimacy of its authority variable. The later chapters will illustrate this in the context of Niassa Province, but a feature of this nuanced reality included accommodation, not only confrontation, between the lowest



scale of the modernist administration and customary society and compromise between peasant livelihoods and central state controls (West and Kloeck Jensen 1999).

With the expansion of the civil war, whatever this potential for bottom-up change and a gradualist internal process of evolving multi-scale governance became impossible. The country dis-integrated from the early 1980's until a peace agreement was achieved in 1992. An estimated 900,000 people died in this conflict, it displaced 5 million others and destroyed much of the basic infrastructure with economic costs of the order of US\$ 15 billion (Vines 1996:p1). The dis-integration was characterised by patchworks of influence of Renamo and of the Frelimo state, with the influence of the former mainly over the vast rural zone and Frelimo party-administration structures largely confined to urban centres and weakly beyond.

The legitimacy of either in the country was complex and variable (see Geffray 1991; Vines 1996; Cabrita 2000; Cahen 1993; Finnegan 1992; Newitt 1995 for discussion). Frelimo stressed the banditry of Renamo or its externally driven agenda, its own legitimacy as the party of liberation and nation construction, while being unable to explain the at least minimal social support base that permitted Renamo to function over most of the country. Renamo stressed its credentials as a force freeing Mozambique from the oppressive rule of a failed one party 'Marxist' state and laid claim to a legitimacy drawing from the culture and values of traditional society and a constituency in those marginalized by the modernist state.

Whatever the discourse and validity of these claims, the simple reality during more than a decade of was that national political and administrative governance was dis-integrated. Politically there were no functioning democratic structures in the midst of a civil war. Administrative governance became ever more fragmented with the national levels in Maputo isolated from the provincial and district. A whole new generation of central bureaucrats were employed in positions that were necessarily abstract from applied experience beyond Maputo. Administrative hierarchical authority was compromised by each scale needing to access resources from wherever it could (NGO aid projects, state resources) and often in informal and corrupt ways.

However, if one consensus within the people of Mozambique resulted from this decade it probably lay beyond the Frelimo-Renamo axis or agendas. It lay in a national unity fashioned by everybody's shared experience of hardship, and a general conviction about the need for compromise and non-violent methods to build society and the nation state (Hanlon 2001). This was made clear in the first ever national elections in 1994, when as an election observer, I was astonished by the depth of belief that electors had in the importance of their vote. Although Renamo threatened to pull out of the process during the first day, this made no difference to the attitude of the electorate or their commitment to vote, even in Renamo areas. It was as if the election was beyond political parties and about a deeper issue of peaceful change via the will of the people.

### **2.3. Post Civil War to the Present**

Mozambique since the end of the civil war in 1992 to the present has been widely regarded as an example of success in the rebuilding a country or 'failed state' and development of a liberal democracy; particularly in the context of Africa (see for example DfID 2007; Hall and Young 1997). On the other hand, and particularly since the late 1990s, there have also been alternative perspectives of failure in transformation and that Mozambique is approaching the status of a criminalised state (Gastrow and Marcelo 2002) with its political evolutions an example of 'democratic minimalism' (Ostheimer 2001).

These reflect different emphasis on political and economic features of the past 15 years and depend on what is being looked at in terms of success or failure; in particular in Mozambique around linked ideas of transitions to liberal economic development and liberal democracy. The former focused on transforming the economic system of the country from a command to privatised or market basis during the 1990s and was powerfully supported by donors and multilateral agencies reflecting narratives of the 'Washington Consensus' (see Pitcher 2002 for a detailed study). The later was a related narrative focused on democratisation in Mozambique along lines noted in Diamond (1997). These emphasise free and fair electoral competition in political power such as through regular multiparty elections (vertical accountability of the executive); as well as pluralist distribution of power and accountability through separation of the legislature

and judiciary from the executive (horizontal control of the executive). Beyond these national scale components of liberal democracy, and less emphasised in the dominant narratives of liberal democracy of the 1990s noted above, are the more local elements of the existence of local democratic bodies (see Buur and Kyed 2005) and with local powers, accountability and authority (multi-scale governance) (see also Ostrom and Jansen 2002).

From the point of view of success in the transformations of Mozambique in the last 15 years a critical aspect has been the transition to peace and a degree of stability in political and social contexts which had been elusive for much of the period 1965 to 1992. Macro-economic developments of the country have also been impressive with Mozambique economic growth averaging around 8% in the past decade, Mozambique satisfying the requirements for major debt relief and considerable inflows of both foreign direct investment and donor aid (UNDP 2005). This was from a position in the early to mid 1990s when Mozambique depended on donor aid for 77% of GDP in 1987-92 (World Bank 1992) and over 100% between 1992-96 (Weeks and Cramer 1998) and was among the poorest and most aid dependent country in the world. In terms of poverty reduction, the country is on track to halve the poverty levels of the 1990s by 2015 (UNDP 2005); although this will still leave 44% of the population in absolute poverty. Reforms to land tenure, and business friendly policies have led to considerable 'investor led' development in particular focused on large schemes in industry and mining but also in agriculture (sugar, tobacco) and natural resources (fisheries, forestry) and tourism businesses (Hanlon 2004). In national political terms; the first multiparty elections took place in 1994 and subsequently consolidated with further elections in 1999 and 2004. These have generally been assessed as free and fair by observers and reinforced views of Mozambican stability in that the Frelimo party and its Presidential candidate were returned to power (narrowly in case of 1994 and 1999) in each election without violence being the general recourse of political opposition.

The more critical analysis of the political and economic transformations can be grouped around *firstly* whether the form of transformation in these arenas relates to real change in content and practice; *secondly* whether there is consolidation of change and further evolution or the re-emergence of centralist and elite mechanisms leading towards future

crisis; and *thirdly* whether changes and realities occurring at lower scale from the national are being increasingly muted in relation to national transitions.

To express this in terms of the complex adaptive cycles theoretic tool being used by this thesis; the question is whether the ‘backloop’ of renewal and re-organisation (new ideas, institutions, policies) after the war has already shifted to a more conservative ‘foreloop’ in the absence of sufficient factors for change in this renewal phase and insufficient linkages with lower scale governance cycles. In this ‘foreloop’ is the system now reverting to previous and persistent configurations of the past – centralist and vertical forms of governance?

Indications in economic and political features provide support for this questioning of success. In the process of economic liberalisation, Pitcher (2002) makes a persuasive argument that the previous state-party elite has insured its new place as the prime beneficiary of the privatisation of state assets and retained considerable power over the allocation and benefits from new economic opportunities and in particular the large schemes of investor led development. She refers to this as ‘transformative preservation’ (Pitcher 2002:239) referring to the continuation of socialist era state-party-administration elites into the present and now able to dominate and exert power over the opportunities of the ‘new’ market economy. Related to this ‘transformative preservation’ among elites are high levels of corruption and in particular since the late 1990s.

The most widespread form of corruption is administrative, mostly commonly involving bribes to public officials<sup>3</sup> or misdirecting of public funds, and across scales as is summarised in the Mozambican saying; ‘*o cabrito come onde está amarrado*’ (‘the goat eats where it is tethered’). This has a governance impact particularly given the wide discretion powers of the administrative bureaucracy, such as for example in land disputes or issuing of licences or leases for natural resources (FIAS 2001). A more intensive form of corruption is that of ‘state capture’ in which international criminal networks and local power elites subvert the institutions of the state and criminalize it

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<sup>3</sup> Almost half (45%) of the general public interviewed in late 2001 had been the victims of administrative corruption in the previous 6 month period (ETICA 2001).

(Bayart et al 1999). A study (Gastrow and Mosse 2002:20); ‘clearly shows that Mozambique is very close to becoming a criminalized state’ noting the scale of criminal networks in drugs, money laundering or bank fraud and their close relationship with the ruling party-government elite and institutions of law and order. The extent of the problem has become widely known in society, after the assassination in 2000 of a prominent journalist (Carlos Cardoso) investigating a number of corruption scandals, including bank frauds of US\$ 400 million. Following a concerted civil society campaign over two years, a widely publicised trial was held that implicated senior members of the state and party structures, and exposed the depth of corruption in the police and judiciary (Sorokobi 2002).

Mozambican society’s general perceptions of the level of corruption and degree of mistrust of state actors or institutions also indicate public concerns about current administrative and political governance. In a study carried out in different parts of Mozambique, the response that ‘the majority are corrupt’ was given by 70% in relation to the police, 58% the courts, 49% the business sector and 59% the government (ETICA 2001). In terms of trust or confidence, 40% expressed significant trust in the President, 25% in the parliament, with only 19% expressing trust in political parties, the judiciary or municipalities and 15% in the police. The ETICA study suggests that the basic governance structures, whether political parties, elected bodies or administrative systems, are regarded as untrustworthy by a large section of Mozambican society.

In terms of liberal democracy and vertical accountability of executive to electorate, the success of holding 3 national elections since the early 1990s also needs to be seen in the light of decreasing electorate interest in participating in the process. The first national election in 1994 had a very high turnout of 88%, with 70% in 1999 before a significant fall to around 36% in 2004 (Vaux et al 2006:16). This voter alienation from electoral democracy has taken place in a context in which the Frelimo party has significantly re-consolidated and co-opted the long standing links from the 1970s between the party and the state structures and administration (Bauer and Taylor 2005:110-115).

The nature of the electoral design in terms of vertical accountability is also significant. Mozambique has an electoral democracy that works through national elections held

every five years for President and the National Assembly (or parliament) (SARDC 2001). The process is based on a proportional representation system in which the 250 members of the Assembly are elected through national party lists; that is the percentage of the votes gained by each party are converted to numbers of members in the Assembly. What this means in governance terms is that a member of the assembly is not individually elected on his/her merits by the electorate or accountable to a particular locality or constituency. While containing ethnic or regional bias and favouring stability political regimes, this system also constrains accountability downwards beyond the general party system and limits the scale linkages between local concerns and national representation. It also limits the time linkages of citizen to influence national representation to once every five years, rather than a dialogue between electors and elected.

The President is elected as an individual and forms an executive presidency with very strong and central powers as head of state, party and government (Bauer and Taylor 2005). The President appoints a Prime Minister, Ministers and Provincial Governors who constitute the Council of Ministers (or cabinet); and these cannot be drawn from members of the National Assembly. There is thus a strong division between powerful executive (centred on the Presidency-executive) and a weak parliament; with accountability of government upwards to the Council of Ministers and President and not to parliament. The Assembly therefore functions solely to debate or pass legislature, not to hold any authority or accountability over president-government.

There is thus little in terms of horizontal control of the executive by the legislature (National Assembly), allied to the limited reality in practice of vertical accountability to the electorate. Other forms of horizontal control also remain weak. Judicial powers are exercised through the Supreme Court with the President appointing professional judges. The Judiciary maintains in practice much of its subordinate status in previous regimes, rather than an independent entity upholding constitutional rights and controls over the power concentrated in the executive. This weakness has been particularly obvious in cases of disputed election results or procedures and also in judicial cases of fraud and patronage involving senior members of the party-state-economic elite (see Vaux et al 2005).

A weakly evolved and independent judicial system also presents challenges for the implementation of new legislation and rights that evolved from the mid 1990s (over land and resources in particular) that opened up more than a national scale focus on the dispersal and accountability of power. The civil law operates directly via judges (without trial by jury) and is based around colonial received law and the Napoleonic Code, rather than case law. What this means is that once a law is approved, the role of the judiciary is purely its implementation, rather than interpretation through evolving legal precedent (see Norfolk et al 2002). This creates bureaucratic brakes on adaptation to conditions unclear or unspecified in legislation.

In overview the national scale narrative of a successful transition of Mozambique away from its past experiences with centralised power in a colonial or Marxist-Leninist state to a liberal democracy of executive power accountable to the electorate and controlled by legislature and judiciary, from wars to peace and stability, from central economy to free market economy is a partial and simplified story. There is much evidence instead of ‘transformative preservation’ and of complex adaptive cycles; the continued relevance and trends in consolidation of past centralist actors, institutions and beliefs in present national forms of governance. In this context it is worth turning now to the more diffuse and multi-scale governance; the avenues of democratisation arising from self government at local scale and around land and resources.

### **3. REFORMS IN GOVERNANCE; LOCAL, LAND, RESOURCES**

#### **3.1 Local Government**

The first attempt at reform of local government was the 1994 (Law 3/94) that was enacted just prior to Mozambique’s first multiparty elections. The law emphasised the creation of autonomous local elected bodies (or *autarquias locais*) comprising municipalities, towns and down to villages (Soiri 1998). This was comprehensive local democratic reform and included administrative decentralisation, fiscal decentralisation and democratic decentralisation to elected local sub-district up to provincial level public

bodies. Such elected public bodies would essentially replace the vertical and centrally accountable state administration structures that had been inherited from the colonial era and maintained post independence.

The favourable political climate for such a radical change was a combination of; firstly concern by Frelimo that it could lose national power in the elections and might require a fall back via local government; and secondly a strong level of pressure at that time from donor and multi-lateral agencies pushing for comprehensive democratisation at all scales (see Buur and Kyed 2005; Ostheimer 2001).

However the law was never put into effect. It was in fact repealed in 1996 (post elections) with a constitutional amendment that the autonomy of the any new local bodies was to be limited and supplement (not replace) the existing central nominated state administration (Soiri 1998:10) and this was passed into the new law (Law 2/97). The law was then not implemented at all in the rural areas, but instead was focused on 33 large urban municipalities with elections first held in 1998. However, controversies over the reforms meant that Renamo boycotted the elections, public participation was low and the most striking feature of the elections was that 86% of voters abstained (Soiri 1998: 4). The result of local government reform by the late 1990s was a complex co-existence of four disparate entities with little clear articulation:

‘The hyper-centralised, highly bureaucratic and technocratic central state with its nominated loyal provincial governments; secondly, the weak, inefficient and delegitimised “local organs of the state” the district administrations; thirdly, the only 33 newly created [urban]...municipalities; and fourthly the African forms of social organisation and government, largely outside, or at the margins of the state.’ (Soiri 1998: 6)

Given that the majority of Mozambicans are rural dwellers and the general collapse of state administration even as district level, most people lived in a vacuum of formal rural governance throughout the 1990s. As during the civil war, this vacuum was partly filled by informal structures of communal self government mixing customary norms, with Frelimo or Renamo party structures and elements of state administration that varied considerably from place to place depending on local realities and history (see Alexander 1997; West and Kloek-Jensen 1999 for overview; and Chapter 6 for examples in Niassa Province).



The possibilities held out by the local election basis of the repealed 1994 Law was to endorse such locally evolved or socially legitimated systems of local governance in their pluralism and diversity. Formalising local pluralism and social embeddedness was for example critical in the parallel land reform developments, as discussed in the next section. However, a reified idea of ‘traditional authority’ was to emerge as dominant in relevant state thinking and approaches to local governance. This emergence was firstly a result of studies commissioned by the Ministry of State Administration and funded by donors between 1992 and 1998 that promoted the conception of chiefs in systems of traditional authority as the legitimate representatives of rural people (see West and Kloeck Jensen 1999 for analysis of the complex evolution of the debate). Secondly it was an outcome of political considerations within the government and Frelimo of how to counter Renamo’s perceived strength through a rural support base in traditional authority (see Burr and Kyed 2005); and a dramatic reversal of long standing Frelimo views on such systems.

In 2000 a Ministerial Decree (rather than law debated in the National Assembly) formally established ‘Community Authorities’ drawing from 3 options (Decree 15/2000). These were traditional chiefs, local Frelimo party secretaries and ‘other leaders’ legitimised as such by their local communities. In practice the legitimising process by the state has focused exclusively on the first two and in particular on traditional chiefs. Around 4,000 such Community Authorities were formally recognised via the Ministry of State Administration from the issuing of the decree in an accelerating process up to and just after the holding of national elections in 2004 (Burr and Kyed 2006). In case study research the complexities involved in identifying ‘true chiefs’ or traditional leaders in community consultations (given the historical backdrop of the past 30 years in rural areas as well as the reified conceptions of customary authority), has left considerable discretionary power in the hands of state administration actors when legitimising and registering Community Authorities (see Burr and Kyed 2006).

The roles and responsibilities of Community Authorities as outlined in the Decree 2000/15 are a mix of representing the local community in articulation with the state or other bodies but also fulfilling obligations of state-administrative functions (tax

collection, mobilising communities in development initiatives, census/registration, land allocation, local policing, and nation building amongst others). In return for such delegated tasks the state administration provides a salary, uniforms and emblems. Essentially these are transfers of responsibility with largely upward accountability to state administration; a form arguably closer to the indirect rule of colonial era *Regulos* (Chiefs), than a component of downwardly accountable public entities with authority-legitimacy held distinct from state administration.

In 2003 further reform (focused on clarifying central to local state administration) was the Law for Local State Bodies (Law 8/2003) known as LOLE (or *Lei dos Órgãos Locais do Estado*); with a decree with regulations to the law approved in 2005 (Decree 11/2005). In this law the role, responsibilities and status of provincial and the 3 sub-provincial levels of District, Administrative Post (*posto*) and Locality (*localidade*) are as “de-concentrated units” of the central state and subordinate to central government. While this process reduced the previously existing state administrative vacuum below district level it did not build any space for a hierarchy of local public bodies separate from state administration. Instead Decree 11/2005 promotes ‘Local Consultative Councils’, which are not democratically elected institutions but composed of individuals directly proposed by the Community Authorities or District officials (and in principle then approved by communities) which provide an arena for consultation. They do not hold authority, responsibilities or power as a public entity and are not based on democratic principles of electoral accountability.

Perhaps the starkest feature of more than a decade of reform in local governance is the paradox that the national scale (National Assembly and President) still remains the single arena in which elected democracy operates in the formal governance system. The reform process has largely deconcentrated administrative functions and consolidated a vertical and centralised system down to the Locality level. There maybe increased participation and ‘consultation’ avenues available to local rural society but no decision making power or direct accountability.

### 3.2 Land Reform<sup>4</sup>

As noted previously, Mozambique, unlike most of the Southern African region, did not inherit a dualistic land tenure system from the colonial era; a division between private land and communal land regimes. The land reform process started in the early 1990's with a Land Policy developed in 1995 that, while maintaining state ownership of land, was a significant development in recognised the legitimacy of existing customary rights over land. A key policy aim was to balance new investor led development and pressures on access to land and resources in the shift to a market economy with secure rights for tenure held in informal customary forms by the majority of the population. This is summed up in the mission statement of the Land Policy of 1995 as; 'safeguarding the diverse rights of the Mozambican people over land and other natural resources, while promoting new investment and the sustainable and equitable use of the resources' (quoted in Salamão 2006:6).

The Land Law of 1997 (Law 19/97) was developed on a rights based approach to tenure. The state allocates a Right to Land Use and Benefit (or DUAT<sup>5</sup> in its Portuguese acronym). This DUAT can be acquired in different ways by existing users of land (such as rural communities) or by new investors but it is the single 'instrument' giving equivalent rights to all players (see Tanner 2004) and forms a private right and entity framework rather than a public one.

The DUAT right can in the law be acquired in 3 ways; *firstly* through customary occupation, *secondly* through "good faith" occupation (unquestioned use of an area for 10 years or more), and *thirdly* through a formal request to the state for new rights to be allocated (the route for new investors-private sector) (Tanner 2004). The law fully recognizes and protects existing rights acquired through the customary systems, without the need to identify them formally or register them. The right involved in each of these three cases is the same.

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<sup>4</sup> It is worth noting that this process was more one of land tenure clarification rather than land reform, as unlike other countries in the region the 'land question' does not (as yet) revolve around the reduction of the concentration of land in one or more social or economic groups (see Tanner 2004).

<sup>5</sup> DUAT – Direito de Uso e Aproveitamento da Terra

A new legal and juridical entity – the “local community” – was created by the Land Law as a customary land-holding and land-management unit within which customary land law is applied without need for registration by, for example, the state cadastral service. The legal definition of what was a ‘local community’ that could hold such rights was an innovative combination of territorial and self-identification concepts with the specification of the resources with which the collective was involved.

‘A grouping of families and individuals, living in a circumscribed territorial area at the level of a locality or below, which has as its objective the safeguarding of common interests through the protection of areas of habitation, agricultural areas, whether cultivated or fallow, forests, sites of socio-cultural importance, grazing lands, water sources and areas for expansion’ (Law 19/97 Article 1/1).

Regulations to the Land Law were produced in 1998, and a Technical Annex in 1999 that was concerned with simplifying procedures for communities to realise in practical or active form their rights to use and benefit of land (or ‘DUAT’) through a delimitation process involving participatory mapping by the community of their land and boundaries with their neighbours. The Technical Annex provides for 3 to 9 representatives elected by the local community entity (as defined in the land law) to sign the relevant documents that indicate that the community and its neighbours have agreed with the delimitation. The delimitation process results in the registration in the state cadastral system of the boundaries of the local community land right and the issuance of a certificate providing visible official documentation of such co-title rights over the boundaries identified.

For investor or private sector DUAT rights the law requires a process of *Consulta* (or consultation) facilitated by the local administration with the local community in the area for their approval to gain access to the land being requested. If the community view is that they occupy the land (in terms of the first and second rights of occupation noted above) the applicant must look elsewhere (or negotiate terms with the community). If not, the applicant follows a process to request a DUAT title from the state which includes demarcation (more detailed than delimitation) and a development plan. If the application is successful and the development plan is implemented a definitive DUAT is issued for up to 50 years (Chilundo et al 2005:7). A definitive DUAT title involving the more detailed process of demarcation in the investor mechanism can be followed by

local communities but the certificate process by delimitation has equal rights in law and is far less costly<sup>6</sup>.

The Land Law in Mozambique has been generally recognised (Chilundo et al 2006:4) as one of the most innovative land tenure reform processes in Africa. Some key factors (Tanner 2002) that have been identified in this success include; *firstly* balancing key interests by an emphasis on protecting existing rights and creating secure conditions for new investment; *secondly* stressing a social rather than legal or administrative development process so that diversity within Mozambique was incorporated; *thirdly* and most importantly a consistent involvement of a broad coalition of government, technical, donor, and civil society.

The latter was particularly strong, with the development of a concerted Land Campaign of mainly Mozambican individuals or NGOs. This provided a collaborative group of over 200 organisations to debate or influence the process, and to disseminate information on the laws or issues widely in society and has been called the ‘biggest civil movement’ in recent Mozambican history (Compete 2000:5).

The actual implementation of the Land Law and especially in terms of realizing in practice the radical new rights for local communities has been complicated by a number of factors. These include a very limited awareness of the rights and procedures of the law at community, administration or investor levels; a limited ability by a weak judiciary to defend such rights; very limited resources or staff made available by the state to act as facilitator of such rights; and a *Consulta* process that has in practice prioritised investors over community rights (see Tanner et al 2006 for detailed assessment). There are also contradictions between sector reforms and particularly with local government reforms; which as Norfolk (2004:20) notes has been:

“a parallel process through which the government has been reinstating the institution of ‘indirect rule’ through ‘community representatives’. The decree (15/2000) essentially re-appoints the traditional chiefs as legally-recognised representatives of community groups.... the definition of a local community in the regulations to the decree varies

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<sup>6</sup> The main difference between delimitation and demarcation is that in the latter, the land is registered in the Property Records Registry after the title is issued to the community. In the case of delimitation, the community receives a certificate for land use and benefit rights (DUAT) which is registered in the National Land Register.

from that in the Land Law and is strictly related to territorial administrative divisions; district, administrative post and locality. Community representatives of these groups are therefore state-appointed; state remunerated and of a public character, whereas local community groups in terms of the land law are private land-holding entities.”

### **3.3 Natural Resource Reforms**

Many of the principles in the reforms to forestry and wildlife legislation are similar to that of described above in the land reform but both the content and approach to its formulation have been different.

A general policy was published in 1996, a new Forestry and Wildlife Law (or LFFB) in 1999 (Law 10/99) and Regulations to implement then enacted in 2002 (Decree 12/2002). This process was developed with relatively little consultation beyond the responsible technical or administrative ministry and in contrast to the land process was less informed by the social aspects of the resources or developed a coalition involving civil society. Although it retained the legal and empowering definition of ‘Local Communities’ as in the Land Law, the key difference was that it provided no inherent rights (beyond certain subsistence ones) to community access to forestry or wildlife resources. These remained under state ownership, and thus gave an emphasis to legal-administrative procedure and zonation aspects. If the land process stressed ‘ownership’; a basis of equal rights between community occupying land and private interests with the state role limited to adjudication; the wildlife and forestry process has stressed ‘participation’ in a co-management approach in which the state is regulator.

Some key provisions of the legislation (Law 10/99) are:

- The division of the forest and wildlife estate into 3 main classes; protected areas, forest production and multiple use areas. Protected areas include National Parks, Reserves and Areas of Historical and Cultural Value (defined and used according to customary norms).
- That access and use of resources in these areas (primarily forest production and multiple use areas) will be based on concessions, leases or licences. Concessions or leases require management plans and inventories to standards set by the relevant ministries and applicable to all applicants (there is no differentiation envisaged between private sector or community applicants). Licences and fees for wildlife or

forest use are differentiated, with lower costs and procedures for subsistence or internal usage by communities.

- Promotes private sector involvement in the exploitation, management and conservation of forest and natural resources.
- Communities will be consulted in the granting of concessions or licences, the establishment of protected areas and the development of management plans for conservation or utilisation of resources.
- The establishment of local resource participatory management councils (or COGEPs), a legal entity comprising equal membership of 4 groupings; local communities, the state, private sector, and associations/NGOs. The councils can pronounce on requests for licences, conflicts regarding resources, management plans, facilitate state law enforcement and veto unsuitable ‘projects’.
- The state may delegate its management powers to the private sector, associations or local communities for exploitation, use or conservation in all zones (Article 33).
- Twenty percent of the licence fees payable to the state for resource use will be paid as a royalty to benefit local communities or management in the area of exploitation.

Mechanisms and details for the last two provisions remain to be clarified. These are key issues, as while the current provisions identify responsibilities, the authority and incentives are not clearly located between the potentially large range of entities. The function of the COGEPs is particularly ambiguous in this context. For example, whether they are envisaged as the primary body for community participation and the main benefit distribution mechanism of royalties, or a body with mainly advisory and collaborative functions.

In summary, the current state of reform has an emphasis on the subsistence and ‘participatory’ benefits for communities via state regulated royalties on licences and taking part in a local resource administrative body.

### **3.4. Overview**

The above discussion illustrates both the extent of the reforms over the past decade but also the complexity and ambiguity they reveal in terms of structures and processes of power, authority and accountability in governing decision making in the Big Society.

The three reforms discussed vary to the extent that governance has emphasised state or non-state frames of reference, clear mechanisms to transfer rights and responsibilities, and the degree that the state administration's roles are facilitative or regulatory. The land reform has been the most radical in form and in its focus on rights at the very local level which legally recognises customary rights of occupancy and a collective status based on self-identification that can encompass the diversity of social situations in the country. The role of the state is one of facilitating the realisation of these rights. The constraints or problems noted earlier are mainly related to whether the state has the capacity or commitment in the bureaucracy and judiciary to do so. The land reform basically promotes devolved local governance.

The Forestry and Wildlife process has been less clear in intent or mechanisms. It has emphasised participation and consultation but not rights, which are retained at the discretion of, and regulation by, the bureaucracy of the state. It also presents a differentiation in relation to local community, unlike the land law, either as privileged (for subsistence use) or passive (consultation, participation in decision bodies or COGEPs, in revenue share from private sector use) or constrained (technical and financial costs of gaining use rights to resource concessions). It thus maintains a dichotomy between the local rural sector of society and other entities in a governance framework that is vague and dependent on interpretation by the state bureaucracy. On the other hand the legislation offers the potential of more radical reform in which governance of natural resources could be delegated to local community bodies in devolution mechanisms that are yet to be clearly specified. It therefore represents a case where all options have been retained, nothing is impossible but much is ambiguous. The state has a strong regulatory role and partial state decentralisation, partial devolution but



predominantly privatisation and re-centralisation, are the features of current governance (see also Chapter 4 and 7).

The reforms to local government, originally the radical creation of democratically elected public bodies from Province to Locality scale in 1994, have evolved since 2000 as largely concentrated on the consolidation of the central and vertical politico-administrative hierarchy, a degree of administrative de-concentration and a penetration of state administration below the previous District level to *Postos* and *Localidades*. Below this level the articulation is evolving with the new 'Community Authorities' and 'Local Consultative Councils' existing largely at the discretion of the politico-administrative system and not as autonomous public bodies with distinct powers or authority accountable downwards.

#### **4. TRANSFORMATIVE PRESERVATION AND COMPLEX ADAPTIVE CYCLES**

The narrative of this chapter has looked at national scales of governance in Mozambique over a period of around 50 years. It has discussed 3 main periods and these I would argue display characteristics of a complex system undergoing adaptive cycles with distinctive phases.

The longest phases in 3 periods discussed (late colonial, post independence, current) have been of increased centralised governance and a top-down hierarchy of power and authority. This has been a persistent theme in Mozambique whether as an 'overseas province' of Portugal, independent Marxist-Leninist state, or multi-party elective democracy. Each period has had as its backdrop the issue of building an integrated large society from a complex and diverse reality. This was the case for the main administrative colonial period concentrated from the mid 1940's to 1974, for Frelimo after the independence struggle, and again in the re-building of the country after a decade of civil war. The approach that emerged to the challenges in each case, and within regimes of considerable difference, has been the emphasis on trying to maximise stability through the close relationship of political and administrative governance and its focus on central controlling power and authority. This corresponds to the period or

phase in complex adaptive cycle theory referred to as the 'foreloop' where a period of growth leads into a long phase of accumulation, monopolisation and conservation of structure during which the systems resilience declines as the foreloop progresses. The more conservative the system remains (such as more centralised or resistant to dispersing power and authority) and the longer it remains in this phase the more resilience is lost and the greater the collapse. In the case of Mozambique collapse has occurred twice at national scale in devastating wars.

Complex adaptive cycle theory posits that collapse leads into the 'backloop' in which there is a phase of breakdown leading to renewal and reorganization in which possibilities and novelties for new configurations of (for example of governance) emerge and can change the configuration of the system as it moves again into the start of the foreloop of the cycle. The theory also posits that this backloop is short. This has seemed the case in national governance in Mozambique. There have been shorter cycles in which alternatives to the centralised hierarchies emerged or have been promoted. The first was in the period immediately after independence where there was the encouragement of 'people's power' (*poder popular*), mass participation structures developed from the local level upwards (the 'dynamising groups') and a major attempt to transform Mozambican society. However, the modernist ideology of this transformation and its ambition to break profoundly with both colonial and customary structures of governance was to re-concentrate decision making in a party-state hierarchy and a vanguard elite within a few years of independence. A centralised and downward directive approach became ever more entrenched as the political and economic challenges grew and finally fragmented as the civil war expanded over much of the country.

The second short phase in the cycle following the end of the civil war again was a radical attempt to transfer governance downwards to locally elected representative bodies in an environment of fragmented state structures and pressures for participatory democracy. However, with the consolidation of political and administrative structures post the first multi-party elections a gradualist and partial process has come to replace radical change. Control over the pace and direction of reform to governance has shown

a tendency once more to re-concentration in the apparatus and hierarchy of the politico-administrative state.

**Table 1: National Governance Features and Complex Adaptive Cycles**

Time Period	Phase in Cycle	Features
Colonial (1950-74)	End of the foreloop (monopoly) and shift to start of the backloop (collapse of the system)	Stalemate, unwillingness to adapt, negotiate, disperse power. <b>War leading to regime change and independence</b>
Post Independence (1975-92)		
1975-77	Collapse to Re-organisation	Rapid change phase involving dispersal of power
1977-1982	Growth to Monopoly	Consolidation of centralised power
1982 - 1992	End of the foreloop (Monopoly to Collapse)	Stalemate, unwillingness to adapt, negotiate, disperse power <b>Civil War leading to peace agreement</b>
Post War (1992-2004)		
1992-late 1990s	Backloop (Collapse to Re-organisation)	Rapid phase involving dispersal of power, openness to novelty and change new policies and legislation (Land Law)
late 1990s- 2006	Start of foreloop (Growth moving to monopoly?)	From policies to legislation to regulations in reforms (Local Government and Forestry-Wildlife legislation). Re-concentration of power at centre. Slower pace of reforms <b>Increasing conflicts. Degree of stalemate over dispersal of power</b>

## 5. CONCLUSIONS

*Mozambique provides an example of a third wave democracy where the transition from an elected democracy to a consolidated democracy has not yet been completed ...the paralysed state of Mozambique's politics underlie a tendency towards a persistent entrenchment of democratic minimalism. Ostheimer (2001:1).*

By placing the analysis in a historical context the discussion has aimed to show the features of the large society that have promoted centralised governance and resisted the dispersal of power. The most enduring of these was the creation of the nation state from a challenging geography and a diversity of social systems, whose integration as a polity has consistently proved difficult and which a single administration and national economy was only partially achieved in the last 20 years of the colonial era. Inheriting

this situation at independence, Frelimo with its transformist and modernist ideology attempted to create a state from a country without a nation, but with a similar centralisation of the political-administrative structure and one in which party, state and government were closely related. As the political and economic challenges of integration mounted, the adaptive approach of experimentation and feedback of the 'necessarily vague' and 'learning from setbacks' rapidly became replaced by the approach of 'everything must be planned, programmed, organised' by the vanguard party and centralised state.

As Cahen (1993: 59) rather harshly notes 'the nationalist-stalinoid party took the place of the fascist-senile party, maintaining the authoritarian relationship with the population'. After the civil war and in the democratic transitions to an elective multi-party system a similar trend that has emphasised control and stability via recourse to the unitary basis of the constitution, the idea of a homogeneous nation and emphasis on centralised governance has re-emerged.

Control and maintaining stability has also been a particular emphasis of politics and national government. Elective democracy is focused at the national scale in a proportional representation system based on party lists in which the linkage between local electorate and representatives is weak. With only two main political parties and where Frelimo has dominated the legislature through its narrow majority since the first national elections in 1994, the political discourse has remained polarised rather than based around building consensus.

The concentration of power and authority legitimised through an elective process has been successful in providing the initial stability for rebuilding Mozambique after the civil war and particularly in macro-economic terms. However, its perpetuation limits the consolidation of democracy; the dispersal of power and the development of linkages between local and national scale, while promoting patronage and corruption by elites and raising the stakes of instability around national elections and the prospect of loss of power.

## CHAPTER 4

# **CONSERVATION, COMMUNITIES AND NATURAL RESOURCE GOVERNANCE**

## **1. INTRODUCTION**

This chapter undertakes an analysis of natural resource governance focused on wildlife and forestry and the recent progress and challenges of community based management of natural resources.

Firstly it takes on the issue from the past chapter on the extent that the policy and legal reforms to natural resources and land tenure that, in contrast to the centralising reforms in politico-administrative government, open up opportunities for local power, authority and accountability; how they have emerged in practice and whether this had fed back to national scale evolutions. Secondly it uses ideas (see Chapter 2) on the interactions between different scales in complex adaptive cycles; and between actors (or actor groups) in a cycle from foreloop to backloop, from crisis to testing alternatives, from policy making to implementation; and the activists, catalysts, decision makers and bureaucrats with significant influence in these different phases (see Gunderson et al 1995).

The aim is to assess the linkages and relations between these spheres of governance with the broader picture outlined in the previous chapter and the implications of the historical continuities in the natural resources sector. It outlines those features that distinguish Mozambique from its neighbours, in issues such as state conservation of wildlife, and argues that discourses or practices often assumed to be uniform for the southern African region are in fact of relatively recent origin or importance in Mozambique. The narrative flow of the chapter starts by looking at the colonial and post colonial era, then more focused on phases in the cycle of the last 15 years before moving to recent evolutions in Community Based Management (CBNRM) initiatives.

## **2. HISTORICAL EVOLUTIONS**

The following discussion concentrates particularly on wildlife resources. This is partly because its history provides the clearest contrasts with the rest of the region and partly because wildlife Protected Areas now comprise the single largest state managed land-use of the country (see Map 3 and Table 2). A final rationale for this focus is that no history of conservation in Mozambique has so far been written and this section attempts a preliminary overview drawing on available written sources but mainly from my working in the sector from 1992 to 2002 and discussion with colleagues.

Given the emphasis of this chapter on the state and the scale of Mozambique, the use, values and management of natural resources by the small society within the history of the country will be more addressed in Chapters 5 and 6. However, it is worth noting here that as far as natural resources are concerned the trade in elephant ivory was the dominant economic feature of the 17<sup>th</sup> and 18<sup>th</sup> centuries in Mozambique, both in the north and extreme south of the country, and promoted Arab, Indian and Portuguese influence along the coast and linkages into the interior (Newitt 1995; Alpers 1975). The colonial state's formal involvement in wildlife was limited to taxation of the trade and export of wildlife products rather in its management or conservation and this basic relationship persisted until the mid 20<sup>th</sup> century.

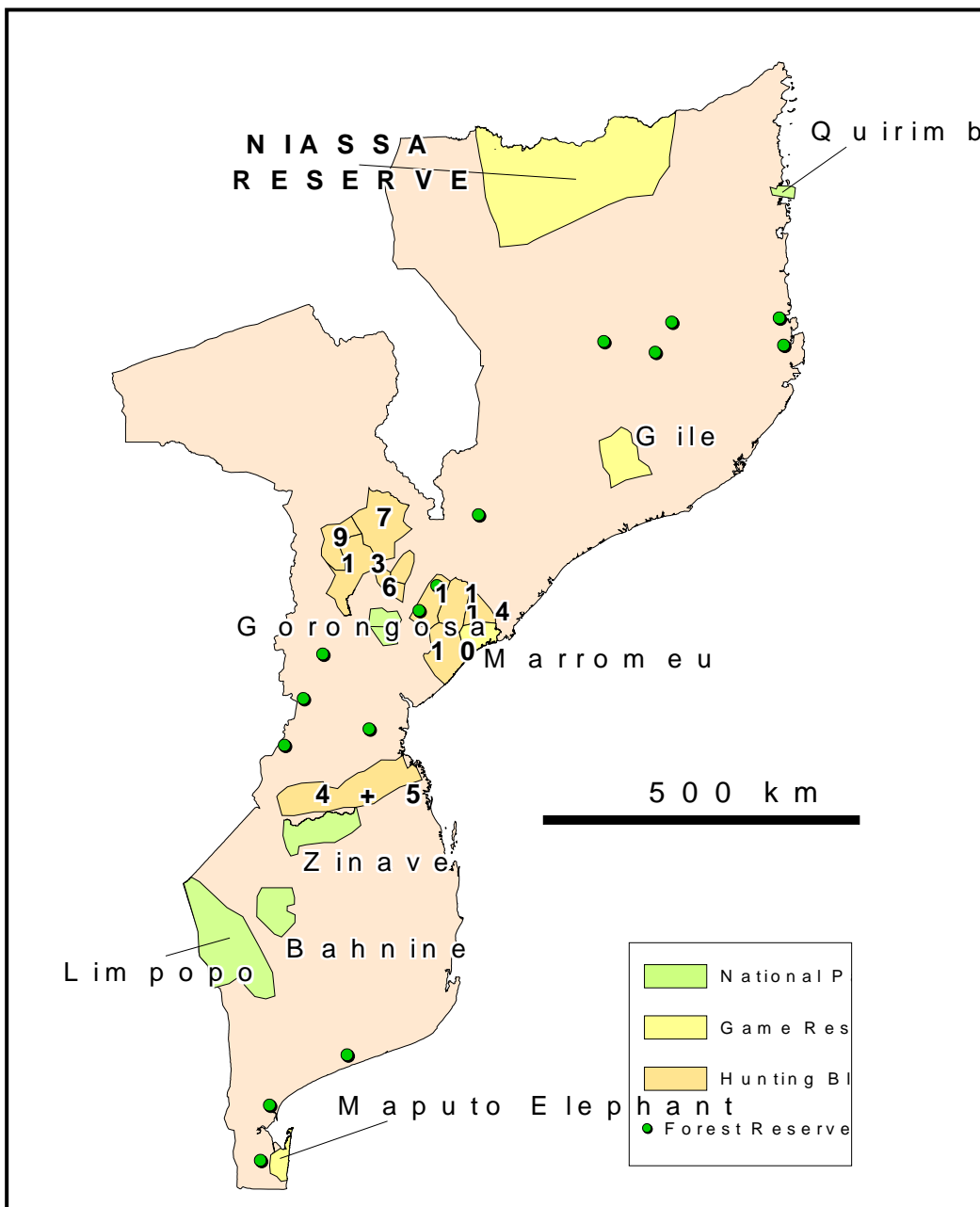
### **2.1. Conservation in the Colonial Era**

The first wildlife legislation was passed for Portugal's colonies in 1909 (Soto 2003:2), although this was largely limited to the licensing of hunting for certain commercially valuable species. This licence system was little enforced as illustrated by descriptions of elephant hunting in Portuguese East Africa for ivory in the pre World War 1 era by Sutherland (1912) and Pretorius (1947). Although Portugal attended the 1933 London Convention (the first international convention concerned with wildlife preservation) it did not ratify the Convention until 1948 and only issued a decree to implement its commitments more than 20 years later in 1955 (Soto 2003).

Three different factors seem to have contributed to this leisurely evolution. The first is that 'nature' in Portuguese society did not hold the position that it did in for example

**Map 3: Protected Areas in Mozambique (2004)**

*(Note: 1,2, 3 etc refer to the official numbers for designated Hunting Blocks)*



northern European or American culture (Dias 1970), nor did environmental discourses hold the importance that they did from the earliest stages in the British colonial administrations (see Anderson and Grove 1989; Graham 1973).

The second factor seems to have been one of imitation rather than function. Serodio de Almeida argues (in relation to Angola) that the 'New State' of Portugal that came into being in the early 1930's was eager to be accepted as a modern colonial power and joined various international conventions that would bolster this status. However, in practice it was not internally driven to create more than 'paper reserves' or to devote administrative attention or resources to conservation (Serodio de Almeida in IUCN 1992 and *pers comm.*).

The third factor was that wildlife in Mozambique was primarily important (in the formal as well as informal sector) from the 1930's until the late 1950's as a source of meat. This was to supply the labour concentrations in the rapidly expanding agricultural schemes or urban areas, in conditions where domestic meat sources were limited by tsetse fly (Spence 1963; Smithers and Tello 1976).

The 1955 Decree established key principles including that all wildlife was state property and could only be utilised under licence; that the state should conserve wildlife and especially rare or endangered species; and that the state should create protected areas. It is worth noting the irony that, at the time of this decree and for the next 5 years, the most intensive reduction in wildlife occurred.

This was mostly due to the development of large-scale plantations in central and northern Mozambique, whose owners were obliged by law to provide a daily meat ration to their sizeable labour pools. To source this meat the government issued commercial meat hunting licences to a large number of Portuguese hunters (who in turn sub-contracted teams of local hunters) with the result that during the 1950's there was;

'uncontrolled destruction on such a scale that the country between the Zambezi and Rovuma rivers, which used to team with game, has been almost completely denuded of wildlife' (Spence 1963:16).

By the end of the 1950's the only remaining areas with significant wildlife were limited to the remoter parts of Niassa, the Gile area of Zambezia, and south of the Zambezi, in



the central provinces of Manica and Sofala and inland sections of southern Mozambique (Spence 1963:17).

In 1960 the government took its first major steps to tackle this situation in introducing legislative and organisational changes. The first step was the establishment of new wildlife laws, which gave teeth to the 1955 principles and reduced the number of large-scale commercial meat hunting licences to 18 operators limited to specific areas. The second was the rapid identification during the decade of the 1960's of 92,200 km<sup>2</sup> of protected areas (Soto 2003), comprising National Parks or Reserves (35,500 km<sup>2</sup>) and a larger zone as *Coutadas* or Hunting Areas (56,700 km<sup>2</sup>); with an emphasis on tourism in the Parks and sport hunting in the *Coutadas*.

Meat hunting licences were also allowed in *Coutadas*, or more generally, for Mozambican residents with permits. Responsibility for management of wildlife was transferred to the Veterinary Services (whose main task, paradoxically, was an effort focused on the elimination of wildlife south of the Save River to establish a tsetse-free belt) and undertaken by a very limited staff of initially only 15 people (Spence 1963: 18) for the whole country. This meant that such staff had a minimal capacity to manage protected areas, let alone enforce wildlife laws in general areas of the country. While staffing levels increased in the 1970's (Fernando Costa *pers comm.*) it was never an effective level of human resources beyond specific sites such as Gorongosa NP or Maputo Reserve. The *Coutadas* (over 60% of the protected areas) were managed directly by the concessionaires, who were responsible themselves for all law enforcement and conservation activities within these zones.

Protected areas for forestry covering only 4,500 km<sup>2</sup> were identified at an earlier stage during the 1940s – 50's and largely selected on the basis of retaining state strategic timber stocks in Nampula and Zambezia (90% of the forest reserves) than for biodiversity, watershed protection, fuel wood or other environmental rationales (Fernando Costa *pers comm.*).

One of the most important factors in the relatively sudden growth in conservation initiatives in Mozambique during the 1960s and 1970s was the major economic, social and political integration of the country into the regional context and especially linkages

with South Africa and Rhodesia. This brought with it not only ideas about wildlife conservation and growth in wildlife related tourism and revenue (especially related to Gorongosa National Park and the sport hunting areas of central Mozambique) but also the secondment of individuals such as Ken Tinley and Paul Dutton from Natal Parks Board. Their influence was significant in promoting field ecological research, the first systematic wildlife surveys, applied management and a wider conservation ethic concerned with strategic land use planning and the relevance of environment to national development.

Within Mozambique there was also the emergence within the wildlife sector of individuals such as Jose Lobão Tello and Fernando Costa with an interest in natural history, a growing practical experience in wildlife management and a level of 'vocation' or personal commitment beyond that of a bureaucrat to their job. As Fernando Costa, who I worked with in the early 1990's explained, the wildlife sector in the 1960's was regarded as a 'poor relation' within a highly bureaucratic and livestock focused Veterinary Services, with the senior levels of the bureaucracy having little interest in conservation. The low status, poorly paid field staff was expected to focus on revenue collection or enforcement of related laws. An interest in natural history, wildlife management or a desire to live in the 'bush' was regarded in this context as a form of eccentricity.

The key point is that beyond the form of declaring protected areas or passing legislation, the real function in terms of change was taking place as a result of a combination of internal and external influences via a small number of key individuals focused in the field in central-southern areas of the country. The process of change in ideology and practise of conservation was being driven from below, not from above, and by the influence of norms different to those held by state bureaucracy. The extent that this 'bottom up' transformation could have become institutionalised in the central administration or more widely permeated the Mozambican governing elite can only be speculated on, as deeper changes associated with the liberation war and independence were to intervene.

The decade of 1965-75, in which the conservation changes above largely occurred, was also the period in which military conflict dominated the north (and later centre) of the

country and ended with independence and new transformations to state governance. The military conflict of this period was to lead to a reduction in the already limited capacity to enforce wildlife laws and to combatants from both sides to use wildlife as a meat source, and for the administration to feed the ‘protected villages’ established throughout the north via hunting (Smithers and Tello 1976).

High value wildlife products were also extracted; ‘between 1964 and 1974 Portuguese soldiers operating in the north increasingly shipped out ivory, rhino horn and leopard skins on Navy and Air Force ships and planes’ and in the rapid exodus of Portuguese settlers after independence ‘the author saw large containers full of ivory and some rhino horn in the harbours of Maputo and Beira’ (Tello 1986; 15).

## **2.2. Conservation in the Post-independence Era**

Following independence, the new Constitution nationalised all natural resources and brought them under the direct control of the state and in 1977 revised some of the inherited colonial legislation issuing the ‘*Legislação Sobre as Actividas da Caça*’ (Hunting Activities Legislation) (Soto 2003).

As the name suggests this was mostly concerned with hunting and one of its thrusts was the formalisation of meat hunting by local communities in the form of cooperatives to which the state could issue low cost licences. The socialist orientation of the new government (cooperatives and state farms) was also reflected in the context that the *Coutadas* or sport hunting areas were organised into ‘Wildlife Utilisation Units’ under a state enterprise called EMOFAUNA (Tello 1986). These Units were mainly concerned with the sustainable production of wildlife meat to supply state farms, the military and urban centres. They ceased to function in the early 1980s due to the expansion of the civil war. State wildlife protected areas (National Parks or Reserves) were reduced to covering 7% of the country or around 56,000 km<sup>2</sup> (Tello 1986; 4).

Institutionally, wildlife and forestry was integrated into the National Directorate of Forestry and Wildlife (or DNFFB) in the Ministry of Agriculture with a ‘dual subordination’ structure downwards from Maputo to provincial and district level. With the rapid and almost complete exodus of the colonial administrative, field or technical

staff in the period following independence the formal capacity to manage natural resources was slowly improved by the recruitment of external expertise and the training of Mozambicans.

In the wildlife sector some senior staff from the previous administration (Tello and Costa) had stayed and were complimented by the secondment of two Tanzanians (a warden and a biologist) and the voluntary service of two British ecologists (John Burlinson and Judy Oglethorpe). The emphasis of these individuals was on two protected areas (Maputo Reserve and Gorongosa National Park) and particularly on the training of field staff, first at the newly created Gorongosa Wildlife School and later at Maputo Reserve. Personnel intended for more senior field management posts were sent to the Tanzanian 'Mweka College of Wildlife Management' from the late 1970s onwards. However, apart from the protected areas and utilisation units noted above, there was very weak capacity developed at either the central level or in the administrative hierarchy downwards to province or district levels. As in the colonial era, the potential for 'bottom up' transformation or linkages was again halted by instability and in particular the expansion of the civil war from 1979 in the central zones to cover almost all the country by 1984. In this period the protected areas had to be abandoned, field staff were withdrawn to provincial capitals or Maputo, the Tanzanian or British support staff left, and a decade was to pass before a third phase of field conservation.

Institutionally the wildlife section of DNFFB was to remain from the early 1980s to mid 1990s an insignificant component of the Directorate with very limited human or financial capacity and an isolated agency with very weak linkages even to the provincial scale. This contrasted to the forestry sector, which dominated the Directorate, and where external support (largely from UN agencies) had focused on technical advisory aspects, production forestry (mainly through an emphasis on state plantations of exotic species for timber or fuel wood) and considerable support to the central administration via a long-enduring FAO programme. Training, either through the Forestry degree at the national university or at foreign universities, also tended to emphasise production and technical aspects of plantation forestry rather than indigenous forest management or environmental forestry.

Thus DNFFB was to emerge into the 1990's as a centralised state agency with a strong forest production and technocratic bias (with a leadership at Maputo and provincial levels which reflected this) and with a loosely appended 'Cinderella' wildlife section. The three most senior staff in this section<sup>1</sup> were recent graduates of the national university's Veterinarian course (which focused on domestic livestock production and diseases) and had been appointed into these senior administrative positions directly from university.

Those who did have practical experience or applied training were the generation that had been trained in the late 1970's (at Mweka in Tanzania or the internal Gorongosa School) or in the late 1980's in Tanzania. The former (such as Roberto Zolho and Baldeu Chande) had been trained and mentored by the individuals mentioned previously and were influenced by the values and ethics of them. They also gained experience in the complexity of practical management through field work in the protected areas or utilisation units. Their rise within the administrative structure of DNFFB was both impeded by the war and the bureaucracy's tendency to privilege purely academic qualifications over experience or applied training. The later generation (such as Luis Namanha and Antonio Abacar) who completed their training in Tanzania towards the end of the civil war were influenced by the conservation values and practices drawing from East Africa, but also from practical work undertaken in the difficult field conditions immediately after the war's end.

The importance of personalising the differentiation that existed within DNFFB, and the wildlife section of it, is that it helps to understand the historical and norms context of the most recent changes to policy and legislation. It brings out the continuities, such as the central administration's weak linkages to applied management, and identifies values held (not just by institutions, but also by individuals) that influence what narratives become powerful and what reforms become practice. Before moving to these more recent changes it is worth concluding the previous era by looking more widely at wildlife status and use during the civil war period.

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<sup>1</sup> Bartholemeu Soto, Samiro Magane and Afonso Madope.

It has been estimated that wildlife (especially large mammals) decreased massively during this period of the late 1970's to early 1990's. Some reports put this decline at a 90% decrease over much of Mozambique and within most protected areas (see Hatton et al 2001 for review). While the main factor identified for this decline has been the break down in the state capacity to control harvesting or apply legislation in the midst of the war (see Soto 1993), it is worth noting that much of the use of wildlife for meat or non meat commercial products directly involved the state or its structures or, on the other hand, the opposition Renamo structures.

Interviews with provincial level wildlife staff in Niassa in 2000 (R. Rocha and G. Mbwana *pers comm.*) indicated that one of their major roles both prior and during the armed conflict was the authorisation and participation in meat hunting exercises carried out by militia, army, police or by delegated teams of local hunters. Tello (1986) indicates this was widespread in most provinces and that, especially during the civil war era, meat hunting was carried out by most official structures autonomously and at every scale with little reference to wildlife legislation or agencies.

While the formal basis of this wildlife harvesting was to provide meat for militia, troops, state farms, hospitals or party events, the considerable demand for meat generally or the high value of products such as ivory was to provide incentives for the blurring of differences between 'official' and illegal. Both because of the war and an economic crisis, domestic meat in urban centres from the early 1980's was rare and expensive. Tello (1986) records that a goat in Maputo market cost the same as a cabinet minister's monthly salary and that 1 kg of red meat (the state ration for a person/month) cost the equivalent of US\$ 45. This provided considerable incentive for a huge 'bushmeat' trade between rural and urban areas and motivation for poorly paid civil servants involvement in this informal system. Serodio (1998) estimates that, as recently as the late 1990's, the value of the bushmeat trade in Maputo environs was US\$ 800,000/year, with crude extrapolations for the country valuing the trade at US\$ 10 million/year.

Tello (1986) documents the large scale trade in non-meat wildlife products (especially ivory) that initially emerged in 1978 but became highly organised criminal webs involving state or party officials from the lowest to highest scales and rivalled the more

documented involvement of Renamo and South Africa army networks (see Hatton et al 2001). One result of this reality was that wildlife became, and remains for many, a 'perk' of public office and the use of its products seen as a legitimate part of the rewards for these burdens. As an Italian proverb notes, 'public assets are like Holy Water, everyone helps themselves to it' and state servants with access to firearms and transport can help themselves more to wildlife 'public assets' than others; especially if they are located in remote but resource-rich zones.

Given the realities noted above and the internal differentiation within DNFFB, the context facing wildlife conservation and state natural resource management in the early 1990's and the post war phase of transformations was a complex one. Firstly, state management of wildlife up to this time had been spatially limited (most actively only in sections of central-south Mozambique associated with protected areas), temporally limited (1960-74 under colonial era and 1976-80 under post colonial administration) and institutionally limited (within small 'Cinderella' state agencies, where local or field-staff values/practise and national administration/bureaucracy was poorly aligned or linked).

Secondly, the most widespread conception of wildlife in the general state administration or the socio-political elite of the country remained persistently from colonial times as a commodity (meat/non-meat products). The emphasis on production forestry (and exotic species plantations) in the forestry sector suggests similar administration norms for other natural resources.

The state and its servants might have preferential access to these commodities and primary beneficial status. However, no clear proprietorship, management regime or aesthetic societal values could legitimately (according to administrative 'tradition') be claimed for such wild resources, whatever the formal but very weakly embedded legal basis. These diverse rules (formal vs informal) within the state structures and actors were to play an underlying, if often unrecognised role, in the next wave of change.

### **3. CURRENT EVOLUTIONS: STATE INSTITUTIONS AND NATURAL RESOURCES**

As the previous chapter illustrated, Mozambique experienced in the 1990's decade a new period of great economic, political and social transformations and promotion of new development and governance narratives. The state natural resources sector was no exception to this and the following discussion<sup>2</sup> traces how the previous realities combined with the new influences and does so by distinguishing three phases in a cycle of complex adaptation following the end of the civil, moving into the 'backloop' from crisis to reorganisation (with activist and catalyst actors) and emerging alternative natural resource and land management experiments; and then into the 'foreloop' of growth to stability (with more influence of decision makers and the bureaucracy) and from policy to national implementation norms.

#### **3.1. Bubbling Up Years**

The early 1990s (1992-6) were characterised by the initial re-organisation of the central and provincial wildlife and forestry structures after the war and the first efforts to undertake field activities. Within DNFFB, the mainstay of institutional support was an FAO/UNDP programme, which had been running during the war and which focused on forestry; satellite forest inventories and fuelwood plantations/biomass energy projects in urban areas. However, this programme was phasing out and by late 1993 DNFFB had major constraints, lacking both funding from a core donor project and facing a decreasing level of already minimal state funds (Soto 2003). There was little donor or external support, both due to priorities in other sectors following 30 years of war and because aid agencies were waiting for evidence of peace consolidation, post the first multi-party elections in 1994.

In the wildlife sector of DNFFB the mainstay of assistance between 1992-6 was from NGOs. A marine conservation project on Bazaruto Island supported by NGOs (WWF) already existed. During 1993-6 IUCN was to partner this sector in sourcing funds and

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<sup>2</sup> This section draws on interviews and a review conducted for CASS, University of Zimbabwe during the preliminary period of the research for this thesis (see Anstey 2001).



technical input for the rehabilitation of Gorongosa National Park, management planning for protected areas and the development of the first community wildlife management initiative (Tchuma Tchato in Tete Province). In these interventions technical inputs largely drew from those who had experience in practical fieldwork in the previous eras; including ‘expatriates’ (Tinley, Dutton, Tello, Costa, Oglethorpe) and Mozambicans with field expertise (Chande, Namanha and Abacar). The secondment of a Zimbabwean national parks officer (Mike Murphree) with a background in the CAMPFIRE CBNRM programme to DNFFB/Tchuma Tchato from 1993-5 was a further influence reflecting field wildlife conservation and community conservation values from the wider southern African perspective.

Funding support for these field-focused initiatives largely came from the European Union and Ford Foundation, with the World Bank/GEF supporting consultancy studies of field options and organisational capacity needs for an ambitious transfrontier conservation initiative. What was characteristic of this phase was that support emphasised field initiatives and the ‘bubbling up’ of ideas and practice based on these experiences at provincial and but mainly local scale. It drew on values about wildlife conservation and the involvement of communities that was based on the newly gained or past experiences of Mozambicans that were undertaking these initiatives or those that were supporting them.

Within the supporting agencies of the donors or NGOs the individuals involved tended to be ‘un-bureaucratic’ in approach to the speed and flexibility of funding as well as holding personal commitment to the importance and values of linking rural development and livelihoods to wildlife conservation. For example, the European Union (EU) support for Gorongosa National Park was facilitated by a relatively junior member of staff, who was able to source around USD 1 million for this initiative in three months. He was also able to convince his superiors that the EU should consider a long-term major funding package based on linkages between wildlife conservation, environmental management, rural livelihoods and regional development in Sofala Province. The key individual in the Ford Foundation (Ken Wilson) was also flexible and able to react to support initiatives relatively rapidly, as well as having a personal ethic and research background involving rural livelihoods and natural resources in the region (see Wilson 1997/2003). He was influential in supporting key field individuals in

DNFFB in these issues and in forestry and wildlife initiatives at a local applied level, as well as promoting such ideas amongst senior decision makers.

However, these ‘bubbling up’ initiatives were taking place in an institutional and policy framework that remained weak and complex. Both the central level DNFFB and provincial SPFFB government agencies were understaffed and under-resourced and poorly linked to each other. State funding for DNFFB declined from USD 1.4 to 0.35 million between 1992 and 1995 (PROAGRI 1997) and was scarcely sufficient to cover salaries, let alone management of natural resources or rehabilitation of protected areas. The locally targeted initiatives of NGOs and donor grants at this time were not aimed at, or able, to tackle this core capacity problem. The wider field of natural resources was also characterised post-war by a flood of investors (mainly South African) seeking and gaining licences and concessions to wildlife and forest resources that the state agencies were ill equipped to handle. The result was a lack of transparency and conditions for corruption, both promoted by the new Mozambican political-economic elite partnering such investors or internally within central and provincial agencies.

A further feature was the relative growth in influence of the wildlife sector within DNFFB, resulting from the new economic and political relevance of wildlife and the fact that much of the new support for the agency was directed at this sector. One result of these various changes was the elaboration in 1996 of a Policy for Forestry and Wildlife that had as its goal ‘to conserve, utilise and develop forest and wildlife resources for social, ecological and economic benefits of the present and future generations of Mozambican people’. The policy emphasised the achievement of this goal would require a partnership approach between the state, the private sector, NGO’s and local communities.

This policy represented a significant shift in formal state goals and also a growing integration with southern African and global ideas (particularly of donors and their related ‘intelligentsia’) about natural resources and conservation. In particular the stress on social and ecological aspects and the emphasis in the roles of stakeholders of the need for the state, private sector and NGOs to support, enhance or empower local community involvement (including ‘exclusive access to natural resources in customary areas’) represented radically new ideas. While a later section critiques whether the

policy has been promoted in legislation or actions of the stakeholders, the important point here is that this policy was to ‘pump-prime’ the next phase.

### **3.2. Convergent Years**

The years 1996 to 1998 were ones in which state agencies, their administrative bureaucracy and actors operating largely at the central level (such as donors and the political-economic elite), were to become more influential. The characteristics were of new large centrally driven programmes, based on bilateral donor inputs increasingly replaced the small, often institutionally isolated and locally targeted initiatives of the ‘bubbling up’ years. Local experimentation with uncertain feedback upwards of applied experience and values (characteristic not only of the previous years but also the previous eras) became a more ‘conventional’ approach. This was a discourse that decentralisation from the centre was to drive change which would be arbitrated between ‘stakeholders’.

A corollary of this was the logic of the need to capacitate first the centre; to thus then enable it, once strengthened, to activate the ‘*de*’ processes (de-centralize, de-concentrate, de-congest, de-regulate, delegate or even devolve). To put it another way – how could all these ‘*de*’ processes happen if there wasn’t something central to ‘*de*’ down from? This was a persuasive discourse (if presented differently) for donors seeking mechanisms to inject significant support funding to fulfill agendas ranging from privatization, smaller government, community development, decentralisation or economic reforms. It was also agreeable to the increasingly important private sector seeking secure, long-term investment options and the closely related Mozambican political-economic elite. For the state natural resource agencies starved of funding, the advantages were the chance to restore central capacity problems and the strengthening of the provincial level structures.

The new programmes in DNFFB were diverse in emphasis; privatization of assets and management functions, community involvement in natural resource management, and state responsibilities for conservation and regulation of protected areas and resources at national or regional levels. Three programmes starting in this period were to inject US\$ 31 million over the next few years and all were based out of the DNFFB central office.

The first was the Forestry and Wildlife Resources Management or '*GERFFA*' Project (US\$ 13.2 million) focused on the development of commercial forestry concessions, the rehabilitation of Gorongosa and Marrromeu protected areas and social forestry projects in central Mozambique. The others were the Trans-frontier Conservation Areas Project (TFCA) at US\$ 8.1 million and the Support for Community Forestry and Wildlife Management Project (known as FAO/DNFFB) at US\$ 9.6 million. The TFCA programme was focused in the south of the country in the development of linkages with protected or conservation areas in neighbouring countries and funded by the World Bank/GEF. The FAO/DNFFB community project was funded by the Dutch Government focused on organisational support to DNFFB through the establishment of a central Community Management Unit, training courses at the university in CBNRM and pilot CBNRM projects in Maputo and Nampula provinces. In contrast to the others (which were grants), the *GERFFA* programme was a loan from the African Development Bank and was initially a contested project<sup>3</sup>.

Other initiatives of influence in this period were from the private sector concerning the development of joint ventures in existing protected areas. An American millionaire (James Blanchard) promoted a project to take over Maputo Reserve and surrounding area and convert it into an ecotourism resort (with the introduction of steam trains, rhinos, a casino paddle steamer and even 'Bushmen'). The existing government obligation was a concession with a pulp wood company resulting in considerable conflict within the political elite favouring one or other of these enterprises. There was also reaction from civil society (leading to the formation of a Maputo based lobbying group) and national/international NGOs, as the area was a biodiversity 'hotspot' for Mozambique and had a large resident population of people. This complexity took some years to resolve (the cancellation of the pulp wood concession and the demise of Mr Blanchard). However, it raised in central government the fact that the private sector was willing to pay very large sums for access to 'wilderness' and expected to be able to make major investments with major returns. It also raised in Maputo public

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<sup>3</sup> Its adoption by DNFFB as a loan despite the offers of EU grants for the area and activities was a controversial issue centrally but also at provincial government level. The perspective in favour of *GERFFA* stressed issues of 'nationalism' (that a loan would not require the paternalist interference of donors, grants and NGOs) while the alternative was that this was a smokescreen for patronage opportunities. In operation the programme suffered from political interference and allegations of corruption.

consciousness the moral issues of local community rights and environmentalist values, versus the state and private sector in such a 'wilderness'.

The other major initiative was the granting in northern Mozambique of a management contract to a private company (with the promoting force being the millionaire owner) for an expanded Niassa Reserve and surrounding area, which in all totaled 42,000 km<sup>2</sup> (Rodrigues 2001). Niassa was somewhat below the horizon for Maputo public consciousness, but this development between state and private sectors also increasingly stressed the intentions of community development and the role of rural residents as stakeholders.

Underlying the above initiatives was the development of an integrated donor-Mozambique government investment programme (PROAGRI) for the fields of agriculture, fisheries, forestry and wildlife, which at this time all fell under one ministry (PROAGRI 1997). This investment programme was interlinked with the wildlife/forestry policy evolution and provided the 'carrot' for the strong global/regional narratives content in this policy. The aim was that concentrated sectoral investment (the pooling of combined donor funds) with a clear strategic plan would allow, within a decade, the development of economic, administrative and ecological sustainability for these natural resources and the relevant stakeholders; identified as government, private sector and communities.

PROAGRI was based on the conception of equality between these stakeholders and multi-actor involvement in resource management in country's natural resource estate. This estate covering around half the country was broadly zoned as firstly state protected areas, secondly production forests or private wildlife concessions, and thirdly a larger zone covering at least 25% (225,000 km<sup>2</sup>) of the country envisaged for community proprietorship and CBNRM (PROAGRI 1997: 4-8, 41-42). The potential area for community proprietorship based forestry and wildlife management identified in this document was as high as 367,000 km<sup>2</sup> or 47% of the country (Ibid: 42). In summary, the programme's core vision was multiple actors and proprietorship in this estate, and mutual involvement in management and benefits by all three stakeholders. The initial

five-year programme (1998-2002) to achieve basic sustainability was for an investment in the forestry and wildlife sector alone of US\$ 65.2 million<sup>4</sup>.

This was a ‘de’ process of social, administrative and natural resource governance writ large. It was essentially based on the premise of ordered dispersal of governance downwards (power, accountability, authority) from an enabling effective centre. In this it reflected most obviously the premises and values about governance of its main sponsors (UN agencies, World Bank) and its key drafters<sup>5</sup>. It required an administrative bureaucracy with efficient and enforceable linkages from centre to periphery and the neutral professionalism to arbitrate equitably between ‘stakeholders’ of varying financial status, powers or authority. Most of all it required hope; that profound reforms would triumph over past administrative experience or the centralist history of this ‘large’ society.

The PROAGRI programme never materialised in its drafted format but the vision and content of the discourse was especially influential (with the other new initiatives) in promoting new attitudes in senior staff in this sector about ‘stakeholders’ and the attractive economics of natural resources.

### **3.3. Growth to Stabilisation Years**

The period between 1998 and 2007 was one in which the new programmes, new legal reforms, new administrative organisations and experience from applied practice were to combine. The state sector was to initially play a significant role in testing and playing a support role in the new local scale and community based management of resources options emerging from natural resource and land reforms via some central programmes funded by donors. In more recent years there has been minimal resources made available or a focus on this aspect. The central institutions whether related to land or natural resources, were more orientated towards private sector-investor led relations and

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<sup>4</sup> The projected annual net incomes of the government, local communities and private sector following this investment were estimated at US\$ 27 million, US\$ 29 million and US\$ 95 million respectively (PROAGRI 1997).

<sup>5</sup> One of which was Rowan Martin, whose Zimbabwean government experience was in the power of central government and legislative reform in releasing downwards the potential of the private and communal sector in the context of an ordered administrative polity.

state income generation, than playing an enabling and facilitating role in CBNRM or local community land rights.

One feature of this period was the increasing organisational complexity of this sector and a tendency to its 'dis-integration', within the state administration. The main institutional agency for natural resources remained until the late 1990's the Ministry of Agriculture and Fisheries; where forestry, wildlife, agriculture and fisheries sectors were concentrated. As these sectors also represented the most important economic drivers and land use in the country, this Ministry was a powerful single agency in which reforms and support for reforms (PROAGRI) could focus. Such a single organisational structure could also provide lower institutional change costs and economies of scale in both the land and natural resource reform process. However, between 1998 and 2002 it was dismantled. First a separate Ministry of Fisheries was created and then in 2001 (Ministerial Diploma 17/2001), there was the transfer of 'conservation areas and activities for the purpose of tourism' to the Ministry of Tourism (MITUR) under a new Directorate for Conservation Areas or DNAC (Soto 2003).

Thus DNFFB government forestry and wildlife sector was split as the 'home' of the various programmes previously noted and in terms of its staff. This division created ambiguity at a number of levels. The first ambiguity was that DNFFB had become highly 'projectised' in terms of the fact the three major programmes worth US\$ 31 million were based out of DNFFB and provided income or salary supplements for most of the staff and the focus of most of their activities. The division of the agency implied complex division of aid projects and resources. A second ambiguity was over what constituted areas and activities for tourism purposes. The decision taken was that all National Parks/Reserves and Hunting Areas were to be transferred to the new DNAC, as well as all community initiatives or responsibilities that had any involvement with 'tourism' (a vague definition taken as being those with any wildlife emphasis). Wildlife management and law enforcement outside such areas was to remain in DNFFB. Forest resources in contrast were to remain within a single agency (DNFFB) irrespective of whether part of a forest reserve, community forest project or private timber concession.

A third ambiguity was that the new legislation evolved during the late 1990's, the Forestry and Wildlife Law of 1999 (and its policy basis in 1996), was designed for both

resources and within a single administrative and enforcement structure. The recent 2002 Regulations to this Law (Decree 12/2002) are also unclear as to the differentiation in the new institutional set up of roles, responsibilities and authority between DNAC and DNFFB (Soto 2003).

This institutional ambiguity and its contrast to the strong 'integration' narrative of the previous convergent era, can be related to a number of developments within DNFFB during the 1998-2002 period, as well as the influence of external forces.

Within DNFFB the three main donor and technical aid projects did not effectively drive a process of institutional integration, either between sectors (wildlife and forestry), between scales linking centre to province to district, or between conceptions of equality of multiple 'stakeholders' in multiple zones of use of natural resources. The division of staff and their dependence on one or other of these programmes tended to reflect divisions between wildlife and forestry and then between protected areas, private sector (production forestry/wildlife) or separate 'community' focuses.

The FAO/DNFFB Community Forestry and Wildlife Project was the main central community related initiative but had a distinct focus on social forestry reflected in its activities and in its expatriate technical advisors (from Brazil, Zambia, Zimbabwe) who were all foresters (Matakala and Kwesiga 2001). Its field activities (Maputo and Nampula Provinces) were concentrated in small-scale forest areas (Goba 96 km<sup>2</sup>, Mahel 300 km<sup>2</sup>, Narini 120 km<sup>2</sup>) in which proprietorship over land (DUAT rights) and resources were secured for community structures over the project period (Mansur and Cuco 2002).

This however, proved a lengthy and expensive process (Eduardo Mansur *pers comm.*) of over US\$ 1 million per site in a process of four years and where the benefits from such an investment remained unclear. The poor resource base of these small areas meant that benefits to communities from use such as charcoal or honey production were not a strong basis for local institutional change (Nhantumbo 2000). While this project invested in institutional capacity building in community aspects at both the central level (a unit for community management or UMC in DNFFB) and in 4 of the 10 provinces (UPMC in the SPFFBs) the general lack of resources at both scales meant that the



funding and resources available tended to dissipate rather than create new strong or influential nodes (see Vilanculos 2001). The particular features of CBNRM in Mozambique are discussed in a later section, but the overall point here is that an expenditure of around US\$ 4 million in pilot CBNRM initiatives securing resource and land proprietorship over less than 1,000 km<sup>2</sup> provided a number of lessons to DNFFB. But it did not provide a convincing case in time or investment for a 'stakeholder' process based around proprietorship (over some 225,000 km<sup>2</sup>) by communities that could engage in an equal partnership with the state and private sector that was promoted in the PROAGRI vision.

A more convincing case, that also suited organisational or individual agendas and administrative legacies, was one in which partnership between the state and private sector was to be the main driving force. Communities in this frame would become the beneficiaries of state or private sector led initiatives and participation as stakeholders would be on this basis, rather than that of primary proprietorship of land or resources. This emphasis is reflected in the legislation reforms noted previously (Forestry and Wildlife Law of 1999 and Regulations to it of 2002) and the actual practices of DNFFB (see next section).

The Trans-frontier or TFCA project in DNFFB, with its wildlife and wildlife protected area emphasis and related staff grouping, was increasingly to mirror these private sector trends and reflect the growing influence of South African ideas on the relationship between the state, private sector, protected areas and communities (Simon Munthali *pers comm.*). As Magome and Murumbedzi (2002) have noted, the considerable economic value of ecotourism in South Africa is based on use of privately (largely white) owned land or state land (there being few natural resources on 'community' land) and in which community benefits are seen in employment opportunities or revenue pay outs for 'participation'. Thus the governance model and values inherent in the community proprietorship emphasis of CBNRM in Botswana, Zimbabwe or Namibia (see Hulme and Murphree 2001), that had influenced PROAGRI or other initiatives in the mid 1990's, was to become more obscured by the attractive combination of South African entrepreneurial energy and ideas on state-private proprietorship, private capital and passive community participation and benefits. In summary, the 'PROAGRI' vision was one of profound reform to land and natural

resource governance to achieve ecological, economic or social sustainability. The ‘South African’ vision offered the possibility of rapid change (management of the resource estate and generation of money), without traumatic reform and with clear incentives for organisations or individuals at the central level in Maputo.

One illustration of this trend is the increase in size of state gazetted protected areas, shown in Table 2. This table shows that the overall increase in protected areas has been from 13% of the country in 1997 to 17% in 2002 (an addition to the direct control of the state of 36,000 km<sup>2</sup>).

The main change has been to National Parks and Game Reserves, which have doubled in size in between 1997 and 2002. Many are in the process of transfer (some already have been) to joint ventures between the state and the private sector or foundations. Certainly this increase does not reflect the reality that the existing protected areas were without sufficient state funds to be effectively managed.

**Table 2: Recent Changes in Protected Area Cover 1998-2002**

CLASIFICACION	BY 1997 (km <sup>2</sup> )	BY 2002 (km <sup>2</sup> )	CHANGE 1997-2002 (km <sup>2</sup> )
National Parks	18,400	37,500	+ 19,100 (doubling of size)
Game Reserves	19,500	46,700	+ 27,200 (doubling of size)
Hunting Areas	59,000	49,000	- 10,000 (proportionally small decrease)
Forest Reserves	4,500	4,500	No change
Total	101,400	137,700	+ 36,300 km <sup>2</sup>
Percentage of the Country	13%	17%	+ 5%
Notes. The decline in Hunting Areas is because one such area was upgraded to a National Park (Limpopo NP). Data extracted from PROAGRI 1997 and used in comparison to data presented in Soto 2003.			

Information on land and wildlife resources leased to the private sector outside these state protected areas is difficult to find accurate data on, but probably covers an additional 10,000 km<sup>2</sup> (leases particularly in Tete Province but also southern

Mozambique 'Game Parks' and coastal ecotourism resorts). In forestry terms an area of 120,000 km<sup>2</sup> has been set aside for forest concessions and intended for exploration and management by the private sector (PROAGRI 1997; Mansur and Cuco 2001).

Thus a total of 268,000 km<sup>2</sup> or 33% of the country are now under direct state control or primarily targeted at state-private sector ventures. As a later section will illustrate, this compares to less than 5% of the country currently or in the process of delimitation for community tenure over land and less than 1% with combined land and resource rights. Equally relevantly, the forest concession areas and wildlife protected areas/private leases represent the richest or most valuable natural resource areas, leaving CBNRM initiatives in the 'multiple use' areas with the more marginal options.

Of the three main projects of this period, two (GERFFA and FAO/DNFFB Community Forestry and Wildlife) ended in 2002, while the TFCA programme focused in southern Mozambique is set to expand hugely with a projected budget of US\$ 40 million over the next few years (Savanna 2002). A sum of US\$ 8 million has already been sourced, with its focus being on infrastructure development in the Gaza Province to provide the conditions for attracting private sector ecotourism investment in the area.

The above discussion has aimed to illustrate the complexity of forces and the developments that have influenced visions and practice over a very short period. It also suggests that the reasons for increasing ambiguity and the 'dis-integration' of DNFFB or of the strong visions of devolution held in the PROAGRI document of the late 1990s have much to do with the political economy of natural resources.

My interpretation of the key elements of this political economy, stressing organisational themes around centralizing power and authority for the 1998-2002 evolutions is outlined below.

*The central agencies of DNFFB and DNAC now control natural resources of considerable economic value and have secured 'gatekeeper' status over the most valuable of these resources (production forests and wildlife protected areas/tourism zones) and over one third of the country. DNAC has taken the most lucrative of the*

wildlife assets and aid programmes, while DNFFB can now concentrate on its core business and highest economic asset of production forestry.

*The organisations, individuals within them, or the political-economic elite that can influence them, can realize benefits deriving from this gatekeeper status. To realize the value of these assets, there is a need for capital and expertise and thus an imperative for partnerships with the private sector. The complications of community as an equal stakeholder or alternative ‘gatekeepers’ within this rationale represent a transaction cost (time and funds for institutional change) with little immediate value. Various agendas relating to economic benefits to the community can best be dealt with either by arrangements with the private sector for some re-distribution of income or development support, via some sharing of tax revenue on the resource use (the 20% Decree) or via the separate establishment of initiatives outside these prime areas supported by NGO’s/donors.*

This interpretation would tend to agree with Gibson (1999: 59) observations of wildlife resources in post independent Kenya, Zimbabwe and Zambia in which central government/elites control of wildlife and parks;

‘became another source of goods which an incumbent party could distribute .... Political actors in all three countries regarded the primary benefits of wildlife policy to be distributive goods, and not the collective good of conservation’

The following table summarises this analysis of change in central government and administrative institutions since 1992 using the tools from the interaction between cyclic phases, group types or actors and evolutions since 1992 using the tools of adaptive cycles and ‘actor groups’ .

**Table 3: Adaptive Cycles and Actor Groups**

Time Period	Phase in Cycle	Group types	Features
1993-6 Bubbling up Years	Re-organisation	‘Catalysts’	Emergence of new CBNRM narrative/approaches and a few innovative field projects Key impact of a few field staff experimenting with new options Strong support role from NGOs
1996-8 Convergent Years	Growth	‘Formal Decision Makers/Stategists’	Development of Policy and legislative enabling environment and large increase in donor/UN funding for CBNRM NGO role/influence declining

			Increased 'gatekeeper' role for Maputo central department staff
1998-2007 Stabilisation Years	Moving from growth towards Monopoly	'Bureaucrats'	More CBNRM projects and legal evolutions. But followed by declining funds, increasing institutional complexity and outcomes from political-economy struggles favouring state-private focus

What this table illustrates is that the debate over the governance options for natural resources has increasingly narrowed as time has gone on and as the 'Group type' has shifted at this central and government scale. The following section moves on to look at developments involving interactions with other scales and agencies to examine whether these have had (or can have) influence on the central level via new activism and new 'catalysts' to challenge central orthodoxies.

#### **4. NATURAL RESOURCE GOVERNANCE AND COMMUNITIES**

##### **4.1. The Evolution of Community Based Natural Resource Management Programmes**

One of the features of the evolution of formal programmes involving communities in natural resource management in Mozambique over the past decade has been the astonishing range of initiatives, promoters, resource focus and objectives. A second feature has been the rapid expansion in the number of such programmes from a few experiments in the 'Bubbling Up Years' until 1996, followed by a major increase from 1997 in the context of the new laws and regulations.

This diversity partly reflects the broad definition used in Mozambique for CBNRM (or *Maneio Comunitario dos Recursos Naturais* – MCRN) as inclusive of a range of levels of 'participation' of communities in natural resource management from passive or consultative roles to local empowerment with devolved rights, responsibilities and benefits.

In national reviews of the status of CBNRM, Matakala and Mushove (2001) identify 42 separate projects and Magane (2001) a list of 61 different initiatives. Of the 42 projects

analysed by Matakala and Mushove only a small minority of around 12% had specific objectives relating to local empowerment (local transfers of land and natural resource management rights). The majority were concerned with providing some level of secondary benefit sharing, environmental education or achieving environmental ends through instrumental involvement of the local community. In terms of resource focus most were concerned with indigenous forest management (55%), secondly wildlife (26%) and lastly soil, water and fisheries management. Most projects were being implemented in *de facto* community areas (35 initiatives), 11 in or around protected areas and 6 in peri-urban zones.

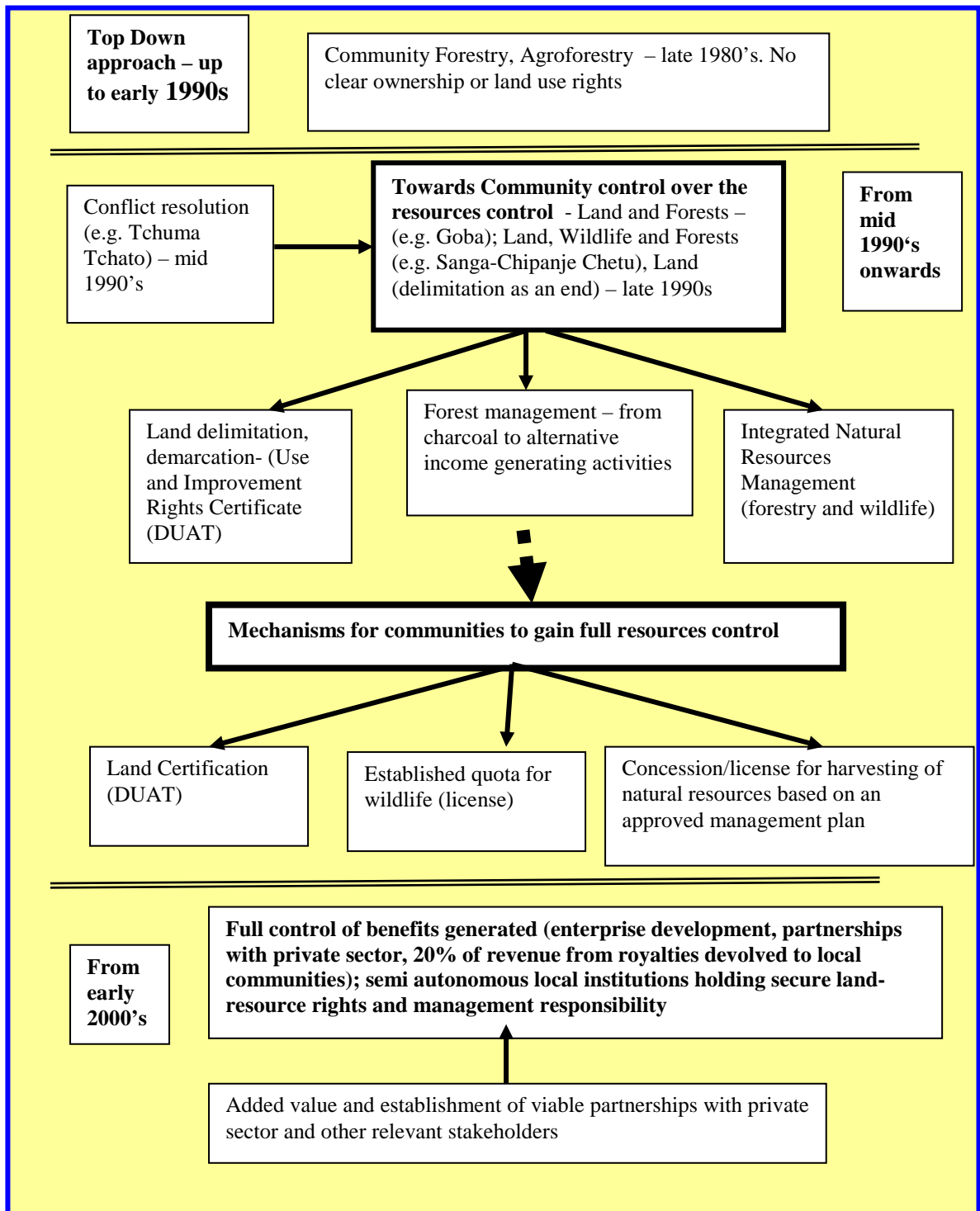
The most recent assessment by Foloma (2006) indicate the existence of 68 initiatives country wide most of which are facilitated by NGOs and which have relatively (compared to the government initiatives of the late 1990s and early 2000s noted earlier) small funding resources. Overall donor funding for such initiatives has in fact been declining since the late 1990's and early 2000's (Foloma 2006; Magane 2001).

Figure 3 below schematically represents the main elements of CBNRM evolution since the early 1990s and the growing potential of 'full' CBNRM over time as devolutionary rights in land tenure to local communities have linked in with options for discretionary delegation from the state of rights to manage and benefit from resources on this land. Before looking at a number of such initiatives and extent of progress to such 'full' CBNRM it is first useful to summarise some differences with most other countries in the region (see regional overviews in Jones and Murphree [2001] and Jones [2004a]) in this evolution.

*Firstly*, as previously noted, Mozambique did not have in colonial times a dualistic land tenure structure that included 'native reserves' or 'Tribal Trust Lands' nor after independence was *communal land* tenure a feature of the rural landscape. The DUAT co-titling right in Mozambique developed in the past decade represents an opportunity for full delegation of land ownership to a legally enshrined common property entity. This has been an elusive feature in much of the region and noted as a factor in aborted devolution in CBNRM (see Jones and Muphree 2001). Another critical point is that in Mozambique both private and 'local community' land use rights are equal rights in law

– unlike the differential land rights and legal status of communal and private tenure elsewhere in the region.

**Figure 3: Evolution of CBNRM approaches 1990s to mid 2000s indicating steps towards full devolution of resources control by the community** (adjusted from Nhantumbo and Anstey 2007).



*Secondly*, Mozambique's particular resource base has influenced the focus of management approaches. It has a richer forest resource base (in particular of commercially valuable timber) than most of its neighbours, significant marine and freshwater fisheries, a coast with high tourism potential but, subsequent to the civil war, a relatively depleted wildlife resource. These factors (in conjunction with institutional bias aspects noted previously) resulted in many of the CBNRM initiatives that emerged since the 1990s being focused on 'community forestry' (particularly the state initiated ones) or based around multiple resource management; in contrast to the generally wildlife and tourism based CBNRM experiences regionally.

*Thirdly*, Mozambique has not been in a situation of evolving within a consistent investment basis or on the foundation of a developed market context. Initiatives whether national or local in scope have rarely benefited from investments of more than 1-3 years in a highly 'projectised' donor, NGO or government environment. This stands in contrast to 20 years of a national programme in Zimbabwe (CAMPFIRE) of considerable focused investment (Rihoy and Magurunyanya in press). Nor has CBNRM in Mozambique benefited as in Zimbabwe from a prior existing innovative private industry (such as in wildlife and tourism) and where demand, capacity and marketing of resources were available to CBNRM.

*Fourthly*, Mozambique had significant resident human populations in its forest, wildlife and marine protected areas. During the expansion of such areas from the early 2000's the challenges of managing protected areas in this context increased. Thus Mozambique, unlike anywhere else in the region, has been faced with evolving 'CBNRM' options, policy and practice not only in 'community areas' but also within expanding state or new multiple-partner 'protected areas'.

The following discussion is a selected overview of some of the main CBNRM initiatives from the early 1990s illustrating further than in Figure 3 some of the key elements of them and results achieved.

The Tchuma Tchato initiative originated in 1993 as an effort to resolve conflict between a safari operator with a hunting concession in Tete Province and the local community.



Through the independent efforts of 2 young DNFFB staff (Luis Namanha and Antonio Abacar) and later the support of IUCN, Ford Foundation and others, local institutions were developed to manage the relationship with the operator, manage the local resources (including fisheries) and most importantly create a benefit sharing mechanism to re-distribute a portion of the state's royalties from taxing the hunting back to the local level. In the absence of any legislation to cover this, a specific Ministerial Decree authorised a division of these state taxes with around half going to the local communities. This was a significant development in the early stages of CBNRM; but as a model was not further extended in the country from this pilot experiment (the Ministerial Decree was only exclusively for the Tchuma Tchato area), nor was it applied in new national legislation in benefit sharing of state taxes from natural resources harvested in community areas (this defined in 2002 was for a 20% community dividend rather than the 50% plus achieved in Tchuma Tchato 8 years previously).

The next significant initiative in CBNRM evolutions was a programme between FAO and the government forestry and wildlife sector (DNFFB) in the period 1998-2002 and a high investment of funds (US\$ 9.6 million) and staff. This had the dual aims of both testing new practical options resulting from policy and legal reforms in the land and resources sector and institutionalising a CBNRM support basis within DNFFB (see Mansur and Cuco 2002; Matakala and Mushove 2001). The project achieved local land tenure rights in 3 pilot sites (Goba, Mahel, Pindanyanga) and, via the route of state approved local management plans, some delegated management and benefit rights to forestry resources to local community institutions. These were important steps in testing new opportunities for 'full' CBNRM. However the challenges were that these were relatively small areas of a few 100 sqkm or less and secondly the sites had a very low resource endowment. There were thus little new economic activities developed or benefits experienced by local communities leaving them 'disillusioned and sceptical about the benefits of CBNRM' (Nhantumbo and Anstey 2007:17). At the level of DNFFB, building capacity to support and facilitate CBNRM had an impact during the project period but was not institutionalised and dissipated almost entirely subsequent to the project. This is to the extent that from 2003 onwards there has been something of a vacuum in government technical, facilitative, staff or other support to CBNRM, with critical implications for field initiatives attempting to navigate the power transfers of land and natural resources at local scales. In particular the lack of practical guidelines or

further legislative clarity for delegation of authority in natural resources to local community entities by the state sector responsible has left much unclear and up to the vagaries of bureaucratic discretion and reversals.

Two IUCN and Ford Foundation supported initiatives from 1999 to 2006 have taken on the evolution of CBNRM linking local land rights and local resource management and benefit in CBNRM. Both have been in the context of very limited and declining funding. The first (see details in Nhantumbo and Anstey 2007) has been the Madjadjane CBNRM initiative near Maputo Elephant Reserve where an initial step supported by an NGO (Helvetas) was the acquisition of DUAT land rights for the relevant community in an area of 70 sqkm. On achieving this in 2000 there was a realisation that the DUAT while securing land ownership required further local institutional capacity and development of natural resource based benefits to 'make the right real'. Although the resource base was relatively limited, the initiative worked on securing (via a state approved management plan for resource use) income generating options and access to markets (facilitated by its proximity to Maputo) for local products and services. These included locally run eco-tourism activities, developing certification for forest products and beekeeping and building the local institutional capacity for such enterprise development. However, external challenges (short project funding) and internal challenges (low educational levels and skills locally available for enterprise consolidation) have constrained the process.

The second initiative (and the subject of chapters 7 and 8 of this thesis) has been the Chipanje Chetu CBNRM programme in Niassa province northern Mozambique. A DUAT land certification process, which started in 1999, was achieved in 2003 for an area of 6,500 sqkm with a relatively high endowment of forestry (including commercially valuable timber), fisheries and wildlife resources. The programme will be discussed in more detail later but some key points are that it pioneered the first large scale community land DUAT and was by 2004 receiving significant and increasing community cash income from pilot hunting revenues. However the considerable economic value of the resources in this large but remote area was also to make it vulnerable to administrative discretion in reversing allocation of resource rights to the local community and transferral to private interests with political elite connections.

Again limited funding resources and time period for supporting local institutional capacity development compounded this vulnerability.

Two final initiatives (Norfolk and Tanner 2007) exemplifying new experimentation are the cases of Canhane and Coutada 9 (Hunting Area 9). The Canhane case has similarities to that of Madjadjane above; the early DUAT certification for an area of 70 sqkm being achieved in 2002 and then moving to consider natural resource based benefit options in making the right real. However, Canhane is located on the border of the new Limpopo National Park and inside the rapidly developing tourism zone of the area. The identification of a community owned eco-tourism lodge as a mechanism for development of the land right and local capacity building has received consistently high investment and well facilitated support to the local community institution from the NGO Helvetas, as well a capacity support from the legal sector of an FAO land judiciary support project. This has insured a transparent and careful tendering process for the lodge's management in which local control and land ownership have been emphasised and the maturity of the community institution enhanced.

The case of Coutada 9 is different from previous cases in that here the lead agent for change is a safari operator (rather than NGO) and the land where the communities (in principle illegally) reside is a state owned hunting zone. Effectively the operator has recognised that local people have historic rights within the area (Norfolk and Tanner 2007:ix) and negotiated zonation of his hunting activities and that of the local residents and sharing of benefits from them on this basis. This includes zoning a core area within the *Coutada* for operator management and efforts to formalise a cadastral delimited and community managed area also within the *Coutada*; where 75% of the trophy fees earned would be returned to the community (compared to 20% in the law). The main constraint in this innovative process has been from state agencies (Norfolk and Tanner 2007; 21), although in 2005 this operator-community agreement was accepted on an experimental basis by the government.

The main point from this (albeit single) case is that it suggests that pragmatic and long term interests of investors may also add to the agency of other actors at the local scale to promote local community rights and benefits from land and resources, and challenge the increasing conservative stance to forms of CBNRM at national governmental level.

## 4.2. Current Trends and Challenges

From the above analysis it is possible to identify some general trends and some current challenges. A basic trend is that more initiatives focused on linking local community land rights with formalising access and benefits to the natural resources on this land (and thus realising the potential of legal reforms) have emerged in the past 7 years. These however remain relatively few in number; largely NGO led in an uncertain 'projectised' environment and have yet to generate a national wide shift in approach; particularly as regarded to clear state endorsement or allocation of resources and proactive facilitation. The following is a summary of some of the challenges that have emerged.

### Transaction costs, investment and resources.

The process for local communities to realise land rights (such as the DUAT delimitation and certification process) and develop options for delegated natural resource rights (such as approved management plan) is costly in resources and time. While the land delimitation-certification process is (relatively to potential of the right achieved) not of high financial investment (averaging US\$4,000 to US\$7,000), this is far beyond the funding capacity of local people. The state sector allocates only around US\$ 20,000/year for the whole country to facilitate such delimitations (Norfolk and Tanner 2007: 15); and thus effectively the only route for local communities to realise the right is via local and international NGOs, who in turn are dependent on donor funds in a 'project' environment. Donor support has been relatively low and inconsistent in this sector, although there is recent multi-donor support for a 'Land Fund'.

Time is also a key factor as the community consultation process and slow bureaucratic certification process or delegation of resource access mechanisms take time; a challenge in an often 1 to 2 year project supported environment. The natural resource aspect is particularly vulnerable to cost and time constraints as the mechanisms for community to achieve delegated forest or wildlife access through state approved 'management plans' requires high investment in inventories, technical specialist and (unlike the delimitation-certification of the land) remains unclear, vague and subject to bureaucratic discretion

and delays. Developing local community institutional capacity to benefit from such devolutions in a context of very low literacy rates and 3 decades of instability is also not an objective that can be realised in short ‘project inputs’ but requires consistent facilitation and support to make mistakes and learn. Related to these aspects is the reduction in transaction costs from sharing individual experiences in a consolidated national process.

*Collaborative mechanisms, knowledge on rights and practice.*

The land law reforms were accompanied by a national campaign to educate the public and state administration on the details of these new rights (Compete 2000). However, recent analysis (Tanner et al 2006) indicates that the local community land rights remain poorly understood at community level but also crucially at state administration and judicial level. This marginalises the transformative potential of the law in governance or rural economic terms.

Efforts to promote a collaborative national approach and sharing of knowledge of practice started in 1998 through the holding of a national conference on CBNRM. Since then 2 further conferences have been held (2001 and 2004) and efforts made to institutionalise a collaborative national approach through joint government-NGO research and creating a ‘CBNRM Forum’ of NGO and government actors in the sector (Nhantumbo and Macqueen 2003). However, neither process has yet secured the benefits of a coordinated national approach; both as a result of limited and declining government commitment to it and changes in leadership and focus in a number of key natural resource NGOs.

*Land and resource ‘enclosures’.*

There is growing evidence of a trend towards land concentration in the private sector and that Mozambique could be facing:

‘a European style enclosure movement [in which] many counteracting forces ... are taking the Land Law and using its progressive aspects to justify and give a veneer of credibility to ... the occupation and fencing off of local land ... which brings very few real benefits to the communities which are ceding rights over very large areas’ (Norfolk and Tanner 2007:28).

The most recently available data (Chilundo et al 2005) for the period 1997-2005 contrasts the scale of private sector DUAT applications at 6,649 with the figures for community delimitation of 185, with only 88 acquired local community land certificates. Government data for 2006 (presented in Nhantumbo and Anstey 2007) indicates that private sector DUAT applications cover an area of 130,000 sqkm compared to 40,000 sqkm (less than 5% of the country) in local community DUAT delimitations. In natural resource aspects the previous sections have illustrated that the most valuable estate of wildlife and forest resources had already been concentrated by 2002 in state and private sector allocations.

#### Local institutions and representation.

Complications are arising between the rights and autonomy basis of local community in the land law and up-wardly accountable state administration structures in unelected forms of rural local government. As noted earlier a group of up to 9 representatives can be signatories of the DUAT certification and form a legal entity. Such an autonomous entity is in contrast to the Forestry and Wildlife Law proposed multi-sectoral core institution for local natural resource management and benefit sharing (COGEP or *Conselho de Gestao Participativo* - Participatory Management Council) comprising of community members and representatives of the local administration, private sector, NGOs working in the area and local associations. This is a loosely defined advisory entity for 'participation' of the community similar in governance content to the previously discussed politico-administrative 'Local Advisory Councils'; with upwardly accountable tasks and granted state subsidies. Nhantumbo and Macqueen (2003) following a national study of CBNRM implementation in all provinces of the country recommended an elected institution comprising only of community members (up to 10) at local level (CGC or *Comite de Gestao Comunitario*: Community Management Committee); thus linking the scale and institutions of proprietorship, management and benefit. They suggested the multi-stakeholder institution (COGEP) would be better placed to discuss and support resource use and management issues at a district level. While this basis was incorporated in the 'CBNRM Manual' produced by the CBNRM Collaborative Forum (Nhantumbo et al 2006) the recommendation and the manual to

guide design and implementation have neither been endorsed nor have they been rejected by the government sector responsible. Again this leaves a key area of CBNRM (local institutional governance) in a vague state and as a reversible hostage to administrative discretion.

*Passive and active benefits and roles.*

The main and clearest economic provision in terms of local community benefit from natural resource use in the 2002 regulations to the Forestry and Wildlife Law was the allocation to them of 20% of the income to the state from taxes on natural resource harvesting. In the past 5 years relatively little progress has been achieved in actually distributing these state mediated benefits from natural resources to the identified COGEP structures. Data from Nube et al (2006) notes that of the nearly 1,000 eligible local communities, only 88 have actually received funds. For the 2005/6 period their data indicate also that only 10% of the actual community funds set aside for this purpose have in fact been dispersed. A more fundamental problem is the basis of this 20% as basically a state charity hand-out. The 20% figure was an arbitrarily selected one and granting of this benefit is unrelated to any responsibilities or authority transferred to the local community level. Thus the sum is irrespective of the extent (or not) that the local community invests in local natural resource management and thus provides no local incentive to do so. A further problem is that this sum is claimed by the private sector as its contribution to local communities (although in fact it is from state taxes), and thus acts as a disincentive for the dynamic of community-private sector direct negotiation over benefits, access and responsibilities at the local scale. However, when the actual process of dispersal of the 20% does become more widespread it may well generate local reactions (especially given the expectations created and the relatively small sums the data indicates will in fact be available for individual community distribution of US\$500 to US\$ 1,500) and create new demand and new pressures for change from the local scale.

*Overview of the trends and challenges of CBNRM in Mozambique.*

The above analysis argues that considerable if contested progress has been achieved in linking the land reforms with natural resource reforms in applied practice of CBNRM at

the local scale. The nature of these local scale experiments in governance and the existence of examples where self governance of resources and land have at least partially been achieved, presents quite a different picture from the ‘democratic minimalism’ one that emerged in the more obviously political sphere discussed in the previous chapter. I would argue that two main patterns emerge from this analysis of evolving CBNRM. The first largely concerns transaction costs and is an issue of resource provision rather than a structural problem. If for example donors or the state were convinced of the need for more consolidated democracy and that the dispersal of power and authority over land-resources was a key element in promoting this; the investment challenge is not a great one. The second is a more complex pattern around the retention of considerable administrative discretion and especially over delegating natural resources rights to local communities. This reflects both historical continuities (of paternalistic views of rural society and of natural resources as a state commodity) and current elite-patrimonial interests.

## **5. CONCLUSIONS**

This chapter has first looked at natural resource management in Mozambique with its focus on the past 50 years. It has argued that Mozambique has had a very different conservation history to that of much of the Southern African region and that this specific history matters in the context of how new approaches around protected areas and community based resource management have and are emerging. One of the greatest contrasts is that the stress on biodiversity conservation and wilderness conservation is actually of relatively recent origin and largely responsive to external influences. The most persistent historical continuity is around wildlife and forestry as a state owned commodity, a taxable asset rather than an intrinsic value.

This was to have a significant role in the choices made in the past decade around protected areas and production forest zones – the most valuable of the natural resource estate. The state was to extend its control over both, with the doubling in size of protected areas occurring between 1997 and 2002 and the enclosure of the commercially valuable forest zones in a state concession process. Some of the political economy features of this consolidation over the allocation of access and benefits by central



structures and elites has been discussed and linked to emerging features of ‘democratic minimalism’ in the more obviously political sphere.

At the same time alternative ideas of community based natural resource management emerged, initially ‘bubbling up’ from seeking solutions to field problems and influencing from this local scale the central evolutions. Linked in with reforms to policy and legislation in the land and natural resource sectors, both of which emphasized formalization of rights and benefits by local communities as a new legally recognized entity, there was established the basic foundations for new dynamics arising from governance interactions between state and citizen. And this was at the local, rural scale where most of the people of Mozambique live. The chapter has traced the phases in this complex adaptive cycle and argued that it has at the national scale moved increasingly into the ‘foreloop’ of this cycle with growing conservatism towards deepening this process and a greater influence of bureaucratic actor groups. Case studies have then been presented indicating the degree that practical models of linking land, natural resource benefits and rural self governance have emerged and are still emerging and dynamic. The local scale is in contrast to the national scale still ‘bubbling up’. Challenges to further consolidation have been analysed with the argument that limited investment in tackling transaction costs is a constraint; but that a greater challenge is in the maintenance of administrative discretion in obstructing the realisation of local rights.

Finally, the conclusion of this chapter is to emphasise the continued relevance of CBNRM to Mozambique and its potential for rural democratisation. Most of the challenges identified are not insurmountable in moving towards benefits in social, economic, ecological and political terms from local collective land and resource management. Almost all seem amenable to solution - over time, by adaptive approaches that can tackle complexity, by more or better-targeted use of financial or human resources, and by challenging centralised accountability and the distribution of power. Local community ‘practioner-scholars’, technical and legal advice services, NGO facilitators, researchers, pragmatic private sector operators in the tourism and forestry industries, and others have a valuable role to play from the local level upwards as ‘activists’ or ‘catalysts’ in challenging current central scale orthodoxies and moving adaptive cycles onwards in national CBNRM.

Potentially the most significant contribution of CBNRM in Mozambique is yet to come. This is particularly likely if the current emphasis on Trans-frontier Conservation Areas (TFCAs), protected areas and state-private sector dominated partnerships should generate demand from the community level for real changes in governance and policy, whether as a result of infringement of property rights, failures in the 'parental' forms of decision making structures or a lack of tangible economic benefits.

## CHAPTER 5

### **NIASSA PROVINCE AND THE SMALL SOCIETY: GOVERNANCE AND THE YAO PEOPLE 16<sup>th</sup> TO 19<sup>th</sup> CENTURY**

*The most distinctively African contribution to human history has been precisely the civilized art of living fairly peacefully together not in states. (Lonsdale 1981; 139)*

#### **1.INTRODUCTION**

The following two chapters aim to look at scale and time in governance by a focus on Niassa Province in northern Mozambique and through the analysis of the deep history of the small society there from the 16<sup>th</sup> century to the present day. The small society discussed is that of the Yao ethno-linguistic people of the northern section of the province.

The aim is to complement the analysis of the previous section with its emphasis on the national scale over 50 years and the recent reforms and transformations of politics, policy and legislation with a more local scale analysis over 500 years; drawing from the perspective of the small society and its evolutions in a deeper history of customary institutions and organisations. This can then provide the basis for the final chapters that discuss the interactions of these two worlds in the present context of national governance and reforms to land and natural resources.

#### **1.1 Niassa: Geographic Context**

Niassa is located in the far north-west of Mozambique, bordered on the east and south by the provinces of Cabo Delgado and Nampula with Malawi to the west and Tanzania to the north (see Map 2). It was the last area of Mozambique to be integrated into the colonial Mozambican state and remains one of its most remote provinces (2,000 km from the national capital of Maputo). It is however the largest province covering 129,000 km<sup>2</sup> (about 16% of the country) with a population of only 756,000 people and thus also the lowest density in the country at around 6 people/km<sup>2</sup> (GoN 1999). Just under half the population is younger than 14 years old and 77% of the people live in rural areas.

Just over half the population are of Makua speaking people, around 40% Yao, with Nyanja speakers on the western fringe and small numbers of Ngoni in the north-west bordering Tanzania. With the exception of the Ngoni (descendants of 19<sup>th</sup> Century migrants from present day KwaZulu-Natal, South Africa), all are matrilineal societies.

The province is characterised by a large highland plateau of over 1,000 metres in altitude sloping north-east with inselbergs rising from the general relief and breaking down to the lowlands of the Rovuma River basin. Three large river systems dominate; the Rovuma basin forming the border with Tanzania, the Lugenda running through the centre of the province and the Lurio forming its southern and eastern boundary. The best agricultural areas are those in the higher rainfall central-southern plateau area with its deep, red permeable soils and the river basin alluvial zones. Of the estimated 12 million hectares of arable land only 9% is being used and the family sector, growing mostly maize, cassava, beans and sorghum with some commercial crops such as tobacco and cotton, is responsible for 85% of output (GoN 1999). GDP per capita was US\$ 115 in 1997 (about half the national average) and trade and market networks are very limited; there is an average density of only 1 shop per 879/km<sup>2</sup> (GoN 1999).

Niassa is administratively divided into 15 Districts with most infrastructure and development concentrated in the south-west between the provincial administrative capital of Lichinga and Cuamba, the commercial centre. Even in these towns basic infrastructure is limited with uncertain electricity or water supplies and a very poor mostly dirt road network.

The single biggest employer is the state with 7,500 civil servants; but a critical factor weakening administrative capacity is not only salary uncertainty, but that over 60% of these officials have only primary school education levels (GoN 1999). A further complicating administrative feature is the 'dual subordination' in which decentralisation to the 'Government of Niassa' under a politically appointed Governor, is matched by a simultaneous subordination of provincial or district administration reporting to central ministries.

## 1.2. Niassa: ‘The End of the World’

The Province of Niassa has always been a hinterland, remote and seemingly low on the development concerns of both colonial and post independence governments – referred to still by many as *Fim do Mundo* or the End of the World.

If it has the country’s lowest population density, the highest levels of illiteracy, the least paved roads, the fewest telephones and the lowest donor or private investment, it also has had the most wildly ambitious but, so far, unsuccessful large development schemes. These range from a recent ‘trek’ of Afrikaner farmers in the guise of catalytic rural extensionists to socialist era dreams of the largest collective farm in the world. It has an older history at the turn of the 19<sup>th</sup> century of being granted in its entirety to a chartered company, The Niassa Company of 1890-1929. That this Company appears to have had its only significant business success from the selling of postage stamps to philatelists in Europe (see Newitt 1995) and that prominent on these stamps was images of giraffe, an animal that has never existed in northern Mozambique, adds to a certain comic-opera quality that remains pronounced, at least in the official and urban world of Niassa.

For example, of various personal experiences, the most memorably was being detained by the police as an ‘international car smuggler’ when I alerted a fellow motorist to the fact that his license plate was identical to that of my vehicle. Following a period of detention over a weekend the case was resolved on discovery that the elderly vehicle license clerk had issued a series of number plates with repetitions and had not had his spectacles up-graded since 1965. It was still necessary to pay a large fine to recover my ‘innocent’ vehicle from the police pound.

A bureaucracy of great complexity with roots in both Portuguese colonial and 1970’s centralized state administration has been retained to a greater extent in Lichinga than elsewhere in the country, resulting in a often tenuous relationship between administrative form and function. If this relationship is often inexplicable to those who carry out administrative activities, it is clearly more so for those rural people who encounter it. One result is a gulf, not only between the provincial interpretation of national policy, legislation and reform process, but also between urban cores in Niassa and rural peripheries.

In other words, two quite distinct worlds co-exist in Niassa, operating according to quite different rationales and norms, and this is worth noting given the focus of most of the rest of this chapter on history from the perspective of the rural small society; specifically the Yao speaking people of the northern section of Niassa Province.

## **2. YAO ORIGINS, YOHANNA ABDULLAH AND HISTORICAL THEMES**

The exact origins of the Yao people (or *WaYao*) are unknown but clearly pre-date written historical records of the invasions of the Maravi in the 16<sup>th</sup> Century or the Ngoni of the 19<sup>th</sup> century (see Newitt 1996, Medeiros 1996 and Liesegang 1993 for the major movements of invasive groups in northern Mozambique). The Yao themselves say they are the original inhabitants of the area of northern and central Niassa Province and that they arose from the mythical ‘hill of Yao’ in the area between the Lucheringo river basin and the Mwembe uplands. The core Yao area up to the present has been the zone radiating out from Mwembe bounded by the Rivers Lugenda in the west, Rovuma to the north, Messinge/Lucheringo in the west and Luambala to the south.

The origin of the Yao in these hills and their expansion from them is still repeated in oral history today, but the main source for their expansion and early socio-political history is from the book *Chikala Cha WaYao* (or ‘The Yaos’) by Abdullah (1919).

Yohanna Abdullah’s life is of interest in relation to this and following chapters because much of it was spent in southern Sanga District of Niassa; and his book because it is the first records on the internal dynamics in a historical perspective of the northern Yao of Niassa and of the important chieftaincies of Makanjila, Malingalile and Mataka<sup>1</sup>. The book is also remarkable for its period in strongly emphasising African rather than Western values, although it is extremely Yao ethnocentric and somewhat xenophobic to other local ethnic groups. Written fairly late in his life the book demonstrates his considerable pride in Yao culture and his wish to capture for a future Yao audience a description of the time prior to colonial domination and ‘western civilization’. This

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<sup>1</sup> The outline of YB Abdullah’s life given here is drawn from the Introduction by Alpers (1973) to the 2<sup>nd</sup> edition of Abdullah (1919). Almost all ‘local’ studies since Abdullah have been on Yao groups in southern Malawi (Mitchell 1959) or southern central Niassa (Amaral 1990) and not northern Niassa (with exception of Mavago District oral history studies in Liesegang (1993).

would seem an unusual aim for the time (and 50 years in advance of the ‘nationalist’ anthropologists such as Jomo Kenyatta or Eduardo Mondlane) and perhaps especially remarkable for a priest. That his desired audience was predominantly Yao is clear from his preface and from the fact he wrote it in *chiYao*, despite being literate in English and Arabic/Swahili.

Abdullah’s background was that his father was an early convert to Christianity at the Universities’ Mission to Central Africa (UMCA) school in Zanzibar and later also a headman of a Yao group in the Newala area of southern Tanzania, where Abdullah grew up. Abdullah himself was educated by, and rose within, the UMCA system before being sent to Unango in 1894 and was the priest of the mission there from 1896 until his death in 1924<sup>2</sup>. Writing *The Yaos* at the turn of the century meant that Abdullah could base it on both his own knowledge of Yao customs and history and draw from those of the people around him at a critical moment of transition from the point of the greatest extent of Yao influence in east central Africa to the beginnings of the colonial period. However, there are a number of wider meanings, limitations and ironies in *The Yaos* that are worth outlining to illustrate some deeper aspects of local history and society and the threads of this chapter.

Firstly it is almost certain that Abdullah was not ‘born’ of a Yao despite his claims and evident pride in being one. Alpers (1973) convincingly argues that Abdullah’s father was in fact ethnically Makua, who posed as a Yao (and became a headman of a predominantly Yao but mixed group); as the Yao were of higher social prestige in the later part of the 19<sup>th</sup> century in southern Tanzania. Abdullah’s status himself in remote Unango could also be increased locally via the claim that he could thus make, via his father, of being of Yao aristocracy (rather than a *shenzi* or heathen within a generally Muslim milieu). As Alpers argues this aspect motivates some of the more extreme ethnocentric and chauvinistic biases of Abdullah’s book (Alpers 1973: ix). Certainly some of his more nostalgic accounts of ‘old Yao’ social behaviour and political systems

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<sup>2</sup> The remains of this mission is still present today, although as an Anglican mission it was strongly contained by the colonial administration from the 1930s onward. Post independence in 1975 the mission was converted to agricultural use as part of a state collective farming enterprise.

present an almost utopian world<sup>3</sup> and do not fit well with other parts of his story, research undertaken in this study or the results of others. The moral of this is that I have tried to be cautious with Abdullah's work (and in following sections or chapters with biases or limitations of other personalised history)<sup>4</sup> and treat it as providing the general overview of social or political systems and values rather than being necessarily of strict historical fact.

A second theme is that personal or oral history is most valuable when dealing with the immediate past of the person telling it and in the case of Abdullah this means his work is historically most useful for the period 1830s to early 1900s. A corollary of this is that prior to Abdullah's timeframe starting in the mid 1800's, there is little written information on the Yao. This means that assessing the earlier political and social evolutions of the Yao has to draw on the relatively rare records of external travellers through Yao-land, on accounts of those who met Yao traders at the coastal margin and, for the earliest period, on a certain amount of deductive work.

This deductive work will be based on; *firstly* identifying the most enduring features of the more recent society and that described by Abdullah as indicative of being of early evolution; *secondly* via comparison with other groups in east central Africa; and *thirdly* by drawing on the features of local physical environment as an important influence on social dynamics.

A final theme to draw from Abdullah's book is in relation to ethnic identity and stereotypes over time. Ethnic identity would seem to be far more flexible historically in Africa than the tendencies of simple divisions into rigid 'tribes' in either the colonial or

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<sup>3</sup> Some examples include 'When the old people lived in Yao-land proper they were extremely sociable, unselfish, generous, helpful and obliging amongst themselves' (p.10) 'In the old times, long ago, in their old homes, the Yaos were in accord and united' (p.11) 'alas the times of long ago, never to return' (p.19)

<sup>4</sup> A good comparative example is Wegher (1996) memoirs of 55 years (1940s to 1990s) as a Catholic priest at Massungulo Mission amongst the Yao/Nyanja in southern Niassa. In contrast to Abdullah, his book presents a generally pejorative view of Yao culture and customs. Abdullah was a Yao and of their elite and represented a church that was 'anti-colonial' and a source of new identity in a crisis period; Wegher, an Italian, represented a church that was a partner of the colonial state, at a time when Islam was the identity of refuge. Abdullah made surprisingly many converts among the Yao, Wegher made few. In summary, Wegher and Abdullah illustrate well that the values given to a people's customs may reflect as much the observers own status or biases as that of the group studied.



post-colonial periods would indicate (Reader 1997: 603-616)<sup>5</sup>. When Abdullah's father was pressed on the view that he was not a Yao he replied:

‘Long ago it is true that I was a Makua, but now, for a very long time, I have been a Yao’ (Weule 1909)

This answer illustrates the degree of fluidity possible between neighbouring ethnolinguistic groups, rather than the rigid genetics of birth. For reasons that will be discussed more later, this response also illustrates that the particular social system of the Yao allow groups to both absorb ‘converts’ and thus gain power through more people and also be inherently flexible to permit leadership positions to be available based on an individual's agency rather than a strict application of structure through hereditary mechanisms.

### **3 YAO HISTORY UP TO THE EARLY 19<sup>th</sup> CENTURY**

#### **3.1 Introduction**

*‘Look now, how the Yaos desire that strangers should come to their door’*. Abdullah (1919: p. 14) describing the importance of hospitality amongst the ‘Yao of old’

*‘The first white (Portuguese) who sets a foot in my territory will be killed and his skull I will take to use for drinking honey wine’*. Sultan Mataka III describing a more selective hospitality (according to oral accounts in Wegher 1996:68); a policy that he implemented literally in the case of Lieutenant Valadim in 1890.

The above quotes help illustrate a period of social history; the most distinctive feature of which was change in the long enduring political and social arrangements based around a small and widely dispersed Yao society of traders, hunters, agriculturalists. This change of scale of socio-political group size was a relatively sudden one from the mid 1800s producing some large sultanates or chieftaincies in the turbulent period of the late 19<sup>th</sup> century and the colonial Scramble for Africa. What is specifically interesting about the Yao is that, perhaps uniquely in east or southern Africa, their society (at least in north Niassa) survived this collision with external forces remarkably intact into the colonial period and beyond.

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<sup>5</sup> An extreme example of this is from Zambia “ the chief of a little known group once ventured to remark: ‘My people were not Soli until 1937, when the Bwana DC told us we were’” (quoted in Reader 1997: 610).

I will argue firstly that this is because the core of the society, and the key elements of its governance, relate to the small scale but resilient matrilineage; and secondly because the indirect colonial administration, which was also limited in time (from 1900s in principle but really from the 1930s-60s in practice), had little impact on this core. These features are in contrast to the extensive restructuring of local society that accompanied the Scramble elsewhere in the region and the pervasive ‘invention of tradition’ (Ranger 1983) that accompanied more effective and intensive colonial administration and those indigenous polities that were organised on a larger scale around more complex vertical institutions.

The basic emphasis in the next two sections is therefore the resilience of the Yao social and political system in complex adaptive cycles, how this residence evolved in the harsh environmental context of North Niassa and how it proved continuously resilient through cycles of extreme change over the turbulent past two centuries.

### **3.2 The Small Society up to the early 19<sup>th</sup> Century**

As noted previously, the earliest Yao history noted by Abdullah was the myth of origin of Yao in the centre (Hill of Yao) of what still remains their current distribution between the Messinge, Rovuma and Lugenda Rivers. He then identifies that the original group from this ancestral hill split into 10 divisions or sub groups, which occupied different zones of the wider area within these river basins (Abdullah 1919: 8-10). The names of each of these divisions relate to the features of the areas to which they moved (such as the *Wanjese* who settled near the Njese mountains or the *Amasanninga* who moved to near the Lisanninga hill; Abdullah 1919:9).

The historical record of the Yao up until the early 1800’s is limited and largely relates to accounts of by those who met the Yao as traders (in ivory and slaves) on the Mozambique and Tanzania coastal area. An exception was the 1616 journey of Gaspar Bocarro from the Zambezi valley to the port of Kilwa in Tanzania. Although he did not specifically mention the Yao by name (he uses the word ‘Nguru’ which was used by the Maravi to refer to ‘others’ and by Yao to the Makua-Lomwe – see Mitchell 1959: 297) he travelled along what was apparently;

‘a well trodden trade route running from the southern end of Lake Malawi through Yao territory. Along this route it was possible to obtain guides ... as well as ivory and slaves’ (Newitt 1996:179).

According to Alpers (1975: 59-64) the Yao coastal trade was originally focused around the transport of goods from Yao-land such as beeswax and iron products and was a development of more local trade networks in the interior, in an exchange principally for salt. From the late 1500s, and well established by the early 1600s, there was an increasing long distance trade by the Yaos with the Arab merchants of Kilwa, with the main item of trade being ivory. This dominance of the east central African ivory trade and of long distance trading by the Yao was to continue up until the mid 1800’s; both with the Arab dominated merchant towns of southern Tanzania, and also the Portuguese main trading centre of Ilha de Mocambique to the south east of the Yao area. The trade in this period was not exclusively in ivory and included slaves, beeswax and rubber (Alpers 1974; Newitt 1996; Liesegang 1993).

However the main points are that for at least 250 years between the 1600’s and mid 1800s the Yaos were the principal long distance traders of east central Africa, the main trade was in ivory (and secondarily in slaves) and the point of contact with the wider world was the coastal fringe and not in the interior of Yao-land.

This long period of 250 years of Yao history is also one that falls between two periods of external invasion of large well organised central polities of areas around central Yao-land. The first, in the mid to late 1500’s was of the Maravi empire moving from the south-east of the Congo basin to the Zambezi valley and up through northern Mozambique (and to the east of Yao-land) to as far as coastal Kenya but which had declined and been largely absorbed into local groups by the early 1600’s. The second, and greater, external impact was that of the Ngoni invasion moving up from south-east Africa in the mid 1800’s, and finally the colonial conquest of the Portuguese in the early part of the 20<sup>th</sup> century. The following discussion aims to recreate the socio-political and economic features of this period of two and a half centuries of Yao history, which was primarily one of local internal dynamics.

The picture that emerges of the Yao from this early period is of small and widely dispersed settlements of people loosely interconnected but with no large overall political

or social organisation, engaged primarily in agriculture supplemented by hunting and fishing and engaged in local trade to procure salt, which was one necessity in limited supply in the area. This picture of early Yao society can be recreated by reference to the physical and ecological conditions of the area, the persistence of certain social systems up to the present, as well as the descriptions of ‘the old life’ by early writers such as Abdullah (1919).

As noted previously the environmental conditions of north Niassa are of areas of relatively infertile soils and nutrient poor miombo vegetation with certain areas of higher fertility along river courses or on the central plateau margins, which can support more intensive agriculture and higher population densities. Prior to the arrival in the late 18<sup>th</sup> century (and not locally extensive until the mid 19<sup>th</sup> century) of food crops from Asia and the Americas the major food crops were sorghum and millet, which although resistant to crop pests and climatic stress, are not highly productive. The rainfall is limited to certain months of the year (December to April) with a long dry season and is prone to drought phases. The raising of livestock (especially cattle) is not viable in most of the area due to the prevalence of tsetse fly and there is a high incidence of disease parasites (principally malaria). These environmental and epidemiological conditions would tend to influence human society living within these constraints to evolve to suit these conditions and be characterised by small and dispersed settlements taking advantage where possible of better soils and of sources of protein from hunting and fishing.

As Reader has noted;

‘like everything else in human evolutionary history, small peaceful communities in Africa were an ecological expedience; ensuring survival in a hostile environment of impoverished soils, fickle climate, hordes of pests and a more numerous variety of disease-bearing pests than anywhere else in the world’ (Reader 1997: 242).

Whether it is a result of the shared heritage of the early Bantu speaking people migrations of the 11<sup>th</sup> century and the latter ones of the 15<sup>th</sup> century or a case of convergent evolution to more local environmental factors, the Yao also share a **matrilineal system** of social organisation with many other groups living in the central part of Africa as far south as the Zambezi (see the ethnographic descriptions of ‘Seven Tribes of Central Africa’ in Colson and Gluckman 1959). The similarity of the

matrilineal systems and the tendency towards smaller scale social organisation is not only with their near neighbours (such as the Makua or Maravi groups) but also with the apparently unrelated ethno-linguistic group of the Nyamwezi of central Tanzania; who were the main ivory and slave traders in that region over a similar period.

The key issue here is that while environmental factors may provide an underlying rationale for the early evolution of a society based around small and dispersed settlements, the particular features of a matrilineal system provides coherent reasons why this small scale is maintained over time and how it is organised socially, politically and economically.

Based on Abdullah (1919), Mitchell (1951) and especially Alpers (1975: 15-22) the relationship of the matrilineal structure and the historical development of the Yaos as traders can be traced.

The core of the Yao life was (and remains) the matrilineal based *mbumba*, which at its smallest and most significant level is the relationship of a group of uterine sisters and their offspring to their eldest brother, who acts as ‘warden’ of the group<sup>6</sup>. Inheritance follows the maternal line with in general the eldest nephew (first son of oldest sister) inheriting authority as warden from his oldest uncle in the subsequently enlarged *mbumba*. The *mbumba* normally forms a small village or hamlet with the head of the village being the eldest living brother of the core (original) sorority group. The tendency of these hamlets or villages is not to exceed unity beyond a few generations (rarely more than three or four – from new baby to great grandparents) before tensions between competing brothers or between uncle and nephew result in splitting again into smaller separate new *mbumba* groups and new hamlets. In practice this means that the most usual settlement size (a ‘hamlet’) was around a dozen huts with 40 to 50 people in total (Mitchell 1959: 40). As Alpers (1975: 20) notes;

‘Fissiparation was marked among the Yao, with younger brothers always anxious to take advantage of tensions within the growing matrilineage so that they could move away with their sisters and set themselves up as headmen of their own *mbumba*.’

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<sup>6</sup> The matrilineal system of the Yao will be discussed in more detail in the following chapter.

Property rights and the inheritance of property, and the ownership in particular of agricultural land and the key means of production, also reflect the centrality of the *mbumba*. With marriage being matri-local (the husband moves to the village of the wife) the position of the husband is relatively weak as he never forms part of his wife's lineage, does not pass any inheritance to his children (which are the 'property' of his wife's lineage) and has few rights or agency; except in the lineage of his mother expressed through the authority of his maternal uncle. Therefore, the idea of the 'family unit' in Yao society is not that of husband, wife and children, but that of brother, sisters, and sisters offspring.

The Yao are primarily agriculturalist but most of the cultivation and harvest work was the responsibility of women and organised around the *mbumba* relationship. Apart from specific inputs in the clearing of land just before the rainy season the main activity for men, given the absence of livestock due to tsetse fly, was hunting and fishing. The critical point for the growth of the long distance trading of the Yao was that this conjunction of the *mbumba* centred social system with a limited calendar of male activities left men with the incentive and opportunity to take part in trade. The incentive was the limited possibilities within the *mbumba* for men to access power or wealth (the majority of men were not wardens of a *mbumba* and the majority of men were also husbands situated uncertainly in their wife's *mbumba*). The opportunity was the six months or more of the year in the dry season, when other activities were limited. The economic and political tensions resulting from the matrilineal system, which expressed itself through different gender strategies is well summarised by Newitt (1996: 231);

'husbands, excluded from the ownership or control over the means of production, established their own male-dominated hierarchies through hunting, trade and the purchase of female slaves'

Abdullah (1919: 11-28) notes the importance of local trading in the early history of the Yao and that the main item traded were iron implements (especially hoes) in exchange for salt, which was locally unavailable or difficult to produce. Iron ore on the other hand was plentiful in the Yao area and Abdullah identifies a caste within the Yao, called *Chisi* (which may have been an immigrant group from the advanced Maravi iron smiths according to Alpers 1975:16) who specialised in the production of iron products. The active internal trade and then trade with neighbours expanded over time to the coastal belt (the main salt source). By the early 1700's the Yao were an actively part of an

international trade of the east African coast and the main trade was in ivory, carried from a large catchment area in east central Africa. The six month dry season with limited other activities for men, meant that the journey to and from Kilwa on the east African coast could be made up to twice a year and the male identity of being long distance travellers had entered into the Yao sense of themselves;

‘Should anyone say, “I am a Yao”, not having visited other countries, he is not a Yao at all and everyone laughs at him, saying, “This is a woman, not a man” ‘ (Abdullah 1919: 29).

Although the importance varied over time depending on the coastal demand and local supply, the two staples of the Yao caravan trade in the 18<sup>th</sup> and 19<sup>th</sup> century was ivory and slaves. Both were extractive forms of an economy and based on the exploitation of local stocks until supply became limited and the trade moved on. In practice this meant the radiation ever further inland from the coast with the sourcing of ivory (the more limited and more rapidly exhausted product) moving ahead of the sourcing of slaves, which until the mid to late 18<sup>th</sup> century, were largely drawn from the coastal margin and involved the Makua people. The Yao in this period were primarily involved in an ever increasingly search for ivory and had expanded their network of caravan routes and their domination of the trade throughout the vast area between the rivers Zambezi and Rovuma and west as far as the Luangwa (Newitt 1996: 184).

The internal dynamics of Yao society up until the early 1800’s appear to have been remarkably stable, without the evolution of large hierarchical complex polities. It is worth turning now to the questions of how ivory and slaves as a trade basis related to this persistent small society and why it did not distort it significantly or cause its evolution into larger scales. As discussed earlier the small *mbumba* matri-centric unit provides the core of Yao society with obligations and rights located within this unit and tensions between people (male and female, those with authority and those who seek it, rights over property and the means of production) are focused and resolved. It is against this small structure and its institutions that trade and in ivory and slaves can be best understood and the reasons found for why, over a period of 200 years of external economic relations, the internal dynamics of Yao society remained relatively unchanged.

Although primarily an agricultural society, hunting was undertaken in the dry season to supplement the diet and was a male activity either individually or in small groups. Abdullah (1919:11) describes the use of bows and arrows and dogs and nets for the hunting of small game and the digging of game pits for larger ones. The ownership of the products of hunting was within the individuals involved, although a portion was given to a leadership figure (such as warden of the *mbumba* or head of the village), especially so if the hunting was done in another group's area. In the case of elephant, the custom was for the tusk on the fallen side of the carcass to be given to the head of the local village (chief) while the other tusk remained the property of the hunter or hunters<sup>7</sup>.

With the demand for ivory at the coast any enterprising individual could thus start himself off as a trader relatively easily – first as a member of a hunting group or individual hunter and then building up trade goods to branch out into purchasing and transport of ivory. The independence of most males for six months of a year, the abundance of the product<sup>8</sup> and the lack of a monopoly or high taxation by a single central authority figure (above level of village or group of villages) meant that relatively equal economic opportunities and incentives existed. The concentration of economic power in a smaller and hierarchical group (such as the accumulation by a chief) was constrained by the marked tendencies to fission or break up of social and political structures from the level of the core *mbumba* upwards. In other words, the ability of a chief or warden to keep an *mbumba*, village or group of villages together became increasingly difficult with scale and was a balance between integrating and dis-integrating forces.

The balance against the build up of more centralised economic and political structures was that the ivory trade represented a route by which any subordinate individual male could build up status and power (agency) within his own *mbumba*<sup>9</sup>, and thus break off and create a separate one. While it is probable that the influence of the ivory economy

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<sup>7</sup> Hunting will be more discussed in later chapter, but these basic norms continue to hold.

<sup>8</sup> Alpers (1974; 17) notes that 'elephants seem to have abounded in Yao-land'. Even today Niassa holds around 70% of Mozambique's elephant population.

<sup>9</sup> For example Abdullah (1919: pp. 28) notes the importance of travel in itself as increasing the status of an individual 'He who knows foreign parts is a man worth knowing, like so-and-so's son ... he who knew other countries was always listened to with respect ... sometimes with awe saying "Good lord! You are a wonder! Eh! But you have traveled" '



was to both increase male authority in general and some individual male's authority over higher scale groupings, there seems no evidence until the mid 1800's that the highest ends of this scale exceeded a group of related villages.

Basically the matrilineal (but patriarchal) organisation focused on the *mbumba* acted to dissipate, rather than accumulate, political power or economic wealth and did so in a lateral or horizontal way rather than a vertical one. Even though the size of the caravans transporting ivory were up to 1,000 people covering vast distances (Newitt 1996: 84) this seems to have been achieved through horizontal cooperation between villages rather than via the evolution of a centralised vertical organisation focused around large territorial chieftaincies.

Alpers (1974: 21) is reluctant to 'speculate' or conclude that no large political units existed during this period because of the lack of direct historical record. I would argue the reverse; that it is inconceivable that if some large polities under territorial Kings/Paramount Chiefs did exist that their names would have not been known and recorded by the coastal Arab, Indian and Portuguese community in over 200 years of interaction with Yao traders before the mid 1800's. While the organisation of the Rozwi states and names of kings were well known to the Portuguese prior to ever reaching the Zimbabwe plateau and even the polities of the remote interior of Zambia (Chief Kazembe of Wisa/Bisa) in the 18<sup>th</sup> century, the Yaos were consistently until the mid 19<sup>th</sup> century referred to only in the collective sense. I would also suggest that the absence of any persistent territorial cults in Yao society would also argue against any deep history of large polities. Finally Abdullah's writing does not indicate the existence of large Yao chieftaincies until the peculiar stresses of the 19<sup>th</sup> century.

Slaves, the other main commodity of Yao trade apart from ivory, were another feature of local dynamics. Domestic or internal slavery appears to have been a long-standing component of societies in Africa (see Reader 1997) and a response to a major constraint of low overall population densities and low growth rates. A characteristic of many African societies was thus an emphasis on power (of an individual or group) being expressed through numbers of people over whom authority could be exerted. In Yao society local level slavery, in other words of other Yao and near neighbours, certainly preceded the international trade (Abdullah 1919: 29-32) and was distinguished from it

both in the treatment and function of slaves. It was also different in the crucial aspect that it was the accumulation of people (and thus power), rather than the self-destructive export of people/power outside the society.

Domestic slavery within Yao society served as a refuge and an avenue of re-integration and security for those whose own groupings had dis-integrated as a result of social tensions, famine, war or other factors. Slavery was also a means in which an *mbumba* and the male warden of it could increase the size of the unit and thus its power. For example, an ambitious man could only split off from the parent matrilineage and create his own *mbumba* and village under his own authority through the size of the following that he had. As this might be a slow process before either reproduction (of his sisters) or his ability to convince others in his lineage to become his followers reached the ‘critical mass’ to split off, the rapid alternative was to build this ‘critical mass’ through slaves. The value of slaves to a male in the *mbumba* system was also that they were his ‘property’ and not that of the lineage from which he came.

From the perspective of the husband-wife relationship, slaves were an avenue of a husband’s independent power against his inherent weakness within the wife’s village and thus her *mbumba*. Thus it is likely that the ability of Yaos in the ivory trade to increase their male agency via the purchase or capture of slaves from other groups<sup>10</sup> (and balance this with local retention or export) was to tilt the gender balance of power between men and women in the matrilineage and perhaps to increase the scale of political or social organisation. However, the ‘self-levelling’ influence of the *mbumba* institution appears again to have maintained this scale at around the level of groupings of villages rather than larger polities or states.

Comparisons with neighbouring ethno-linguistic groups suggest many similarities but also some interesting differences in relation to scale in social and political governance<sup>11</sup>. The Makua-Lomwe people to the south and east of the Yao and along the eastern coast of Mozambique were (and are) similar to the Yao in terms of being matrilineal but this functioned at a somewhat higher scale than the basal *mbumba* unit of the Yao. The

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<sup>10</sup> Abdullah (1919: 31 mentions in particular the Nyanja, Senga and Chikunda as slaves from outside Yaoland ‘Of these slaves, some they took to the coast to buy trade goods with them, others they kept at home to hoe the gardens, build houses and do other village work’

<sup>11</sup> These comparisons draw from Chapter 1 of Alpers (1974).

social and political system was hierarchical ‘over and above the localised village chieftain there were important superstructures dominated by powerful chiefs’ (Alpers 1974: 13), although the equivalent of the *mbumba* (the *ololo*) was at a similar scale. The Makua-Lomwe also combined a hierarchy of clan kinship authority with territorial chieftaincies; a combination which is not evident in any period for the Yao, except very briefly in the extreme conditions of the late 19<sup>th</sup> century. Agriculture was a more marginal activity for the Makua-Lomwe than for the Yao and the tendency for men to engage in extensive and prolonged hunting was more pronounced and more communalistic.

In contrast the Maravi groups (Nyanja-Chewa/Manganja) to the west and south were primarily agriculturalists and men in this society were much more closely involved with agricultural production than either the Yao or Makua-Lomwe. This more equitable division of labour in agricultural production also implied more equitable distribution of benefit; thus less motivation for men as individuals to seek ‘wealth’ elsewhere. The Maravi also inhabited an area of not only richer agricultural soils (southern Malawi) but also where there was an abundance of salt and iron ore. Population density was much higher and this varied and richer economy did not require, or promote, trade beyond the very local as most key items (including very high quality cotton cloth) could be local produced and consumed.

The wealth of this agricultural economy produced surpluses, permitting a more vertically complex and differentiated society and a more highly developed state system than amongst either of the other groups. For example, the lowest matrilineage segment called the *bele* of the Chewa Maravi group was the equivalent of the *ololo* of the Makua or the *mbumba* of the Yao. However the functioning matrilineal group (the village-matrilineage) was the ‘Chewa-*mbumba*’ (equivalent of the Yao *liwele* which has much weaker social function) and was a large-scale grouping of lineage segments in a single village. A crucial difference with the Yao was that this village level of the Chewa Maravi was not only larger in numbers of lineage segments but was also;

‘an administrative unit of a hierarchically ordered chiefdom or kingdom in which there were clearly delegated powers above the level of the village in the person of the territorial chief and the paramount chief or king. Territorial political organisation appears to have had a much longer and more firmly entrenched history among the Maravi than among their eastern neighbours. But it must be recognised that the degree

of political authority, which the Maravi kingdoms exercised over individual villages, depended very much on the fortunes of the state. Political power was normally delegated and decentralised among the Maravi and the secession of chiefdoms from kingdoms was a common feature of the political process. Perpetual kinship relations were one mechanism for counterbalancing this tendency towards fragmentation, as were territorial cults associated with the more important paramount chiefdoms' (Alpers 1974: 28).

To summarise, the Maravi and to a lesser extent the Makua, illustrate a governance system of power, authority and accountability based on more than just the matrilineage - the high scale of governance (from central authority to village unit) made possible through territorial cults<sup>12</sup>, able to go beyond the limitations of diffuse local kinships/lineage linkages. This also illustrates the advantage of combination of both systems (fixed territorial cult and the laterally evolving matrilineage)<sup>13</sup> in achieving some stably functioning balance of upward delegation of powers, decentralised operation, downward accountability, and the ultimate sanction of secession, as proof against inefficient, coercive or over-centralised authority.

The Yao in contrast, living under different environmental features, human density, embedded social relations and historic dynamics, did not develop social or political organisation beyond those of the lineage. The lineage scale maybe have grown (from minimal to functional maximal, or *mbumba* to *liwele*) and from hamlets to villages to groups of villages with an increase in authority under kinship chiefs. But until the tremendous shocks of the early 1800's, there is no evidence of either large chiefdoms or territorial cults. The lineage grouping at village scale as the core of governance (of power, authority and accountability) remained adaptable, legitimate, resilient, flexible in scale and persistently cohesive over at least 250 years.

Finally, before moving on to the radical 19th century, there remains the puzzling question of why the Yao, who over a period of at least two centuries engaged in trading

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<sup>12</sup> For more discussion on territorial cults and comparison with chieftaincy cults see Colson and Gluckman (1959) and Beach (1994). Essentially chieftaincy cults are associated with social and religious attributes of a leader/individual, while territorial cults are associated with a bounded area of land and ancestral linkages to it.

<sup>13</sup> It is important to stress again the lateral or sideways growth of the matrilineage in a patriarchal authority structure - never father to son, but from man to sister's son (ie nephew). This is a constant pressure through time for division or secession in a political system and the diffusion of political or social or economic authority, rather than its concentration. This stands in contrast to the patrilineal/patriarchal structure in which inheritance of social and political status follows a more vertical line over time and allows the concentration of authority and wealth over time and thus coercive ability (power) in an elite.

in the two most valuable commodities of the time in Africa (slaves and ivory), were not greatly influenced by this in either their internal economic or social institutions. 'Development' to put it simply, didn't happen. As ivory was the main trade item in this period I will focus on this, and leave the issue of slavery until its consideration in the 19<sup>th</sup> century. The answers seem to lie again mainly in the particular organisation of the *mbumba* unit, but also in the peculiar characteristics of the product and trade.

The trade was mainly ivory from elephants, an item with no particular local value, but whose value increased massively once it arrived in India or Europe. The Yao, while they dominated its transport from interior to coast, did not control its more lucrative transference in value within the coastal zone or from the coast zone to the market. This was in the hands of the Arabs and Indians (Arabian and more importantly Indian mercantile capital) and to a much lesser extent the Portuguese (who had persistently neither developed mercantile nor industrial based capital and to their frustration were confined to the economics of a rent seeking coastal bureaucracy). The 'wealth' that the Yao did receive was also in luxury goods and inexpensive consumables (cloth, beads, gun powder) (Alpers 1974: 30-31, 265-267) rather than the means or base for their internal economic development within their own society.

While Alpers stresses the external determinants, I would argue that internal dynamics are equally, if not more, important at this period. Abdullah's emphasis (noted earlier) that the motivation to trade was to a large extent driven by raising an individual's status in the village (and thus increase his agency in setting up his own *mbumba*) could explain why the Yao did not try to use their near monopoly to extract greater economic benefit from the trade. The primary motivation would seem to lie in the benefits of the trade from the perspective of local Yao social and political dynamics (social capital), rather than conventional economic capital. While trade and travel could provide wealth, the structure of the *mbumba* is not one that allows easily for its accumulation but its lateral diffusion (both through time, and also if the man is in a subordinate position, within his *mbumba*). Therefore from this perspective, travel and wealth has as its real benefit in the potential to gain status and via this to achieve the ambition of every man - to head (be warden of) a new *mbumba* or group of *mbumba* and enjoy the rewards of authority and independence.

The true Yao economic capital and real wealth was agricultural and the dynamics of this wealth was embedded in the *mbumba* and specifically in the sorority of related sister's who had proprietorship over its production and benefits and where the *mbumba* was the locus of accumulation of wealth. Alpers (1974: 30) emphasises the trade as being an unproductive activity made possible by the exploitation of women.

I would argue this is incorrect and over-simplifies the *mbumba*-centric world of the Yao and in particular the subtle gender relations within it. Women in the *mbumba* (and women in marriage) are linked to the authority of the warden of the *mbumba* who in turn has obligations of guardianship, protection, and tension resolution. But by definition most men are not wardens and are thus in subordinate positions within their *mbumba*. Men-as-husbands are also in a subordinate position when they dwell in the village of their wives lineage, within which they have very little rights. So from the perspective of women, most men have limited agency, while most women have social security within the *mbumba* and economic security via their dominance of (especially dry season) agriculture, individual ownership of plots and ownership of the produce. The view from the *mbumba* is thus more complex concerning who is exploiting whom. I would suggest in relation to trade dynamics up to the late 18<sup>th</sup> century (men walking about central Africa under a load of heavy ivory and ambitious of being *mbumba* wardens), that women in fact had the last and longest laugh<sup>14</sup>.

#### **4. 1800'S TO EARLY 20<sup>TH</sup> CENTURY; THE WARS OF THE CHIEFS AND EMERGENCE OF THE SULTANS**

##### **4.1 Context for Change: Drought, Slavery, War.**

In the late 1700's to mid 1800's a variety of forces and events were to interact and lead to more radical and extreme changes to the governance of Yao society and its scale than had occurred over the previous two centuries. By the late 1800's independent Yao society was represented mainly by a few very large chieftaincies in opposition to the penetration of a colonial administration. Large-scale governance had come to Yao-land.

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<sup>14</sup> These issues are important in relation to the perceived 'under-development' of Niassa up to the present, the functioning of economic benefits as incentives for CBNRM programmes there and gender relations in the organisational structures for CBNRM.

The aim of this section is to outline the major changes of this period, but with an eye still on the small society.

Three main and inter-related underlying forces were to influence the period. The first was climatic and the increasingly intensive drought cycles, whose aspects were to be multiplied by other forces into periods of widespread famine. The second was the increasing importance and intensity of the slave trade, when the deep history of 'power in people' became distorted in Yao society into a self-destructive and self-consumptive cycle. The third was the growing penetration of hitherto relatively isolated Yao-land by external and aggressive agents such as Makua warlords, Ngoni raiders or in the final phase, the colonial conquest of the Portuguese. War throughout northern Mozambique became the most obvious symptom of these three forces and in a vicious cycle was to further promote famine, slavery and external penetration.

The remarkable outcome was that Yao society did not disintegrate, in contrast for example to the complex hierarchical social and political governance of the Maravi Chewa (see Alpers 1974, Rita Ferreira 1982). Instead the small scale of the lineage based village built up larger scale social and political institutions under the cohesion of new forms of leadership. These polities were sufficiently robust as to represent the final resistance in the late 19<sup>th</sup> century to both the colonial intrusion of the Portuguese in northern Mozambique and the British in present day Malawi.

Thus the core questions to address here are how the *mbumba* or larger lineage based units were able to couple together upwards, and then go beyond the lineage, what impacts this had on existing social institutions, what new institutions and actors evolved and how governance (power, authority and accountability) functioned at this new large scale.

From 1774 until 1802 a major drought affected not only northern Mozambique but also much of Southern Africa; where it is cited (Newitt 1996: 254) as having both weakened the Changamire state of the Zimbabwean plateau and promoting the rise of the mobile Ngoni states, which were to stretch from Tanzania to South Africa by the mid 1800's. In northern Mozambique the principal impact was on the Makua, where drought and famine were combined with a major increase in the external demand for slaves. This

new high demand was largely from new markets in the Americas and Caribbean, with the first major exporters being French from the 1790's until 1810 followed by Brazilians and Americans up until the decline in the 'western' slave trade by the mid 19<sup>th</sup> century (Alpers 1974).

In the period 1820 to 1830 at least 15,000 slaves each year were exported from the main slave port of Ilha de Mocambique (Alpers 1974: 215). While the majority were Makua there was an increasing proportion that were Yao (Alpers 1974: 198-200). Despite the Portuguese abolition of slavery in 1836 and British naval blockades, slave export to Brazil continued until the late 1850s.

The second major drought and famine period peaked from 1831 to 1845 and was described by the governor-general of Ilha de Mocambique in the following terms:

'I can simply say that it appears that in the whole vegetable kingdom nature has died...and nowhere are there to be found fruits or green plants of any kind' (Newitt 1996: 255)

This great drought, famine and slavery drove new warlord bands of Makua north and west into southern Niassa and raiding areas occupied by the Yao, who were forced themselves further north or west and out of the more fertile central and southern plateau (Alpers 1974: 194; and Liesegang 1993: 2). These pressures on the Yao interior became compounded by the invasions into north Niassa by patrilineal Ngoni groups with their highly centralised and efficient political and military organisation and an economy that involved raiding and tribute extraction (Newitt 1996: 256-265).

The first group was the Maseko Ngoni invasion of north-east Niassa in the 1840's and then the more persistent influence of the followers of the great Ngoni leader Zwagendaba, who settled around Lake Tanganyika. One of his indunas, Zulu Gama, moved to the area of Songea in southern Tanzania bordering Niassa and this group called the Gwangwara raided into northern Mozambique from the mid until late 19<sup>th</sup> century (Madeiros 1997). While major raids covered much of northern Mozambique the greatest influence of the Ngoni was in the Rovuma valley and particularly the north-east part of Niassa (Sanga District). Unlike the Makua, the Ngoni with their pastoralist culture did not settle to any significant extent in Niassa, but from their centre in the Songea highlands, persistently raided southwards.



The increasing anarchic conditions in the early to mid 19<sup>th</sup> century and the forces converging on the Yao from north, east and south was to accelerate the evolving trends in Yao society of the past two centuries and introduce new scales of organisation with new institutions. The most important change was the acceleration of the trend of coalescence of matrilineal villages into larger integrated groups and ultimately (by early to mid 19<sup>th</sup> century) into a few chiefdoms formed by warlords able to defend or exploit the conditions of the time. These large chiefdoms represented a new social and political organisation that emphasised authority above and beyond the small lineage or *mbumba* and beyond a village scale of governance. The chiefdoms also represented a shift in gender balance with individual chiefs, for example, able to build up large followings of slaves and accumulate power and wealth as ‘independent’ male actors to the previous *mbumba* ordered economic or social structure.

The second important change was the geographical mobility of these new chieftaincies and the limited extent that territorial aspects developed in the increasing scale of organisation. The dispersed *mbumba* and related village was (and remains) loosely attached to a certain small geographic scale of land (with land ‘ownership’ in the *mbumba* focused on dry season agricultural sites on water courses or *dambos*), the impacts of drought, famine, slavery and war forced people to move about and concentrate in areas which could be defended against others under a warlord-chief that could organise such a defence. Even today in north Niassa people will identify areas where they concentrated defensively in this period, called in folk memory the time of the ‘wars between the chiefs’<sup>15</sup>, but which are now uninhabited as they are generally mountainous and of lower fertility. For example, I was frequently told while in north Sanga District that the currently uninhabited massif of Mount Sanga was where all the people used to go under the first Chief Malingalile because of the fighting with other chiefs or the raids of the Ngoni. This concentration of people in specific defensive positions under chieftaincies was not generally static or agriculturally viable over long periods of time. The result was that in these changes in scale, cohesion was in the chieftaincy and not in the geographic terms of particular areas of land.

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<sup>15</sup> ‘a guerra entre os regulos’ literally war between chiefs but sometimes ‘a luta entre os regulos’ or struggles between chiefs.

In social terms this can be seen in the fact that, while some loose chieftaincy cults are still evident today, there is no evidence of territorial cults associated with ancestral spirits, chieftaincies and specific areas of land. This territorial issue is an important aspect to stress as it represents a very different basis to a social organisation around land, and resources on that land, that is emphasised elsewhere in southern Africa and will be returned to later.

These mobile chieftaincies (loosely related to the 10 divisions of Yao groups noted by Abdullah in the previous section) were to respond to the stresses and compression forces of the 19<sup>th</sup> century in different ways. With the forces of the Ngoni in the Rovuma valley from the north and from the south the movement of Makua (Medo) and later the Portuguese, the Yao were compressed into the central area of Yao-land and the south-east.

The dynamics of the slave trade, the organisation of groups in chieftaincies and this compression resulted in warfare between Yao groups as well as with others. The result was that there was a persistent trend over the 19<sup>th</sup> century of whole chieftaincies to migrate around Yao-land and, following the tracks of the old caravan routes, into Malawi and at the later part of the century into southern Tanzania. These mass migrations internally and increasingly externally to the south of Lake Malawi (Upper Shire valley) were to forge a new scale of Yao agency and identity; within distinctive chieftaincies, as powerful military units and as settlers who moved *en masse* to dominate the societies in which they settled (see Newitt 1996 and Mitchell 1959 for descriptions of Yao migration into the Chewa society of southern Malawi).

However, it is also important to stress that while the chieftaincies were the 'glue' holding these migrating groups together, this was not because of a disintegration or replacement of the *mbumba* basic social unit. Chieftaincies were the aggregation of *mbumba* into a mobile mass held together by external pressures, the coercive ability of new scales of authority and the unifying force of migration. In other words, the *mbumba* remained the core resilient seed of Yao society, carried by the temporary raft of chieftaincies and able to spread and root in new ground.

The major persistent large chieftaincies of the Yao created in the 19<sup>th</sup> century were (named after their founding leadership); Mataka, Makanjila, Mtarica, Mangoche, Mponda, and Katur/Katuli. Each large chieftaincy was related to smaller scale groupings (around 10) with a cohesion and mobility of their own, loosely connected to the fortunes, expansions or contractions and authority of the large chiefs (Mitchell 1959:306-307; Medeiros 1997: 87).

In terms of human scale the evidence of Liesegang (1993) is that the large chieftaincies rarely comprised more than 25,000 people. Based on usual *mbumba* units of around 40-50 people (this research and see Mitchell 1959) this would equate to an aggregation of around 400 to 500 *mbumba* units. At the main functioning scale of the smaller chieftaincies this would equate to 40 to 50 basal *mbumba* units or the equivalent village lineal organisation of 10 large village groupings (of around 2,000 people).

The important point here is to note the relatively small population and political authority scale, such that in the nested hierarchy of governance, the cohesion of lineage, *mbumba* and village organisation could be maintained up to the main functional scale of a grouping of villages. The relatively small scale of nested hierarchies is reflected in Yao language in that there is no word in *chiYao* for paramount chief or king. The highest scale authority word is that of *mwenye*, which refers to a lineage chief of a village grouping, preceded by *mwenye musu* for a specific village lineage head and *asyene mbumba* for the warden of an *mbumba*<sup>16</sup>. The word used by heads of larger chieftaincies from the mid 19<sup>th</sup> century was *Sultan*, a non-lineage based term, borrowed from Arab and Swahili culture.

Of the large chieftaincies ('Sultans') noted above, the key one of interest to north Niassa was that of Mataka.

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<sup>16</sup> The village organisation and actors in village governance will be discussed in more detail in the next chapter.

## 4.2 The Emergence of the Sultans

The Mataka dynasty was to become the most important and the most persistent Yao chieftaincy from the early to mid 19<sup>th</sup> century and into the second decade of the 20<sup>th</sup> century.

The first Mataka was *Che Nyambi* who emerged from the anarchy of the early 19<sup>th</sup> century as the leader by mid century of a group of around 25,000 people (about a quarter to a fifth of Niassa's Yao population: Liesegang 1993: 32) focused in the area between the upper Lucheringo and Lugenda rivers. Unlike the other mobile 'Sultans' the Mataka dynasty was to remain unusually settled in this area over a period of 90 years; with the capital town called Muembe inhabited by the Mataka and his 'aristocratic' lineage moving around over short distances in the fertile hills of what is now north Mwembe and west Mavago districts (Medeiros 1997: 81)<sup>17</sup>. This area had a number of environmental, social, military and economic advantages that allowed for relatively long-term settlement and the development of a complex but cohesive polity in the turbulent mid to late 19<sup>th</sup> century. The area was fertile enough to support a relatively high density of people, produce agricultural surplus to support an increasingly stratified society, was defensible in the hills, was buffered in the north and west from raids by the Ngoni and also controlled the main caravan routes to Kilwa/Zanzibar which passed down the Lugenda valley.

David Livingstone, who travelled into the interior along the Lugenda route, stayed in Muembe in 1866 and left a good description of life in the area (Waller 1874: 71-80). He described Muembe as a large well laid out town surrounded by agricultural land with a drainage and irrigation system growing a variety of not only sorghum but more recently introduced crops such as maize, rice and cassava. Livingstone also noted the considerable influence of Arab-Swahili and thus Islamic culture in Muembe shown by the design of houses (large rectangular huts with enclosed grass or bamboo courtyards that persist today as the preferred rural or urban ideal) and in the clothing of people. The close relationship between Mataka and the Zanzibar sultanate were also evident by the numbers of Arabs in Muembe and that Livingstone's 'passport' from the Sultan of

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<sup>17</sup> Note this was the same area stated by Abdullah as the ancestral origins of the Yao – 'the hills of Yao'

Zanzibar enabled him to pass freely through the area (something the Portuguese were unable to do for another 60 years). Firearms were also noted as being particularly common amongst Mataka's followers and enabled them not only to defend themselves against other competing chieftaincies or Ngoni raids but also to attack weaker groups and capture slaves. These slaves were either taken by the Yao themselves down the Lugenda river valley and then through southern Tanzania to Kilwa port, or brought to Muembe for purchase there by Arab-Swahili merchants. The impact of slavery was high and in Livingstone's travels inland he recorded the almost complete depopulation of the countryside, despite evidence of extensive human occupation in the recent past.

The demand for slaves, first at Ilha de Mocambique, and then from the mid century onwards at Kilwa (Alpers 1974: 209-253), and declining importance of ivory was also to shift economic emphasis to the capture and export of people by raiding. This in itself fed the cycle of more powerful centralised chieftaincies, greater ability to access firearms, more slaves and ever more concentration of economic and political power in an elite. The trend was also to emphasise independence of specific males in the systems of governance at this high scale and also the coercive abilities of aristocratic lineages in holding off the breakaway tendency of Yao society, achievable through access to firearms and control of armed forces. Finally, a greater and closer involvement with the Arab-Swahili coastal culture and its religion (Islam) was to further promote amongst the elite, and then more generally, the increased emphasis on male agency in the matrilineal society.

The general norm of matrilocal marriage (husband goes to wife village) became among the elite virilocal (wife moves to husband village) and there was thus an increased tendency for the development of patri-lateral relations within chief families (brothers, brother in laws, sons and daughters) and not only the lateral relations around the strict form of matrilineage (sisters, nephews, nieces). The availability of female slaves owned by chiefs was also to shift the ability of powerful men with many slaves to create larger lineages headed by themselves. However, it would be incorrect to over-stress this shift as even in the Mataka aristocracy, the inheritance of power and authority still followed the matrilineal line and did so over 5 successive generations.

Mataka I (*Che Nyambi*) died in 1879 in his seventies having created a large polity which, according to Abdullah, was largely through military force overcoming smaller groups and whose cohesion was maintained through continued force ‘all this was done to instil fear into the people so that they should tremble at the very name Mataka’ (Abdullah 1919: 54). While these groups were of various unrelated lineages, Che Nyambi contained the potential for conflict within his own newly created dominant matrilineage by distributing his harem in satellites around Muembe and kept his potentially threatening maternal cousin or ‘brother’, Kumtelela, closer at hand as an advisor and judge.

His campaigns against other chieftaincies were in particular against the expansions of the large chieftaincy of Makanjila who was forced over time to move eastwards to the lakeshore area. There were also campaigns against the smaller chieftaincy of his relative Malingalile who settled into a semi independent but vassal-alliance relationship along the upper Lucheringo River (in Sanga District)<sup>18</sup>.

He was succeeded by Mataka II (*Che Nyenye*) his nephew who according to Abdullah was ‘was of a peace-loving disposition ‘to this day people sigh for the reign of *Che Nyenje*; he had no love for cutting people’s throats, and war he did not want’ (Abdullah 1919: 55). The tendency for great tension in the second generation of a matrilineage was diffused through the division of the polity into 6 major village units amongst his matrilineal relatives in a decentralisation form of delegated authority. This was on the basis of advice from Kumtelela (who acted as the ‘facilitator’ for succession) ‘Thus will these cousins of yours not be jealous of you and bewitch you’ (Abdullah 1919: 55). However politically astute he was, Che Nyenye’s lack of interest in war was to result in the destruction of Muembe and dispersal of his people to the hills by raiding Gwangwara (Ngoni) early into his reign. His death after a (probably proverbial) short illness was four years later in 1885.

Mataka III (*Che Bonamali*) was in turn the nephew of Che Nyenye (his eldest sister Kundenda’s son) but of a very different character and was to rule from 1885 until 1903 (Medeiros 1997: 88). The basis of his political governance was authoritarian, force in

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<sup>18</sup> This is based on interviews with the current ‘Sultan’ Malingalile in 1999 and Madeiros (1997: 87)

military conquest and coercion rather than the subtleties of decentralisation. This was the period when ‘ the Mataka family reached its highest point in ferocity....no more heed was taken of a man’s life than an article of no value’ (Abdullah 1919: 56). Bonamali rapidly re-grouped by conquest those who had dispersed in the previous period. He expanded his zone of influence and his own concentration of power and economy through military campaigns and the capture of followers and slaves, and of control over the Lugenda valley caravan route. In this he was to mirror Mataka I (Che Nyambi) with the spiral of centralised and concentrated power emerging from warfare, submission of followers, slaves, purchase of firearms and elite control of trade. However, *Che* Bonamali and his successors were to face new international forces and the impacts of decisions, made not in Niassa, but Lisbon, London and Berlin.

The later part of the 19<sup>th</sup> century was characterised in east central Africa by the rapid territorial delimitation of zones of European colonial control. In 1886 the Germans and Portuguese delimited the borders between Mozambique and German East Africa (now Tanzania) following the Rovuma River and in 1891 agreement was reached on the borders of Mozambique with the British Nyasaland Protectorate (Malawi) (Liesegang 1993:3; Madeiros 1997: 136-138). However, on the Portuguese side this was an exercise in remote mapping, as its presence was limited to the coastal margin and in the interior of northern Mozambique its influence was virtually non-existent.

The central problem facing the Portuguese was a lack of capital for this colonial expansion and the lack of a military or administrative structure to undertake and secure it. Portugal’s solution was to grant a concession in 1891 covering the whole of northern Mozambique (or around a quarter of the whole country) to a private Chartered Company (*Companhia do Niassa*). Unfortunately for the Portuguese aims, this Niassa Company was also under-capitalised, without funds to undertake military conquest or extensive administration. The company was more concerned with the extractive possibilities of labour to supply the mines of South Africa, and a rent seeking economy of taxation and custom dues (Medeiros 1997:139-183; Neil-Tomlinson 1977; Vail 1976). The confrontations of the Portuguese and the surrogate colonialism of the Company with the Yao chieftaincies and especially the Mataka dynasty, was to be marked by ineptness, farce and tragedy.

From the 1880's the Portuguese advanced their influence inland and, in conjunction with the Niassa Company in the 1890's, a limited colonial presence was established in southern Niassa and among its mainly Makua population and the lakeshore Nyanja. *Che Bonamali's* response to the first intrusive attempt by the Portuguese to spread their influence beyond southern and eastern Niassa and into his area was characteristically direct. A 'diplomatic' expedition to Muembe led by Lt. Valadim, who appears to have had fatally little diplomatic skills, was a disaster. The members of the expedition were killed, Valadim's hands were cut-off so as to make a point about land grabbing and his skull was displayed on Bonamali's hut (Weghner 1996: 68; Medeiros 1997: 89). This defiance of the territorial expanse of colonialism or pride in independent Yao society and identity was not only a Mataka related phenomenon, as the following response, also in 1890, by a Yao chief (Machemba) in Tanzania to a German military commander reveals.

'I have listened to your words but can find no reason why I should obey you ... I do not fall at your feet for you are God's creature just as I am ... I am sultan in my land. You are sultan there in yours. Yet listen, I do not say to you that you should obey me: for I know that you are a free man ... As for me, I will not obey you, and if you are strong enough, then come and fetch me' (quoted in Reader 1998: 575-576)

When *Che Bonamali* ended his reign in 1903 (having defeated a punitive Portuguese expedition in 1902), the Mataka dynasty at its height of power. The next decade was to see its weakening and dissolution. This was due to colonial expansion, changes in economic conditions and the inability to maintain large-scale governance structures. Mataka territory was increasingly isolated by British, German, and to a lesser extent, Portuguese administered zones which limited its raiding and the source of its slave economy and provided options for refuge for dissenting sub-ordinate groups. The decline of the demand for slaves, which resulted from British control over the Zanzibar sultanate and German control over the trade routes to Kilwa, was also to limit economic options (Alpers 1975: p 252). Internally there were also increased conflicts within the chieftaincy and a decreasing ability to exert authority over sub-ordinate or tributary groups.

*Che Bonamali's* successor was his brother (Kundenda's second son) called *Che Mkewpu* (Mataka IV) who was to reign only until 1905, when he was poisoned by ever-present Kumtelela. According to Abdullah (1918:59), *Che Mkewpu* was hampered for



the job (like Mataka II) in lacking an authoritarian and military character, being ‘not much addicted to murder and his desire for war was slight’; a constraint in maintaining the unity of subordinate groups that was further exacerbated by drought and famine in this period (Madeiros 1997: 90).

The last of the independent Matakas was *Che* Chisonga, reigning over the period 1905 to 1912 and the final conquest of the area by the Portuguese. This period was also characterised by loss of authority over subordinate groups that was further fuelled by dissention and rebellion within the ruling dynasty. The legitimacy of the succession of *Che* Chisonga was undermined by his uncle (Kundenda’s third son Halifa who was a chief on the German side of the Rovuma), in a pattern familiar to tensions in the *mbumba* structure. However, his status was more directly threatened by a rebellion led by *Che* Salange (a patrilineal relation, descended from Mataka I through his senior wife and her daughter and thus not, in matrilineal terms, of the ‘royal’ lineage)<sup>19</sup> (Abdullah 1919: 60). Although *Che* Chisonga was able to defeat the rebellion of *Che* Salange, he was unable to prevent the splitting off of other groups and in Abdullah’s assessment ‘he was a poor man, not at all warlike, as a chief he was not feared by the people, and the family lost prestige’ (Abdullah 1919: 60). Thus when the Portuguese/Niassa Company force (with a large Yao contingent) attacked Muembe in October 1912 he was defeated and fled with his remaining people to live under his uncle *Che* Halifa, across the Rovuma river in Tanzania.

The selection by the Portuguese of *Che* Salange of less than ‘royal’ blood as Mataka V was to undermine the legitimacy of the dynasty, but not to entirely destroy its prestige or independent identity as aristocratic elite. Wegher (1996: 68) notes that when the Portuguese President visited Niassa in the mid 20<sup>th</sup> century, Mataka VI (*Che* Mponda) attended one meeting dressed in fine clothes, carried in a hammock and surrounded by his advisors. He did not greet or appear to notice the President of Portugal.

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<sup>19</sup> The name of this royal lineage was *Achimkali/Amakali*, meaning, ‘the fierce or cruel ones’

## 5. CONCLUSIONS

Before moving onto the influences of the colonial administration and post independence evolutions in the next chapter, it is worth summarising some of the local governance features that emerged in this period from the 16<sup>th</sup> century to the colonial era.

The most striking aspect was the rapid evolution towards the end of the period discussed of larger-scale chieftaincies formed around individuals of high initiative and independent of their original lineage status. The Mataka dynasty represents the most complex, static and centralised of these chieftaincies. It had the most developed example of chiefly cult with political power focused on the ‘Sultan’ Mataka in the capital Muembe and with systems of decentralised administration under members of the ‘royal’ lineage or ‘district’ level chiefs (Madeiros 1997: 93). These chiefs were known as ‘*Jumbes*’, which like Sultan was an Arab/Swahili word, and reflected the fact that they differed (and ‘foreign’) in basic governance form from the matrilineal village chief (*Mwenye* or *Mwenye musu*) with their complex balance of obligations and rights, ultimately embedded in the *mbumba* institutions and organisation. The Jumbe, although semi-autonomous, was an authority figure accountable to the Sultan and displaying other trends of independence from the matrilineage via the evolution of patrilineal/patrilocal relationships.

Beyond the initial external forces (war, famine, compression) promoting such centralised male authoritarian trends, the dynamics and economy of the slave trade was to perpetuate it. The slave trade was, in Alpers (1975: 266) summary, ‘to put more wealth in the hands of fewer people, who then used the profits of the trade to build up their own personal or dynastic power’. The slave trade was no more instrumental than the ivory trade in developing a sustainable local economy and was, in wider Yao society terms, self destructive (in its depopulation of large parts of Niassa) to the core productive economy of agriculture.

The decline of the slave trade was also to be the decline of authoritarian governance and it is important to be cautious about over-exaggerating the extent that the Sultan/Jumbe and ruling caste features of the Mataka era became rooted in Yao society then or now. The history of Mataka I to IV reveals the extent that individual agency (expressed often

in warlord and authoritarian skills) not rigid and embedded political institutions, or organisations, were crucial to high scale governance in this system. The constant use by Abdullah of the word ‘family’ to describe the dynasty and the marked tendency of the ‘family’ to breakdown over generations illustrate that, at its base, it was still an *mbumba* (albeit a super-*mbumba* adopting some Arab and patrilineal governance features). Also these Sultans and larger chieftaincies were neither generally persistent over long periods of time, nor over large scales of people or territory. There was never a Yao nation or unified Yao state.

To put this in another context; the basal *mbumba* unit of social organisation remained the cells that made up the Yao body politic; the fast changing small scale cycles of the larger scale complex adaptive cycle. The *mbumba* unit was flexible enough to adapt to governance and organisational structures at a variety of scales and complexity; coupling reluctantly upwards in scale when the forces of integration were sufficient, but always inherently promoting de-coupling down when such forces weakened.

The key conclusion in this chapter is the persistent resilience of small scale communal self government and its interaction with unstable larger scale structures of power and authority. A number of key threads in terms of the evolution over time of Yao political and social systems emerge from this chapter. These are;

- ❑ the adaptability and resilience of Yao society (and its strategies of resistance to external authorities) over 500 years, via specific elements of the social system,
- ❑ the importance and persistence in governance terms of the small society (the minimal lineage) rather than larger and complexly ordered hierarchical polities of chieftaincies, ‘tribe’ or nation,
- ❑ the significance of power, status and authority being expressed through the numbers of people over which it is exercised (and the social elements that promote absorption of ‘recruits’ through either the matrilineage or slavery),
- ❑ the balancing of tensions that result from the contradiction between these last two features (small is stable and accountable, while large is powerful but autocratic),
- ❑ the extent in Yao society that individual initiative (local actor agency) is privileged over any too rigid application of socio-political structure and institutions,
- ❑ and finally that tensions within society or its institutions and the importance of agency (over institutions and structure) increases incrementally up (**not** downwards) from scales beyond the minimal lineage social unit.

The end of the Sultan era and the start of the colonial administration were to reveal the *mbumba* and village lineage self governance as just as central, resilient and adaptable to change throughout the 20<sup>th</sup> century, as it was to the turbulence of the 19<sup>th</sup> century or the slower evolutions of the previous centuries.

## CHAPTER 6

### **NORTH NIASSA PROVINCE: COLONIALISM, REVOLUTION AND PEACE: 20<sup>th</sup> TO 21<sup>st</sup> CENTURY**

#### **1. INTRODUCTION**

This chapter moves the narrative of the history on north Niassa and the Yao people into the era of colonial administration, the war of independence, the post independence revolutionary phase and the current period of transformations and reforms.

I will argue that north Niassa and the Yao retained through these turbulent changes of the past century a continued level of independence from the transformative impacts at the national scale and within societies elsewhere in Mozambique. The *mbumba* as the resilient core of local governance, as a kind of ‘unwritten constitution’ of the Yao, was to emerge as powerfully in the early 21<sup>st</sup> century as in early times; with both its very local scale strengths and its challenges of up-ward creation of governance systems beyond this particular scale.

Part of the explanation of the persistence of the core social and governance structures of Yao society can be linked to the weak and limited impact of the colonial administration and the very slow introduction of colonial governance. The ‘*Fim do Mundo*’ (End of the World) of northern Niassa was to remain largely out of sight and out of mind of the national administration and colonial state until the 1950s and 1960s.

#### **2. EARLY COLONIAL ADMINISTRATION**

In the early decades of the century this was due to the economic weakness and governance problems of the Portuguese and the under-capitalisation of their surrogate administrators, the Niassa Company. After the fall of the Portuguese monarchy in 1910 (two years before Mataka IV) and the formation of a republic, Portugal was to experience over the next 16 years 44 changes of government, 8 presidents and 20 uprisings, before a military coup in 1926 led to a fascist dictatorship which was to rule Portugal until 1974 (Cabrita 2000: 3). There were thus a number of ironies to the

‘civilizing mission’ of the Portuguese and especially so in the context of Yao society and its basic anti-authoritarian tendencies.

The Niassa Company was to have little influence on northern Niassa during the existence of its Chartered rule between 1891 and 1929. While it had been granted almost full government powers, its exploitative business strategy, based on taxation of the population, custom dues and extraction of labour, was pointless in the north Niassa context of a depopulated inaccessible zone, with no cash economy and a militant, dispersed populace. The company was to end in bankruptcy having never paid a dividend to its shareholders in its 40 years of existence (Newitt 1995: 402).

Its limited influence in the first decade of the century was to almost completely disappear during the First World War. The initial raid by the Germans across the Rovuma was in August 1914 in Mavago District. This was somewhat premature, being two years before the official declaration of war between Portugal and Germany, and led to the abandonment of Company posts and administration until 1919. In late 1917 the German army invaded Niassa in Mecula District. While the main contingent under von Lettow Vorbeck travelled south almost to the Zambezi, a force under Major Kraut remained in Niassa until the re-grouping of the army in mid 1918 and its exit back across the Rovuma to Tanzania through Sanga/Mavago Districts (Mosley 1963: 134-168).

Both the German, and the British forces which followed them, were appalled by the colonial administration and level of development in Niassa. As Colonel Meinertzhagen recorded in his diaries (quoted in Mosley 1963: 150)

‘Their colonies are a scandal, the natives being much worse off than they were before. Except for introducing every European vice and withholding every virtue, they have done nothing’

The Yao, if not widely involved in the war beyond the forced labour and portage for the various forces, saw the German invasion as an anti-Portuguese campaign and the Germans were initially ‘greeted enthusiastically by the Yao, many of whose chiefs rose in revolt’ (Newitt 1996:419) <sup>1</sup>.

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<sup>1</sup> The Niassa Company shareholding was variously dominated by German, South African and British investors but administered in northern Mozambique largely by officials of Portuguese nationality and

The decade following the First World War was also to be characterised by further depopulation of North Niassa resulting from the drought of 1922, the influenza epidemic of 1917 to 1919 and the steady large scale migration of Yao to Tanzania and Malawi. These movements were so as to elude the *cipais* raids, local tax/labour demands and to take advantage of the higher development opportunities in these countries. Medeiros (1997:174) for example records a high and steady stream of emigration out of the whole of northern Mozambique from the turn of the century with peaks in the 1920s/30s and quotes Maputo newspaper reports of 1925 that the Company territory resembled a 'human desert and cemetery'. Despite the absence of historical census data which corresponds well to the zone of northern Niassa (the present day northern Sanga District, Mavago and Mecula Districts) it is possible to crudely extract that this area of around 45,000 sqkm had a population of around 20,000 people in 1929 (less than 0.5 people/sqkm) and still only around 40,000 people (or 1 person/sqkm) thirty years later in 1971 (extraction from census data in Medeiros 1997: 193). The current population remains approximately 30-40,000 (GoN 1999).

This current status in the early 21<sup>st</sup> century, almost certainly represents less than the population of the area in the late 19<sup>th</sup> and early 20<sup>th</sup> century, given the records that at least 45,000 people alone fled northern Niassa to Tanzania in the latter years of the Mataka dynasty (Medeiros 1997: 91). Map evidence from 1918<sup>2</sup> also suggests few settlements in the north, largely limited to Mecula District areas of the mid to lower Lugenda valley (now a core wildlife area of Niassa Reserve, but also the zone of greatest local people-conservation tension in the new expanded Reserve) and in more dispersed settlements than presently the case.

This picture of a decreasing-stable population at very low densities and widely dispersed persisting over the whole of the 20<sup>th</sup> century is an exceptional one for southern Africa or even for Mozambique in general. While Africa may have reached a general low in population in the late 19<sup>th</sup> century (see Bell 1987), the 20<sup>th</sup> century has

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locally recruited *cipaes* (a police/tax paramilitary force infamous for its abuses, raiding and violence) (Medeiros 1997: 64 ; and Newitt 1996: 405). The Company was thus perceived as 'Portuguese' by the Yao, and indistinguishable from colonial Portuguese officials/administration.

<sup>2</sup> I found this map, an original British army hand drawn 1918 map for the First World War campaigns, by chance in a second hand bookshop in Malawi in 2001.

been characterised by almost exponential growth rates. Mozambique's population has increased from 3.85 million in 1929, to 8.23 million in 1970 and presently is over 18 million, which represents a quadrupling of people in 60 years. But Mozambique's population growth is far less than most southern African countries. The current Yao society of northern Niassa, living at densities of 1 person/sqkm, compares to the emigrant Yaos of Machinga District in Malawi presently living in densities of over 150 people/sqkm<sup>3</sup>.

The importance of this persistently low population, low to zero growth rates and dispersed Yao society pulls in the themes of this chapter in relation to scale, time and social governance. Yao society in northern Mozambique was not to go through the impacts of rapid change on the social fabric of society caused by high population growth rates and increased compression into smaller physical space.

The small society and *mbumba*/village dynamics could still operate, and in fact react to the uncertainties of this 20<sup>th</sup> century with much of the same adaptive responses as since the 17<sup>th</sup> century. Land in terms of agriculture or natural resource access was not a critical limiting factor and not to become a major source of trauma or conflict within the society or between it and others (such as the settler-state), as so prevalent elsewhere in the region. Dispersed and remote small communities were also elusive to the influences and control of the state administration (whether colonial or post independence). Finally and maybe most importantly, a particular Yao sense of identity was to persist, rooted in the secure society, its norms and history – independent, self confident and referential to itself – but also outside the mainstream of Mozambican modernity.

### **3. YAO IDENTITY AND COLONIAL STATE ADMINISTRATION**

#### **3.1 Yao Identity**

That an independent attitude to colonial administration was strong in the Yaos of north Niassa is illustrated by the encounter of the elephant hunter James Sutherland around 1906 with Sultan Malingalile. Malingalile was affronted that anyone should pass

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<sup>3</sup> Information drawn from a field visit to Machinga District in 2001



through his territory without permission (this attitude was despite the fact that he had been 'obliged to acknowledge the supremacy of the Portuguese' in 1901). After stating his nationality (and that he and his staff had 7 loaded rifles) Sutherland's status improved with Malingalile assuring him that;

'an Englishman was welcome to pass through his country, but he would spill his last drop of blood in resisting the aggression of the Portuguese *shensis*' (heathens/people of little account) (Sutherland 1912: 180).

The weak basis of the Niassa Company meant that the people of north Niassa were able to continue their 'traditional pattern of life without incorporation into the colonial state' and the Company was 'in so far as economic development or the establishment of a modern state were concerned, a farcical failure' (Newitt 1996:373). This level of independence was to continue into the more active direct colonial phase of the Portuguese 'New State' of the 1930's and 1940's, which was focused in the south and central sections of the country or the higher population density and agricultural parts of the north (Nampula Province and south/central Niassa). State administration in north Niassa did not become extensive until the 1950s and reached a peak in the 1960s with considerable rapid investment in infrastructure (roads, clinics, schools) and development (education, agriculture and marketing), as the War of Independence developed. Thus it was only in the last decades of colonial rule that northern Niassa received much incorporation into wider Mozambique or influence from state administration.

Prior to these decades local colonial authority was relatively superficial with limited indirect authority through *regulos* or recognised chiefs that collected hut taxes on behalf of the state but apart from this held no particular authority in state structure or administration, which remained remote and non-intrusive at the local scale. Yao society and identity was to develop from the antagonism of the initial decades, then in the 'benign neglect' in the following decades, largely within the frames of its own reference rather than that of colonial ones.

One aspect of this was a scale of identity and belonging based on the lineage and village expression of this lineage. A second was based on the history of the Yao as a powerful indomitable group, independent from external authority, represented in the stories of their greatest chiefs or sultans and centuries as traveller/traders (as emphasised

throughout the book by Abdullah 1919). Thirdly Yao self-identity in relation to the larger scale was influenced by the long relationship with Arab/Swahili culture, with Zanzibar and Kilwa and increasingly by the importance and identity of Islam.

Islam was an influence in the late 19<sup>th</sup> century particularly amongst the elite where it provided a frame for new patrilineal relationships and ‘the consolidation of chiefly authority with the support of Islam as an ideology of governance’ (Alpers 2000: 308). From the late 19<sup>th</sup> century onwards Islam was to increasingly spread throughout the Yaos of east-central Africa via the efforts of a growing number of Muslim clerics and teachers and encouraged by the sense it provided of a cultural distinctiveness to the point where their ‘very identity is bound up with Islam’ (Alpers 2000: 307). This powerful, shared Islamic identity was to have long lasting impacts. In northern Niassa it was to lead to the self-exclusion by the Yao from the very limited educational opportunities available through the state-Catholic schools, and thus exclusion from advancement in a modernising Mozambique. It was also to reinforce Yao close relationships with Zanzibar and the wider Muslim world rather than those to Mozambique or Portugal.

For both the colonial Portuguese and post-independence governments these two features were a cause of friction that still remains unresolved and a source of tension. It is still a characteristic of northern Niassa that people tend to resist the attendance of their children at state schools (even if compulsory) thus ‘insulating the community from the modernising tendencies associated with Western education and secularisation’ (Alpers 2000: 315). One result of this limited literacy is their disproportionately low representation in general Mozambican society (state bureaucracy, political parties, industry, business etc). The uncertain loyalty or identity of Yaos in relation to Mozambique and the nation state due to this strong Islamic culture has also preoccupied and frustrated relations with both the Portuguese and with post-independent governments and exacerbated Yao separate identity. Efforts to either limit Islamic influence and relationships or co-opt them have been consistent state efforts since the 1960s, but neither has been fully successful.

It is worth turning briefly to the situation of Yao people in Malawi to illustrate some similarities and significant differences<sup>4</sup>. The first is that the Yao were brought firmly within the colonial administration by the late 19<sup>th</sup> century and provided with a degree of autonomy in a system of indirect rule from early in the 20<sup>th</sup> century. Following the District Administration (Natives) Ordinance of 1912 a hierarchical structure was established based on Village Administrative Headmen, who were chosen from a list provided by the local Yao chief. These headmen were responsible for administration in their defined territorial area and upwardly accountable to the British District Representative from whom they received a salary. The 1939 Native Authority Ordinance then decentralised considerable administration authority to a local council, which in principle could be an elected body, but usually comprised chiefs and headmen. While this system may have distorted the rights/obligations of the village level and stressed upward accountability, the options of ‘voting with the feet’ to rival headmen restrained coercive use of powers.

The main point is that the stability but also the codification of ‘customary’ local governance was to be maintained through the colonial period up to the present, and Yao as ‘others’ in the Malawian administrative context was not to develop. In educational terms few Yao Muslim children received a western secular education until after independence in 1964<sup>5</sup> but widely from then on followed by increased investment in the 1980s/90s by Islamic organisations in education opportunities (Alpers 2000: 316). With the election of Bakili Muluzi, (a Yao Muslim) as President of Malawi in 1994, the contrasts with the trajectory of Yaos in Mozambican public life are strong.

In summary, a distinctive self-identity involving the paradoxical relationship between the small matrilineal society and Islam, with the limited influence of colonial administration was to ensure the persistence of the independent characteristics of the Yao society of north Niassa to external authority or influence. They were neither an integrated part of the colonial state but also not a ‘modernist’ educated group able to take advantage of opportunities as they emerged in the late 20<sup>th</sup> century. This was to be

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<sup>4</sup> This section draws on Mitchell (1959: 347) and my research visits to Machinga District, Malawi.

<sup>5</sup> For example a letter writer to the *Nation* Malawian newspaper of the 15/12/99 expresses his ‘profound disgust at the stereotyping of Yaos as an illiterate backward group of people in the country’ indicating a persistence of bias up to the present.

significant to their role in the liberation struggle and their status in post independent Mozambique.

### **3.2 The Liberation War**

The liberation war between the mid 1960s and mid 1970s was largely fought in northern Mozambique and resulted in new and rapidly evolving influences in north Niassa and in particular an increased, if temporary, integration into the wider nation state. In the struggle in this decade between the Frelimo liberation movement and the Portuguese colonial state, the Yao of northern Niassa were frequently at the centre of a violent tug of war over control over people, rather than control over territory.

The Portuguese made considerable investments in infrastructure with a road network, administrative posts and military camps penetrating areas of northern Niassa which had remained isolated backwaters for the previous half century of colonial rule. A newly energetic military-administration system established closer ties with the small society and in particular from the 1950s onwards with the 'traditional authority'.

The loose relationships of the past became increasingly transformed into hierarchical connections between the district administrators and village-lineage related chiefs. The 'invention of tradition' (Ranger 1983) codifying and distorting customary governance structures so prevalent elsewhere in Mozambique or other zones of Niassa from the 1930s, or widely in colonial Africa since the early 20<sup>th</sup> century, was to arrive late on the scene in north Niassa.

At one level this meant that the administrators emphasised territorial units (called *Regulados*) under chieftaincy authority with formal maps, chieftaincy names and areas produced in the 1960s. At another level the administrators selected 'chiefs' (or *Regulos*) from an existing pool of leadership in the fluid and competitive customary dynamics within lineage villages, to hold administrative functions over the people within these areas.

These functions included the maintenance of social order and the collection of taxes and were rewarded by salaries and the status of leadership secured through state links and

patronage. The implications for the lineage-village governance were that accountability of the *Mwenye* (now *Regulo*) to the state increased (and from the smaller scale *Mwenye musu* to the *Mwenye*), as did upward relations to the administration as a new source of authority and power. Once again it should be emphasised that this was a trend over a relatively short time period rather than a total conversion. It was largely influential at the higher scale unit of governance of *Mwenye* level, concentrated in a generation of leadership. It should also be noted that the new dynamism of these decades were to lead to rapid changes in economic possibilities in labour in the new infrastructure projects or improved marketing of agricultural produce with the opening up of roads and market linkages (cotton for example in Mecula District and tobacco and groundnuts in Sanga District). The increasing concentration by the administration-military during the 1960's and 1970's of the dispersed population in small villages into *aldeamentos* or protected villages was to lead to tensions in the small society, but also increased access to health clinics, shops and schools which had previously only existed in remote district centres.

The Portuguese administration also attempted to reduce the expansion of the liberation movement amongst the Yao through a sympathetic strategy of working with the society in a 'hearts and minds' approach. The historical Portuguese antipathy to Islam dating back to its invasion by the Moors in the Middle Ages and its historical Catholic focused 'civilising mission' in its colonies (Alpers 2000) was replaced by attempted co-option of Islam. It is still possible to see today in the often abandoned *aldeamentos* of Mavago and Mecula Districts, the Mosque's built by the Portuguese administration to the same solid design as the shops and clinics.

Secondly, the administration sought a clearer understanding of the dynamics of Yao society so as to increase state influence and direct change. Applied social studies were promoted by the state through the *Junta de Investigações do Ultramar*, such as that of the detailed ethnography of the Yao of central Niassa by Manuel Amaral in the early 1960s (Amaral 1968) and by collation of the knowledge of district officials with the greatest understanding of Yao society (see Rocha Ribeiro 1964). The late blooming of local administrative governance, developmental investment and efforts of the colonial state to work with Yao society contrasted to the situation of at best mutual indifference, at worst of alienation and exploitation, of the previous 50 years. This does not imply their sudden immersion into the colonial state or loss of their independent Yao self-

identity but that they were not natural candidates either for an independence movement (Frelimo) based on Mozambican nationalism and an ideology of modernism.

The situation for north Niassa Yao was thus to be more ambivalent in relation to the liberation movement than it was for other groups in Mozambique or than the post independence literature and mythology of Frelimo was to suggest (see Christie 1989; Cabrita 2000 for alternative views)<sup>6</sup>. Given the claim to governance legitimacy of the post independent state in resting on its experience during the War of Liberation, this Yao ambivalence was also to leave its mark in two different scales. Firstly on the new trajectory of Yao society in north Niassa, and secondly on the evolution of governance on a national scale, with its emphasis on a centralised modernist state fixated on ‘the combat against obscurantist, traditional-feudal’ society (CEA 1980: p 12).

Frelimo formation in 1962 based in Tanzania was as a liberation front unifying 3 separate movements whose origins were in exile political groups in Rhodesia (Zimbabwe), Malawi and Tanzania. With the exception of the Maconde (later Mozambican) African National Union (MANU), the other 2 groups were from the central and southern sections of the country and drawn from a nationalist and modernist section of Mozambican society. The first President of Frelimo was Eduardo Mondlane, who had a doctorate in anthropology from an American university and worked for the United Nations. MANU in contrast was largely an ethnically based group drawn from the Macondes of the Mueda plateau in Cabo Delgado, with roots in local independence and in local traditional norms. Like the Yao, the Makondes had long resisted colonial administration, but unlike the Yaos were a concentrated group in their Mueda plateau with much greater large-scale cohesion and a higher agricultural potential to produce surpluses. By the late 1950s they had a locally organised cotton cooperative of 1,000 members and it was Portuguese confrontation with this powerful cooperative that was lead to the 1960 ‘Mueda Massacre’ which radicalised the Makondes (Hall and Young 1997:11-19).

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<sup>6</sup> One of the features of post independence was the relatively abrupt distinction between ‘history’ dealing with periods prior to the 1960s and ‘political studies’ dealing with the liberation and post independence period, which were dealt with in separate university departments (Gerhard Liesegang *pers comm.*). An encouragement not to transgress study fields can be illustrated by the temporary banishment to north Niassa for ‘political re-education’ in the late 1970’s of some academics unwise enough to mix recent history with ‘politics’, economics and agriculture (Jose Negrão *pers comm.*).

The first military operation by Frelimo was in Cabo Delgado in 1964, and this province was to remain the major active war zone and contain the most developed 'liberated areas' throughout the independence struggle. More problematic during the 1960s was the evolving local support and political organisation of Frelimo within Cabo Delgado, whose main facilitators were Makonde traditional chiefs acting as party 'chairmen' and answerable to the ex-MANU leader Lazaro Nkavandame. Both these chiefs and Nkavandame were less radicals aiming for national social revolution than traditionalists seeking more local ends within local values (Newitt 1996: 524; Cabrita 2000: 24-68). These 'chairmen' were accused by other elements in Frelimo of profiteering from the war and perpetuating exploitative and corrupt systems that were incompatible with the liberation struggle. For much of the 1960s Frelimo political and internal organisational structure (less so its military forces) was caught up in a bitter series of personal and ideological rifts not only with Nkavandame and the 'chairmen' but other factions espousing a variety of contradictory positions (see Hall and Young 1997; Christie 1987 and Cabrita 2000 for differing overviews). Frelimo emerged from the 'virtual civil war' (Newitt 1996: 524) at the end of the 1960s as a unified movement. Mondlane and the younger radicals sharing a multi-ethnic and modernist basis succeeded in 1968 at the second congress of the Frelimo party (held in Sanga District right on the Tanzania border at a village now called II Congresso) in orientating Frelimo to twin core concepts (Newitt 1996:526).

The first was that of social revolution and an analysis that the struggle was against class not race enemies. The second was that the war was a prolonged armed struggle 'based on politicising the peasantry and establishing cooperatives' (Newitt 1996: 526). Although Mondlane was shortly afterwards assassinated and defections continued, by 1970 the movement was unified under Samora Machel (the ex-commander of military field forces) and the individuals at its core and the cohesion of the party were to stay remarkably stable up to the present.

The Yao small society of north Niassa was not a major player in these evolutions (apart from hosting the II Congress, which was to place this site high, if abstractly, in Frelimo

mythology)<sup>7</sup>, but it was to be caught up in the implications. Frelimo penetration into Niassa had been much more limited than in Cabo Delgado, and also within Niassa was largely in the western section of the province along the rugged lakeshore and the its Nyanja population. The active support of the Nyanja people in western Niassa, the province's most educated group as a result of Anglican missionary activities in the lakeshore for almost a century, was to contrast with that of the more ambivalent Yao or Makua 'the most Islamised ethnic groups and traditionally hostile to the Maconde' (Newitt 1997:525). Samora Machel was to personally lead military activities to open a new front in the north-central Mavago District in 1965 (and successfully brought the Mataka [*Che Mponda*] back to Tanzania) (Christie 1987:39-40) and of the larger population areas of north Niassa this was to remain the main zone of influence of Frelimo and of its greatest activity in central parts of north Niassa. However, the aldeamentos programme and the counter-attacks of the Portuguese was to result in a generally stalemate situation.

The warfare resulted in Yao groups either moving as refugees to Frelimo camps in Tanzania or being further integrated into *aldeamentos*, which by 1974 held around 68% of Niassa's population (according to Portuguese estimates in Hall and Young 1997: 28). The same estimates were that Frelimo liberated areas in Niassa held only around 6,000 people (compared to 60,000 in Cabo Delgado). The territorial stalemate that was to persist to the end of hostilities was firstly a 'full' liberated zone along the Rovuma river border with Tanzania where some population settlement under Frelimo could exist; secondly a more disputed zone with largely static Portuguese military forts and *aldeamentos* surrounded by the activities of Frelimo guerrillas and their mobile bases; and thirdly in the extreme southern of north Niassa, areas more fully under colonial administration<sup>8</sup>.

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<sup>7</sup> I used to camp in 1998 and 1999 at what was then an almost overgrown monument to this meeting. The site guardian (Saide Manteiga) who was an ex-combatant, would tell me the story of how he was tasked after independence to locate the precise site of this meeting and succeeded because 'two leaves started up from the ground and suspended themselves in mid air for a very long time, so I knew I was at the right place'. It was an odd contrast between the faded radical text on the monument walls with its references to international revolution and the mysticism of the old man's story, but one that also seemed to fit well with the paradoxes of north Niassa.

<sup>8</sup> This is based on my research interviews 1998-2001 in Sanga and Mavago Districts,



During the 1960s the difficult challenges of the military based campaign in this area was summed up by the Frelimo honest acknowledgement that it was creating a;

‘graveyard for peasants and a liberated area for elephant and tsetse fly’ (quoted in Christie 1989: 38)

With the switch of approach following the Second Congress the approach of Frelimo was to emphasise its involvement in ‘politicising the peasantry and establishing cooperatives’ both for internal rationales, but also to strengthen its external legitimacy beyond a military force to an active government in waiting (see Hall and Young 1997:31-32). However politicising the Yao small society or establishing cooperatives amongst it was not made easy by the fact that most were either in scattered small settlements with hidden fields in the contested zones, in refugee camps and Yao villages in Tanzania, or under Portuguese control in *aldeamentos*.

One of the few collective villages (*aldeas comunais*) that was to be established in north Niassa was that of Matchedge in Sanga District, located a few kilometres from the Rovuma and Tanzania border in an area with good agricultural potential. Basic health and education facilities were established and pilot initiatives of collective farming tried out, but over a relatively small scale and time (Caetano Tulo pers. comm.). It would seem that at least for Niassa, the main actual experience for Yaos of collective villages was in fact in Tanzania (and equally so for western journalists visiting the ‘liberation zones’ according to Newitt 1996:527), which was experiencing the height of its *Ujamaa/Vijijini* collective village programme at that time (Hyden 1998). Of more importance for the small society was the far-reaching conclusions reached by Frelimo from its limited period of experience, at least in the liberated areas of Niassa, in ‘politicising the peasantry and establishing cooperatives’.

‘The administrative and economic presence of colonialism had disappeared from these areas, but feudal structures remained and with them the anti-democratic authority of the chiefs, the oppression of women and youth and tribal divisions’ (Central Committee report to the Third Congress of Frelimo page 5; quoted in Newitt 1996: 547).

With the end of hostilities in 1974 and independence in 1975, the next decade was to see the small society face this analysis and its implications of a new national Mozambican consciousness and an attempted transformation of the whole society by a modernist driven central state.

There are a number of ironies in the above conclusions, not least that the one area of north Niassa (Mavago) most active in Frelimo support was that with the most developed 'feudal structures' and which had experienced the most persistent 'anti-democratic authority of the chiefs', namely the Matakas. A further irony was that despite the large number of rank and file soldiers in the liberation army and that a significant part of the war had been waged over its territory, the Yaos of north Niassa were neither to progress in the military, or political and eventually economic elite that emerged from out of the liberation movement. As a group who had shown the least 'administrative and economic presence of colonialism' and, partly because of this, had lower western education or 'modernity', they were to be almost as under represented in the new national governance system as they had been in the colonial one.

#### **4. POST INDEPENDENCE: REVOLUTION AND THE SMALL SOCIETY**

##### **4.1. Transforming Society**

The new Frelimo government following independence emphasised a socialist and transformist ideology. What characterised the transformation effort at the rural level has been referred to as the 'ideology of the blank page' (Geffray 1991), in that the new forms of structure were not simply to be overlaid on past ones, but were planned to ignore and supersede them entirely. For the Yao small society, a few in place but most returning to north Niassa from their refuges in Tanzania or the *aldeamentos* protected villages of the central plateau, this transformation process was to have a number of impacts.

A party-state hierarchy replaced the village level lineage chiefs, who had previously formed the local governance core and linkage to the provincial or national structures. 'Traditional leaders' and other perceived collaborators with the colonial state were specifically excluded from these new systems. At the village scale efforts were made to transform the settlement patterns and draw people into communal villages (*aldeias comunais*) undertaking cooperative enterprises and where education and health facilities could be concentrated. A dualist distinction was made between the peasantry involved in communal villages as cooperatives and rural workers involved in state

farms, with the class transformation aimed at the direction of state farm/rural worker replacing communal village/peasant (see O’Laughlin 2000).

Governance reflected also new scale designs with new institutions. Dynamising Groups (or GDs-*Grupos Dinamizadores*) were initially elected, replacing chiefs (who were excluded from elections) or customary institutions and performing party and administrative and often justice functions at the local level. This elected local government structure was relatively quickly replaced in emphasis by more top-down structures of village party secretaries answerable to state administration orders and tasked with carrying out the centrally identified initiatives and decisions. Mass mobilisation organisations were created outside a vanguard Frelimo, such as those for women (OMM) and youth (OJM), but these were national in focus and guided by the party. With the problems of large national scale and short available time in the attempts at transformation, it is perhaps inevitable that a nested hierarchy of democratic governance envisaged immediately after independence was to be increasingly driven by the imperatives of central authority and central accountability. This was to be further exaggerated in the stresses of the civil war and external aggression from Rhodesia and South Africa.

For the small society of north Niassa I would argue that the debates that continue to preoccupy scholars (see Chapter 3) concerning the lessons of governance from this period were less starkly about the dualism of ‘modern versus traditional’ and more centred around the question of Yao settlement and social scale dynamics. In other words if the post-independent Frelimo government reacted with increasing authoritarian local approaches in Niassa, this also shares causal features with those that drove the Sultan authoritarianism within the same society 100 years previously, and not only relates to colonial/postcolonial national scale evolutions or ideology. The customary institution of the *mbumba* as the core governance structure was not one whose small scale confronted the new modernist elected structures with major contradictions or competition. The main potential contradiction or tension was in the attempts through communal villages and cooperative enterprises to bind the society beyond the minimal lineage and formalise its inherent looser arrangements of governance above this scale.

The reality for north Niassa was that these efforts to establish communal villages were largely limited in time to the immediate post independence period and in area to the southern sections closer to the active administration and with denser populations. The smaller, scattered settlements re-emerging in most of north Niassa were less drawn into the new transformations and were also zones of refuge for those seeking to evade them. Finally by the late 1970's the attention of the transformation efforts was less on the peasantry-communal village aspect and much more on the worker-state farm, with also far greater emphasis on central planning and a top-down directive state-party administration, rather than the earlier mass mobilisation or 'people power' (*poder popular*) of immediate post independence.

Thus in Sanga District communal villages and state farms were established in the south of the district closer in the fertile plateau in the Unango area, near the site of Abdullah's old mission station. A major investment was made to establish a 400,000 hectare or 4,000 sqkm 'largest state farm in the world'. Unangu was identified as a 'city of the future' (and a faded sign still stands there *Unango-Cidade do Futuro*) with a People's University partially constructed and large investment in state farming infrastructure and machinery. Technical expertise was provided from the Eastern Bloc and Niassa people sent for training overseas so as to take over managerial roles. A colleague of mine in the late 1990's, who was then head of the district agricultural in Sanga, was for example sent to Bulgaria and trained in combine harvester techniques. Students as young as 10 years old were selected from throughout north Niassa and sent to East Germany or Cuba in an effort to radically transform education levels and provide the needed trained cadres to run the state enterprises.

#### **4.2. 'Operation Production'**

One further state initiative was the use of these same areas for the establishment of 're-education camps' and the holding in more secure locations of political dissidents from the internal struggles within Frelimo dating from the late 1960's. During research in Mavago in 2000 I visited one of the largest of these 're-education camps' at Msaweze which while in a remote location still retained its original camp design and many of the residents remained those who had been forcibly transported from the cities of south and centre of the country for political or social 'crimes' or simple bad luck of not being able

to provide evidence of 'suitable' employment. These were the victims of a particularly authoritarian scheme of the early 1980's called 'Operation Production' (*Operação Produção*)<sup>9</sup>. This sought to solve general political, social stresses or criminality in the urban centres of the south, while also increasing labour productivity in state enterprises via the export of citizens to under-populated areas of Mozambique and principally to Niassa. In the logistics and administrative chaos of this period many were to suffer and die in these camps from a combination of food shortages (few were equipped by background for peasant agriculture) and disease (see Cabrita 2000).

There was also a curious element of 'Puritanism' in this process in that it was regarded that the rigours of Niassa was to act on the urban 'prostitutes', petty criminals, lapsed state officials or political 'deviants' in the same cleansing way as it had in the powerful mythology of the liberation struggle and its Frelimo leadership. If there was a counter view to this it was not likely to emerge out of Mavago. In the same visit I was shown the remains of the political prison of Mtelela, which the people I was with (including an official who had been an ex re-education camp prisoner) recounted had held the senior Frelimo dissidents. These had been kept there (allegedly underground) from the mid 1970's after detention first in Tanzania, and then liquidated without trial in 1983. In Sanga District the main re-education camp was in Unango and associated with the state farm enterprise. With the collapse of these camps from the mid 1980's many residents were integrated into the provincial state administration structures as they often held skills or education levels higher than that locally available or recruitable from elsewhere, given the reluctance to be posted to Niassa. Others without these attributes were able either to return to their origins in the south-centre of the country or integrated themselves in the village society around the camps. Of those 're-educated people' whom I knew in Sanga District, many were engaged in 'moonshine' production (a cane spirit called *Nipa*) in a curious form of technology transfer from the south within a predominantly Islamic area.

The point of stressing these issues occurring on the southern section of north Niassa is partly to illustrate the indirect implications they were to hold for the small society in their ambivalent relations to the wider state and state administrations. It is also partly to

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<sup>9</sup> The Minister of Interior responsible for the carrying out of this scheme was Armando Guebuza, now the current President of Mozambique.

illustrate the wider state attitudes to Niassa, cycling between a zone of liberation and priority for transformation to a renewed view as the 'End of the World' on the periphery of the nation state and a sort of Siberia, not only for politico-social deviants, but also increasingly for officials who had 'committed mistakes'. Finally it illustrates a political amnesia about this era in Niassa that persist to the present, where these issues are either generally unknown, suppressed or certainly lack reflection<sup>10</sup>. This amnesia is not shared by the small society and continues to colour their perception of state-local realities.

### **4.3 Local Administrative Weakness and the Advent of Civil War**

With the return of most of north Niassa to a peripheral status, there was also a return of many of the features of earlier periods and particularly the late colonial one. State administration was established along the colonial pattern with very limited local autonomy and a highly centralised hierarchy. The next chapter will give more details for Sanga District but the basic local to district linkages in Niassa were from district administrator (*Administrador*) to sub district administration officials (*Chefe de Posto*) and then to village and sub village Secretaries (*Secretarios*). The latter were an ambiguous mix of party-state functionaries selected or elected to these representative positions and with positions frequently based either on their literacy ability or their role in the liberation struggle.

Effectively these *Secretarios* replaced in functions the previous area '*Regulos*' or chiefs of the colonial era but also represented in principle the penetration of state administration down to much lower levels than the more indirect colonial rule. The direction of authority was from the district administration passing down central state administrative decisions for implementation by the *Secretarios* amongst the people, with accountability for this upwards. The potential countervailing influence of the mass mobilising organisations, such as the GDs, withered away with district administration taking on a top-down directive form of local state government.

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<sup>10</sup> I was at a public rally in Lichinga, Niassa in late 1999 (just prior to the national elections) addressed by President Chissano. During his speech he brought up briefly the issue of the re-education camps, arguing that they were a positive humane alternative at the time to conventional prisons. The extra-judicial nature of the arrest on urban streets and deportation via aircraft within 24 hours to Niassa of citizens of the country was not mentioned. Frelimo was to lose its previous majority of votes in Niassa in the 1999 elections.

However, while this trend of local governance design was towards direct rule and to increasingly stress this form during the pressures of Frelimo's 'campaign' approach to socio-economic challenges and to the political de-stabilisation of the civil war from the early 1980's on, the local realities were more mixed. Firstly the ability of the administration to exert its authority and power at local level was constrained in north Niassa by its own limited capacity. Secondly the functioning of the Frelimo *Secretarios* as the end of the long arm of the party-state was constrained by the aspect that they came from, and were embedded in, the world of the small society rather than alien parachutists from state modernity. Thirdly, the small society in its small, dispersed settlements remained an elusive group to external state penetration, with socio-economic needs that could largely be met internally.

The result of these features was shades of influence in local governance in which different characteristics surfaced in different contexts. District administrations lacked transport, funds or human capacity and skills to either enforce or lead at most scales and as the civil war progressed the sub district levels became increasingly isolated. *Chefes de Postos* at sub-district level in the absence or limited provision of funds and salaries or of direct linkage to the wider authority of the state had little choice but to negotiate and compromise with the small society. They might on one level have recourse to state benefits via taxation or use of state owned resources (such as hunting wildlife for meat) and seek the form of state identity and authority in bureaucratic displacement behaviour. At another level there was the reality of being dependent on the small society for food, security and the resolution of local disputes. This vulnerability, as basically a subsistence administration with relatively little to do with local society or contribute to it, was also partially a reflection that most *Administrador* or *Chefes de Posto* in the district and sub-district posts were 'outsiders' (representing a bureaucrat class drawn from the more educated groups in Niassa or elsewhere).

The customary institutions continued to provide the main source of local governance located around the *mbumba*-village scale, with the official suppression of colonial 'chiefs' at higher scales not acting as a fundamental disruption or forming a basis for local-state confrontation. The social features of the *mbumba* in promoting individual male competition for status also meant that the matrilineage could penetrate the *Secretario* party-state form of local articulation to village level.

The agency to do so in this case could relate both to status in the lineage and new forms of status relating to the liberation struggle or education capacity. For example in north Sanga, the *Secretario* for Lilumba settlement was relatively young but by local standards well educated, was respected for his initiative and success in farming and was from a local lineage. In Nova Madeira village grouping, the *Secretario* was an older, illiterate man but who held an important lineage position (but not village *Mwenye* or ‘chief’) in one of the *mbumbas* of the settlement and was respected for involvement in the liberation struggle and for personal leadership characteristics.

From the mid 1980’s north Niassa was to enter again a phase of depopulation as people fled from the disruptions of the civil war and the raiding characteristics of the Renamo military. This was almost exactly a repeat of the features of the liberation war with some part of the population moving into the central plateau under state protection zones, while others returned to being refugees in southern Tanzania. A very few remained in isolated small settlements such as in the Nova Madeira area of Sanga, but in contrast to the liberation period and to other parts of Mozambique, no settlements or large numbers of people fell within a Renamo administered system.

While Renamo was able to deny access to state administration over much of north Niassa, and the Frelimo influence was increasingly limited to static defensive positions in district centres (Unango, Mecula and the latter over-run Mavago towns) it had no rear base in Tanzania, nor access to food producing settlements in depopulated north Niassa. It raided from military camps to the west of Sanga and around Mavago in a pattern familiar to the Ngonis of the 19<sup>th</sup> century. The significance of this is that the introduction of ‘traditional’ based local administration applied by Renamo in other parts of north and central Mozambique (central-south Niassa, Nampula, Zambezia, Tete, Manica and Sofala provinces) was not to happen in north Niassa and not to influence local perceptions of governance options.

The wider significance is that north Niassa also provides an unusual case study in that neither the deep local penetration of the modernist state (colonial/Frelimo) nor the reinventing of a ‘traditional’ local government occurred (colonial/Renamo), as elsewhere in Mozambique. The often politically divisive policy or academic debate over



‘modern and traditional’ in their relevance to local governance that has had a paralysing impact on local government reforms in the country with its simplistic ‘dualism’ perspective is not supported by north Niassa realities.

## **5. PEACE AND SOME OLD CHALLENGES: 1992-2007.**

### **5.1 Introduction**

At the cessation of hostilities in the civil war in 1992, north Niassa could again be described in much the same terms as those used in the mid 1960’s; a graveyard for people and ‘a liberated zone for elephants and tsetse fly’.

It was the latter aspect of ‘a liberated zone for elephants’ that was to play an important role in the developments of the past 15 years in which access to and rights over land and resources was to emerge as an increasingly complex issue of local governance and ideas on development.

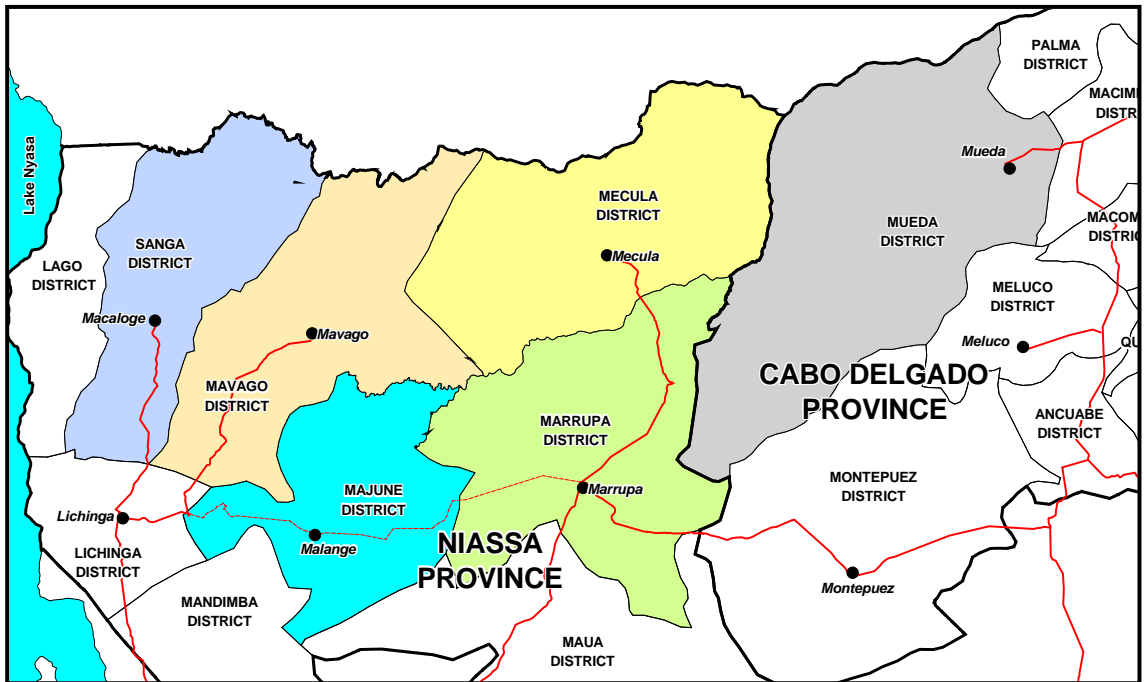
First, the state was to gazette 42,000 km<sup>2</sup> (around a third of the province or around 85% of north Niassa) as a protected area for biodiversity conservation (Niassa Reserve and Buffer Zone). The previously gazetted (in colonial time) reserve was of 15,000 km<sup>2</sup> and had a history of largely existing on paper rather than in practice as a managed protected area. This area was granted on a 15 years concession to a management company (known as SGDRN) which was a partnership between the government and private sector and which held a variety of powers over land and natural resources (and thus indirectly over people), delegated to it by the state.

Secondly there were to emerge private initiatives in farming, sport hunting, ecotourism and forestry that, especially from 2000 and at an accelerating pace, were to see the vast and perceived as empty ‘wilderness’ of northern Niassa as ripe for development.

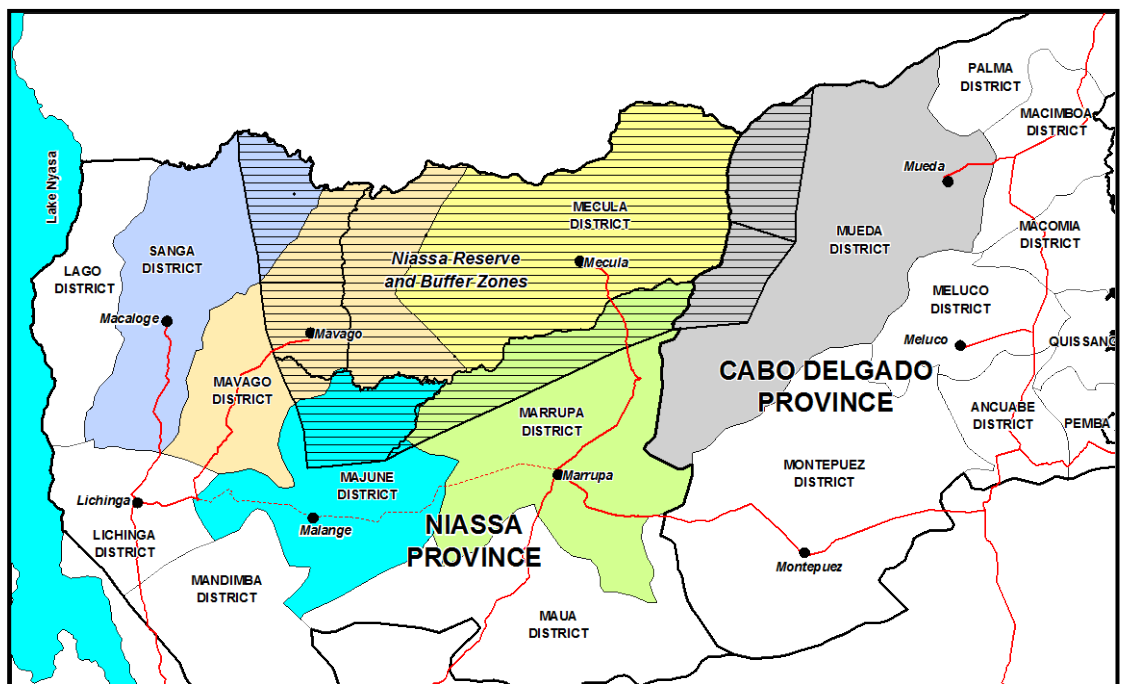
The third was the Chipanje Chetu CBNRM initiative of Sanga District that was, partly propelled by initial evidence of these developments, to pilot alternative approaches to state or privatisation of land and natural resources through transfer of rights and

management to the local communities in this northern zone of Niassa (see Maps 4 and 5).

**Map 4: Provinces and Districts North Niassa**



**Map 5: North Niassa, Sanga District and the Niassa Reserve**



The small society was, perhaps understandably, slow to re-establish itself in north Niassa with the main period of re-settlement occurring after the peaceful culmination of the national elections in 1994 but continuing up until 1998. Part of this re-settlement was from the central plateau with this element of the small society influenced by 'Mozambican' experience related to administration, language and education resulting from a decade in Frelimo dominated areas or long periods in military service. The larger portion of re-settlement was from those who had sought refuge in southern Tanzania and who returned with significant influences from there, including language (Ki-Swahili), education from Tanzanian schools and attitudes to state administration and institutions. This was not a simple division between different villages but within families, so that the re-growth of the small society was in the context of a multiple of influences, attitudes and experiences, with certain patterns along gender lines and age groupings.

These internal variables will be discussed more in the next chapter but the important aspect here is that these variables were largely operating within the framework of the small society and the *mbumba*-village rather than in reference to another structure. The settlements that were to re-form in north Niassa were to do so based on the *mbumba*-village, irrespective of the locations of the individuals or families during the diaspora of the 1980's. The expressions of social tensions, competitiveness, the property and gender relations and the basic scale of governance was to be still found within the core *mbumba* relationships, as discussed for the previous eras of environmental uncertainty, war, famine and migration.

## **5.2 New Visions, State Administration, NGOs and Donors**

State administration was to re-establish itself in similar patterns to that described in the last section, with many of the basic centralisation features harking back both to colonial times and the 'democratic centralism' of the revolutionary transformations.

While the national legitimacy of government since 1994 is that of multi-party democracy, local government remains (as since colonial times) a district state administrative structure. At the provincial scale the Provincial Governor (appointed by

the President) has considerable delegated powers<sup>11</sup>. District administration is accountable to the Governor who holds the ultimate authority, and internally district officials are accountable to the District Administration. Below this level is the complexity of moving from what was essentially a formal administrative void to new local governance structures with their continued stress on up-ward accountability. There is considerable uncertainty at this local level depending often on individual agency (such as the particular official or local leadership) or the ebb and flow of authority and influence wielded by NGOs or district administration in terms of who has access to funds or resources at a particular moment. Thus the national or provincial policy, legislation and agenda confronts a local interface of some confusion and where, in the case of an extreme periphery like north Niassa, actual local governance may bear little relation to formal reforms and national designs.

Niassa in the wider sense faces much the same challenges now as during most of the 20<sup>th</sup> century, in moving on from the status of ‘the End of the World’. It retains many of the structural weaknesses for development that plagued its early colonial history including its remoteness, very limited infrastructure, poor human resources in terms of education or modern skills, poor administrative capacity, lack of markets for agricultural surpluses and lack of required investment. It also retains many of its perceived opportunities such as low population density, areas of fertile soils and natural resource richness. Strategies to turn these weaknesses and opportunities into new development options have often harked back to the ‘big ideas’ of previous ones. The delegation of state authority to the Niassa Reserve SGDRN company (albeit a joint venture between state-private sectors) with its historical echoes of the 1890-1929 Niassa Company has already been mentioned. Another was the Mozagrius scheme started in the mid 1990’s. Agricultural land was offered to South African farmers (Afrikaners) to defuse land and political tensions in post apartheid South Africa and develop commercial farming in Niassa. Of the 500 families planned to settle in the margins of

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<sup>11</sup> It is worth noting that in the 1994 post-election period the government experimented with the appointment of Provincial Governors who originated in the relevant provinces. The Governor of Niassa 1995-2000 was Aires Aly, a Yao from Sanga District and a senior government educationalist; thus breaking a number of the stereotypes noted previously. He was highly respected as an individual throughout north Niassa, irrespective of party political viewpoints. This political experiment in local legitimacy for non-elected Governors ended in 2000, perhaps in part due to the unexpected electoral defeats for Frelimo in some provinces (including Niassa), where the popularity of individual Governors was not reflected in party electoral popularity.

north Niassa (Sanga, Mavago and Majune districts), less than 15 took up farms and only around 2 families are still operating. The scheme failed due to a combination of a lack of investment (ultimately bankruptcy), financial speculation, conflict over land with local people and lack of a basis for marketing commercial agriculture and a level of cultural incompatibility. More than any previous process this scheme introduced land and rights over land as an important issue from the late 1990s onwards within the small society of north Niassa<sup>12</sup>.

The current focus is a 'Niassa Integrated Development Plan' (GON 1999) which shares a basic approach comparable to that of both the socialist and colonial state with its emphasis on public works, state administration leadership and a modernist 'class' rather than any particular role or investment in the small society. There is also the absence of investment or strategy on the key challenges of local governance and the transaction costs of reforms to land and resource rights that might promote economic and political development at this smaller scale. The Swedish and Irish Governments have in recent years become the primary aid investors in this Plan, but progress remains uncertain (Akesson and Nilsson 2007).

Whether the new 'transformation' approaches will take place or not, one reality is that funding for activities outside the state-led sectors tended to decline during the past decade. In the 1992-97 period re-settlement and development activities in Niassa were primarily led by an active and varied international NGO sector. This though led to the NGOs own distortions and patronage effects on local administration. NGOs controlled the main sources of funding available, identified priorities and process and withdrew human capacity from the state sector. The emphasis of the NGOs was on local district initiatives and 'civil society' development. Since 1997 donors have switched funds and interest to direct state funding and one result is a legacy of uneasiness between the

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<sup>12</sup> Details here are based on interviews with the Mozagruius administrator in 1998 and with the two farmers in Sanga district in 1998-99. One of these farmers was regarded favorably by the local people, at least as an individual, if not in terms of land issues. The other was requested to leave in 2000 following the intervention of the local customary leadership (the 'Sultan' Malingalile) and numerous allegations of ill treatment of his labour force and local residents (having been savaged myself by his, admittedly non-racialist, dog I don't doubt this). This farmer had close patronage relations with the *Chefe de Posto* or sub district official, illustrating the variance between local administrative and customary authority. Malingalile was removed from his position later the same year, accused of 'drunkenness' and being a 'sex fiend'. The extent to which this was based on local lineage decision or administration influence was unclear.

newly better funded and higher capacity state administration and the few NGOs remaining. An outcome of this is a degree of constraint on any development initiatives that fall outside the administration's control of funds or activities. There are thus some limitations to the influence and legitimacy of NGOs in the current interface of local governance, between the administration and the small society.

In summary, there remains considerable historical continuity in the current situation of north Niassa with that of the past. The small society remains with governance functioning at the very low *mbumba* scale of villages, while the large society has returned to the vertical and hierarchical forms of administrative governance in which state structures mediate transformative visions (with the private and donor sector). A difference to past history is that new land and natural resource use reforms and the new land and resource pressures have the potential either to deepen these divisions; or alternatively create a more inter-connected and pluralist form of governance between these scales.

## 6. CONCLUSIONS

*'Speaking rationally about Africa is not something that has ever come naturally. Doing so, at this cusp between millennia, comes even less so. It is for all the world as if the most radical critique of the most obtuse and cynical prejudices about Africa were being made against the background of an impossibility, the impossibility of getting over and done with something without the risk of repeating it and perpetuating it under some other guise. What is going on?'*  
(Mbembe 2001)

The past two chapters have aimed to follow 5 centuries of the small society in north Niassa and to try and understand present realities and future options in the historical context of past evolutions within this society. The following points aim to pull out some of the main themes, continuities and core features that have emerged.

### *The Mbumba and Resilience.*

The main conclusion reached from this history is the remarkable persistence of the minimal lineage (*mbumba*) and its associated framework of settlement patterns, social networks, scales in governance and agency of actors within it. Based around a core relationship between brothers and sisters, the *mbumba* provides a specific social

organisation and set of institutions, which have proved as durable as the more familiar ‘nuclear family’ of other societies and as equally important to shaping politics or economics. In tracing the *mbumba*’s early evolution as a response to uncertainty (such as reducing social tensions over paternity, ensuring survival given poor soils, drought, disease) I have argued that its small scale as a social organisation has allowed it to develop considerable resilience over time and thus persistence to the present. This raises another feature of the *mbumba* in terms of its adaptability; in coupling and decoupling over time it has been able to provide a basal unit for various scales or types of organisation and these have left their mark. The ‘Sultans’ and ‘Jumbes’, the influence of patrilineal relations and patrilocal marriage, and of Secretarios and Dynamizing Groups are all weaved into the small society making simple reading of ‘*mbumba* rules’ more complex. A final point is that the new perturbations of the past 5 years (land, resources, local governance reforms and practice) represent in degree and shortness of timescale as high a challenge to the resilience of the self governance of the small society as any of the past.

#### *Organisation Scale Limits.*

An organisational feature of the *mbumba* is that its capacity to couple upwards in scale reaches limits at around the level of groupings of lineage villages. Above this level social tensions and individual agency make an ordered polity a temporary expedient or one requiring a high degree of coercive authoritarianism resulting in an unstable structure. Large chieftaincies were an aggregation of village lineage scale groups whose level of independence or subordination depended on the balance over time of opposing forces. The forces of integration (external pressures such as famine, war, slavery or internal coercive forces or social cohesive forces of chieftaincy cults) balanced against forces of dis-integration (the tensions of the matrilineage promoting fission and the strong competitive forces amongst males seeking independent authority and leadership).

In the deep history of the Yaos of north Niassa this has been an exceptional scale of governance in society, restricted to the peculiar conditions of the mid to late 19<sup>th</sup> century. On one side this generally small but cohesive social organisation occupying a remote area has allowed the Yaos to evade or make ambivalent the constructions of the colonial or post-colonial period. On the other, it has left the small society not only

weakly integrated into the nation state or western modernism, but also with limited representation, opportunities or influence at a scale where 'Mozambique' operates and key decisions are made.

#### *Governance – Distribution of Authority and Accountability*

In terms of governance what is of interest is firstly the manner in which authority, power, accountability and legitimacy are distributed in the *mbumba*-centric structure and process. Secondly, how the perceptions of governance from this frame are expressed with different underlying assumptions than those in much of the current governance debate. The chapter has argued that the basic frame of governance reference is the *mbumba*; whether coupled upwards to village scale as a number of *mbumba* under authority of a *Mwenye* or *Mwenye musu* or whether decoupled as a simple *mbumba* under a *Asyene mbumba*. Coercive power is restrained by the lateral evolution of the *mbumba* with its build up of alternative competitive authority and the ultimate sanction of 'voting with the feet' to evade incompetent or authoritarian leadership. The basic pattern of legitimacy, authority and accountability is repeated upward in scale and aggregation so a village *Mwenye* operates in a similar weave of obligations, responsibilities or rights (discussed more in next chapter). The key though is the relative autonomy of the *mbumba* (a bigger unit of 40 people versus the more familiar 'nuclear family' of 2 adults+children) and that the allocation of governance functions above it are incrementally resisted. To put it simply, the Yao *mbumba* assumes that power, authority and accountability lie primarily at this level and within its actors and institutions. These are not easy distributions of governance structure or process to apply the vocabulary of decentralisation or de-concentration from the literature and practice of local governance or CBNRM. This holds a basic assumption that power and authority is centrally held at the outset and can, for functions, efficiency, democracy or other objectives, then be given away or re-arranged downwards.

#### *Individual Agency.*

One of the themes of history and of the *mbumba* is the aspect of individual agency or the extent that individuals (mostly men) have competitive opportunities to achieve positions of authority, wealth or influence beyond rigid institutions of inheritance, class or caste. The laterally evolving *mbumba* with its inherent promotion of competition between and within generations (brothers, nephews, cousins) provides a range of



opportunities to reward and encourage individual competition. In ensuring both the means for channelling competitive social tensions amongst males in a small society and also ensuring meritocracy in leadership or wardenship of the core social unit in conditions of uncertainty (rather than stable large scale polities), the value of this individual agency is clear.

There are a number of quite different ramifications to this. First, leadership positions (of village or *mbumba*) are secure only to the extent that the individual holding them demonstrates capacity in the range of skills or attributes required of them by their followers. Thus for example, to assume a common or fixed relationship to a ‘chief’ from village to village or between areas can be misleading, as can identifying the *Mwenye* as the only or prime font of decision making on all key issues. Second, status is important and individual status can be most visible and relevant in connection to *mbumba* relationships. The ‘Amoral Familist’ of Banfield (1967) is in this context not a nuclear family, but an *mbumba* society in which rational self-interest of an individual can be expressed in material advantage to his *mbumba* and his status within it. Thus individual agency when expressed in the context of the *mbumba* scale also creates challenges for incentives and motivations to operate at ‘local community’ scale covering a number of villages. Third, holding of positions in an organisation such as *Regulo*, *Secretario*, Provincial Governor, District Administrator, NGO officer and so on is frequently less meaningful to the small society than the personalities and agency of those holding these posts. External organisations may be incomprehensible in aims or structure, but individuals are not. Fourth, the small society does not in its individual agency display the ‘servile institutions’ argued by Reader (1997: 289) as rooted in Africa by the legacy of under population or ‘power in people’. Competition, confrontation, enjoyment of *fitina* (interminable disputes) are clearer characteristics than fatalism, compromise and rigid caste or class behaviour.

### *Historical Propositions*<sup>13</sup>.

This historical analysis provides a basis to suggest some simple propositions about governance and institutional change in the small society today. For this small society:

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<sup>13</sup> The propositions owe a debt to Banfield’s (1968) hypothesis for nuclear families in southern Italy.

1. The *mbumba* provides an underlying frame of reference influencing social organisation and networks, governance process and structure, and the agency of actors.
2. The *mbumba* has specific lateral features that balance integration-disintegration tendencies over time and scale. The *mbumba* can be autonomous and will act to resist up-scale transfers of governance incrementally. The upper limit of *mbumba* functioning and effective governance is reached at the scale of groups of villages.
3. The key elements of resilience to perturbations are held within the *mbumba* frame and are evolved from past adaptive cycles in an environment of uncertainty.
4. Within the *mbumba* frame, an individual's choices and decisions will reflect the material advantage to their *mbumba* and their competitive status within it. It is assumed that others behave similarly.

## CHAPTER 7

### **NATURAL RESOURCES AND GOVERNANCE IN NORTH SANGA**

“The rain falls on both cemeteries and villages, but it is the village that goes forward.”

*(Mwenye Pauila pers comm. 21/6/00 of North Sanga)*

#### **1. INTRODUCTION**

The previous chapter illustrated that in the long history of the Yao society, trade in natural resources has played a significant role. However, this history does not reveal the same depth of conflicts or transformations over land and natural resources following colonial and post-colonial interventions that are stressed elsewhere (Murombedzi 2003, Hulme and Murphree 2001) in the region. It does indicate on the other hand that the pace of change is increasing rapidly.

Thus the challenges over who owns resources or land, who decides on use or management and who pays the costs or gains the benefits are growing more important and of greater relevance to the future options of the small society. While the opportunities represented in the recent reforms to land and natural resource legislation and policy are one feature (Chapter 3), the direct intervention of the state and external agencies, even in the remoter parts of Niassa, have been of equal relevance in the past five years.

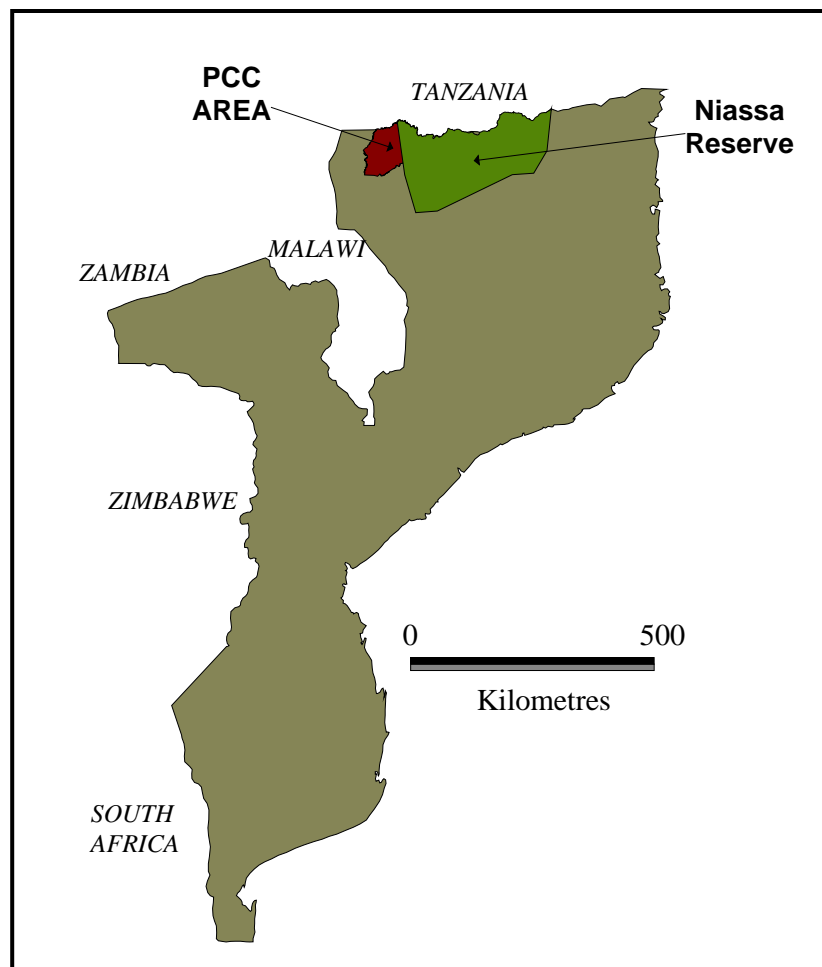
This chapter will look in more detail at natural resources, land and the use of them in the context of a particular area of Niassa, that of north Sanga and largely drawing from the perspective of the society that lives there. The chapter will first examine the social structure, actors and institutions significant at the village and *mbumba* scale and its relationship with formal administration. It will then look at the natural resources of the area. Their importance and use by the local society and the priorities and options perceived by them of achieving development (in the meaning of ‘good change’) based on resource management. The methodological basis of the chapter draws from field note interviews kept between 1998 and 2002 and from specific resource use assessment

research (described in Chapter 2) carried out in the five villages in the area in 1999 and 2000.

### 1.1 North Sanga and Chipanje Chetu Setting

The area referred to as North Sanga is in the northwest of Niassa Province in Sanga District and the *Postos Administrativos* (Administrative Posts at sub-district level roughly equivalent to wards) of Matchedge and part of Macalogue. The borders are the Messinge River in the west and the Lucheringo River in the east. The northern border is the Rovuma River and the frontier with Tanzania and the southern boundary is Sanga Mountain and the rivers flowing east or west from it (see Map 4 in previous chapter and Map 6 below).

**Map 6: Location North Sanga and Programa Chipanje Chetu (PCC)**



The altitude ranges from 1,800 metres on Sanga Mountain to 550 metres on the Rovuma River. The southern section lies on the edge of the central Niassa plateau (around Mount Sanga) descending into more undulating plains and low hills sloping northward along drainage systems (Messinge, Moola, Lucheringo rivers) to the Rovuma River. In the northeast section a series of inselbergs and hills rise out of the Rovuma plain.

The area has two predominant seasons. A 'wet season' occurs between December and April and a 'dry season' between May and November. These seasons are relatively abrupt with very little rainfall outside the wet season with little surface water outside the main river systems by October. Annual rainfall is around 1,300 mm in the southern section of the plateau edge but decreases northwards towards the Rovuma basin to as little as 600 mm (Amaral 1990: p 31) and can be highly variable in drought cycles and floods. The maximum temperatures of around 30 degrees centigrade are registered between October and December and the minimums of 10 degrees or below between June and August.

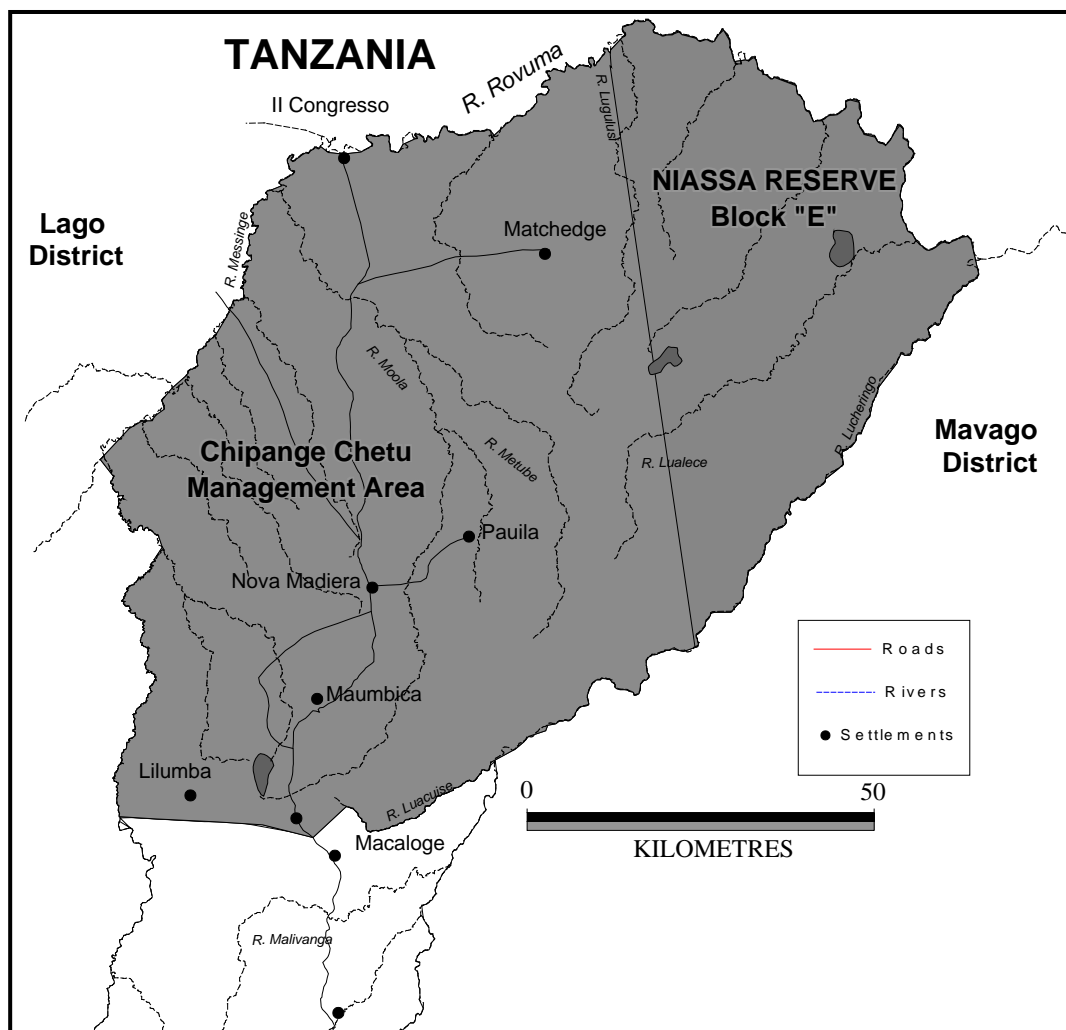
Soils are mostly sandy ferruginous with limited areas of alluvial deposits along the Rovuma and some of its larger tributary rivers. The higher fertile red soils are those in the southern plateau edge area, with most of the area covered by low fertility well drained sand-clay soils or shallow infertile sands (*Nsanga* means stones or sand in ChiYao). The key soils for agriculture in the area beyond the plateau edge are the alluvial zones along the main drainage systems and the humid black soils along seasonally flooded drainage lines or 'dambos' (*mitanda* in ChiYao).

The vegetation is characteristically miombo woodland (*Brachystegia-Julbernardia* spp.) being more densely wooded and semi-deciduous in the southern areas of higher rainfall and soil fertility. This woodland opens up into more deciduous wooded grassland further north, with open grassland along the dambo systems and closer to the Rovuma. The main drainage systems have thicker more diverse riverine forest, with some montane forest and open grassland on Sanga Mountain. The forest species of commercial importance include *Pterocarpus angolensis*, *Khaya nyasica*, *Azelia quanzensis* and *Dalbergia melanoxylon*. The area has the wildlife diversity typical of low fertility miombo woodland but at a relatively density tending to increase towards the

north-east, as is the case with fish resources in the seasonal and permanent river systems (both resources are discussed in detail in Section 3 below).

Within this geographic and administrative area of around 9,000 km<sup>2</sup> there has evolved since the late 1990's two zones under different resource management authority (see Map 7). The north-eastern section of 2,500 km<sup>2</sup> is part of Niassa Reserve; a section of Block E of the Reserve buffer zone. The rest of the area covering 6,500 km<sup>2</sup> has been under development as a Community Based Natural Resource Management (CBNRM) initiative called Programa Chipanje Chetu (or PCC) since late 1998.

**Map 7: Chipanje Chetu and Management Authorities: North Sanga**



The Programa Chipanje Chetu will be discussed more in the next chapter but an introduction is useful here. The aim of PCC, since its initiation in 1998, has been the transfer of the rights and responsibilities for land and resource management to local residents as a pilot CBNRM initiative.

The area was identified following reconnaissance and discussions with the residents in late 1998 by IUCN-The World Conservation Union and SPFFB, the provincial government agency for forest and wildlife management. Key aspects for selection of this area for such an initiative were:

- People resident in the area had an interest in such an initiative as they saw limited agricultural or other development options and had a high dependence on natural resources.
- It had a relatively high abundance and variety of natural resources and low density of people.
- The provincial government expressed support for the initiative and no competing alternative land uses (such as forest or wildlife concessions direct from the state to the private sector) were then envisaged.

Much of the information in this chapter was collected as part of social and natural resource research carried out in 1999 and 2000 in support of this initiative, and interviews and participatory research up until the end of 2002 during its implementation.

## **1.2 Population and Recent History**

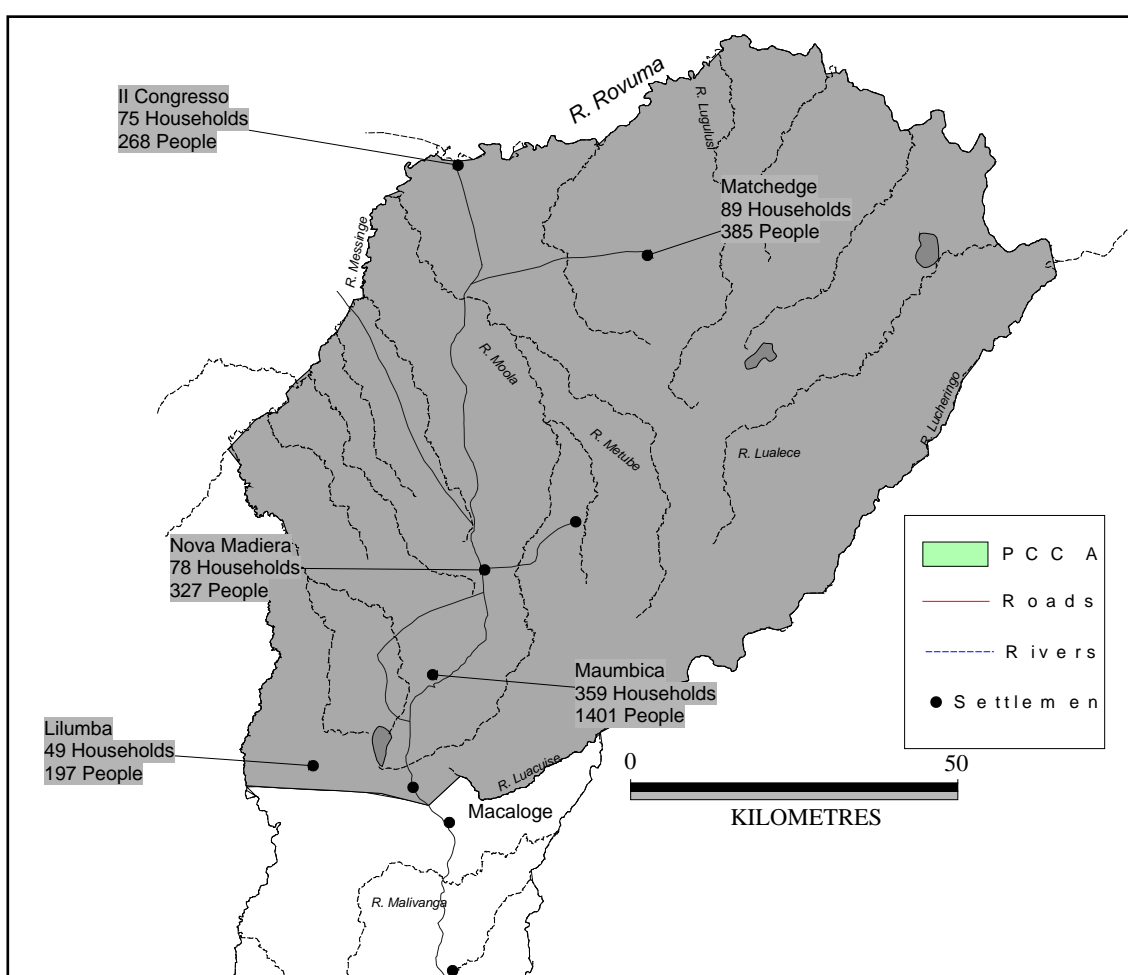
The area has a population of 2,578 (a very low density of less than 0.5 people/km<sup>2</sup>) and 650 households distributed between 5 villages as indicated in the Table 4 and shown in Map 8.

**Table 4: Settlements and Population of North Sanga (1999)<sup>1</sup>**

Village	Population	Households
Nova Madeira	327	78
Matchedje	385	89
II Congresso	268	75
Lilumba	197	49
Maumbica	1,401	359
<b>Total</b>	<b>2,578</b>	<b>650</b>

This compares to an average density of over 4 people/km<sup>2</sup> in the rest of the District of Sanga, which has a population of 41,254 people and 10,934 households (MAE 2005).

**Map 8: Population: North Sanga**



<sup>1</sup> Extracted from questionnaire data in RUA notebooks Matchedje, II Congresso, Lilulmba, Nova Madeira.



Most of the infrastructure of the district is located in the southern section where the concentration of the population is much higher. These include most of the road system, the district headquarters, the district hospital and the secondary schools. The northern area of Sanga has very little in the way of infrastructure. There is only one 'all year' dirt road running north-south through the area which is in the process of being upgraded. There is one health clinic in II Congresso and each village has basic primary school facilities (although observations in 1998-2001 indicated very high absentee rates of both students and teachers). There are very limited commercial outlets or markets in the area; these being located across the border in Tanzania or in the southern part of Sanga District and implying a one to two day bicycle trip to sell or purchase items.

A common feature of most of the current villages in the area is the impact that repeated dislocation, as internal or external refugees, has played in the past 40 years. In the period from the establishment of colonial administration from 1910 onwards the north of Sanga was relatively empty of settlement apart from administrative forts on the Rovuma River<sup>2</sup>. Most settlement was concentrated around the area of Sanga Mountain (in the extreme south of the zone) until the 1950's. From this period until the mid 1960s there was an expansion of settlement north. This was a reaction to the need for alternative fertile land, areas of more plentiful wildlife and fish resources and the encroaching influence of Portuguese administration. For example, a group moving from the southern Sanga Mountain area established Matchedje village on the Rovuma River on the north boundary in 1955. This move was motivated by the good wildlife in the area and presence of suitable agricultural land<sup>3</sup>.

From the mid 1960s to the mid 1970s all 5 villages were considerably affected by the Independence War and most of the people moved as refugees to southern Tanzania and some to other parts of Niassa. On their return in the mid 1970s to late 1970s the number and distribution of settlements declined and people moved into villages generally located close to the new north-south road. These included the new village of II Congresso, and the villages of Nova Madeira, Maumbica. The exceptions to these were the village of Lilumba (located on fertile soils with good access to fish and wildlife) and Matchedje (which had been an important Frelimo 'liberated village'). The Civil War of

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<sup>2</sup> 1918 British Army map of Niassa/Cabo Delgado.

<sup>3</sup> Matchedje RUA notebook and *Mwenye* Masogo pers. comm.

the early 1980s to early 1990s resulted in a second wave of emigration as refugees, with most settlement only being re-populated from 1994 onwards. The general result of this recent history is that the villages are both consolidating with more people, but at the same time breaking into a pattern of satellite settlements around the five main villages.

This re-growth of the settlements has occurred in the context of a multiple of influences, attitudes and experiences with generation and gender differences. Few women were educated beyond very minimal levels either in Mozambican schools or Tanzanian ones and most speak *Chi-Yao* only and remain more socially rooted in customary institutions. Men tend to be more varied depending on age and experiences in the previous decades. Those above 50 years old are generally illiterate, more socially embedded in customary culture but have often experienced periods involved either in the colonial administered process or support activities for Frelimo in the liberation war and leadership roles in exile periods in Tanzania. The 30 - 50 age group are those with the most experience of higher scale organisation, many having been soldiers in Frelimo-government forces pre and post independence or involved in colonial and post-colonial employment in the plateau of Niassa or in Tanzania. Literacy levels are generally limited, few being able to read or write, but some able to speak Portuguese. This age group is also more variable in its attitudes to customary or formal institutions, having existed in organisations based on both and reaching the time in life for their most significant roles in customary leadership. The under 30 male generation are the most complex having had the greatest disruption; with those in the 15-30 group, if educated in Portuguese, tending not to re-settle in north Niassa or if un-educated to seek opportunities in trade and labour and to have an uneasy relationship with customary society.

For most of the villages, their first direct contact with the state administration was in the mid 1960s. Prior to this contact seems to have been minimal and indirect (via recognised chiefs or *Regulos* given the task by the Portuguese of collecting hut taxes). Contact with the post independence Mozambican authorities also seems to have been strongest in the period in the mid to late 1970s and then again only in limited terms post civil war in 1994 to the present. The most extensive and important relationship with formal authority experienced by most people living in north Sanga today seems to have been with that in Tanzania. This is especially the case in regard to natural resource use and formal institutions, as discussed in Section 3 below.

To summarise, north Sanga is a periphery of a peripheral District and Province. As an overview there is a general gradient running south to north, along which there is decreased soil fertility, rainfall and agricultural potential, decreasing density of people in settlements but increasing natural resources. There is also a general declining influence of state administration along this gradient with weaker linkages to the commercial, social or cultural core of Niassa and wider Mozambique, but increased ones to southern Tanzania.

## **2. SOCIAL STRUCTURE, SETTLEMENT AND GOVERNANCE**

### **2.1 The Village Matrilineage Revisited**

There are three main scale levels within the Yao matrilineage (see Amaral 1990: 156-160 and Mitchell 1951: 313-315). The highest is the *Lukosyo* or clan or corporate body, which is the weakest of the lineage relationships and may not necessarily be of people of the same lineage or even the same ethnicity. This scale was rarely referred to in people I interviewed, but was sometimes drawn into religious ceremonies (*Chonde Chonde*) I attended, when people were calling on a wider group of ‘ancestors’ for intercession.

The next scale down is the *Liwele* meaning breast, which has more active significance. The *liwele* contains all those people who trace their descent from a single person and is named after that person; the ancestral woman or her eldest brother. In the Yao ordering of descent as if a tree, the founding ancestress is the trunk (*likolo*) and the branches are *nyambi* and in these terms most people are able to identify *nyambi* relations within the most recent generations in the lateral branching of their lineage but beyond this usual only the founding *likolo*. Mitchell (1951: 314) refers to the *liwele* as the ‘maximal lineage’ and within this scale there is some differentiation between sibling rank of the different branches (children of oldest sister, second oldest sister etc), which then has implications for the inheritance of status and rank.

This is most important in terms of the male leadership of a settlement (*Mwenye musu*) or of a grouping of villages (*Mwenye*) and inheritance of this rank, which is in reference to

the putative seniority at the *liwele* scale of the lineage. This inheritance is through the female line and the most senior woman is referred to as the *Anganga asyene* at the various scales, or *Abibi* ('Queen') at the highest scale, and is the closest in relation to the original ancestress. Her main importance is as the core reference point in the matrilineage; she symbolises the matrilineage and is indispensable to its cohesion, even if men are the most obvious in political leadership. For example, in the disputes in Sanga in 2000 over the competency of *Mwenye*/Sultan Malingalile to hold his position, the resolution was to appoint the *Abibi* as interim leadership until solutions emerged from the complexity of male succession.

*Anganga asyene* are important in ceremonies, whether female specific (such as female initiation) or general (such as holding and preparing the millet flour used in *Chonde Chonde* ancestral ceremonies). In at least two of these that I attended, *Anganga asyene* or their representatives were present in a supporting role to the *Mwenye*. Their more general role is the coordination and resolution of issues within women in their lineage structure and advice to male leadership and the presentation to them of the perspectives from the sorority they represent.

The basic structure of the *mbumba* is the relationship between sisters and their eldest brother. This brother is called the *asyene mbumba*, which most accurately translates as 'warden' (Mitchell 1951:319) and also reflects the stress that people I interviewed in Sanga put on the complexity of roles embodied in this position. The *asyene mbumba* has both the foremost rights, but also the foremost obligations in this relationship. He makes decisions on behalf of the group and represents them in relation to other groups, but also has the obligations of resolving disputes and organising solutions to corporate problems or issues (marriage, divorce, adultery, consulting diviners or ancestors, supervising rituals).

This relationship is reflected in generational terms, so that each group of uterine siblings unifies itself with the eldest brother of that generation and over time he takes over the 'wardenship' of the multi-generation *mbumba* or breaks off to form a new one. The tensions causing break up into new *mbumba* result from sibling unity in relation to other generations and sibling rivalry within generations so that 'each women in the

matrilineage becomes a point of potential cleavage' (Mitchell 1951: 318) in the formation of new *mbumba*.

The importance of revisiting the matrilineage is the extent that it underlies settlement patterns of the community of north Sanga and governance relationships within and between villages.

## 2.2 Settlement Dynamics in North Sanga

'One of the outstanding features of Yao social organisation is the instability of their villages. New villages are forever being founded by sections that hive off from parent villages' (Mitchell 1951: 337).

This quote accurately describes the situation in north Sanga and that the most obvious manifestation of the underlying *mbumba* dynamics there is revealed in how settlements are differentiated and organised.

One of the villages, Nova Madeira is a good example. The 'village' stretches over 15 kms with a total population of only 327 people, with 4 main settlements in groupings of huts and two small separate satellite settlements up to 10 km away. My initial impression in 1998 was of social disorder, in that there was no unified representative for the village and clearly tension between different parts of it, to the extent that attempting an initiative based on 'community' seemed almost absurd. With time it became clearer that these features were more a reflection of different scales in which the lineage, *mbumba* and settlement interacted. There was an order underlying what seemed at first chaotic.

The main settlement in the north of the village represented one lineage under *Mzee* (old man) Kadawela and was where the school and mosque was concentrated. Kadawela was over 70 years old, originally of Nyanja ethnic origin from Lago District to the west but been absorbed into Yao society, had a large family and had been a successful hunter, manufacturer of muskets and agriculturalist. He had thus gathered around him a considerable *mbumba* of at least four generations and settlement of at least 15 huts. Because of tensions in this *mbumba*-settlement in 1999, one small group under *Che* Tambala had moved off and founded one of the satellite settlements 10 km away.

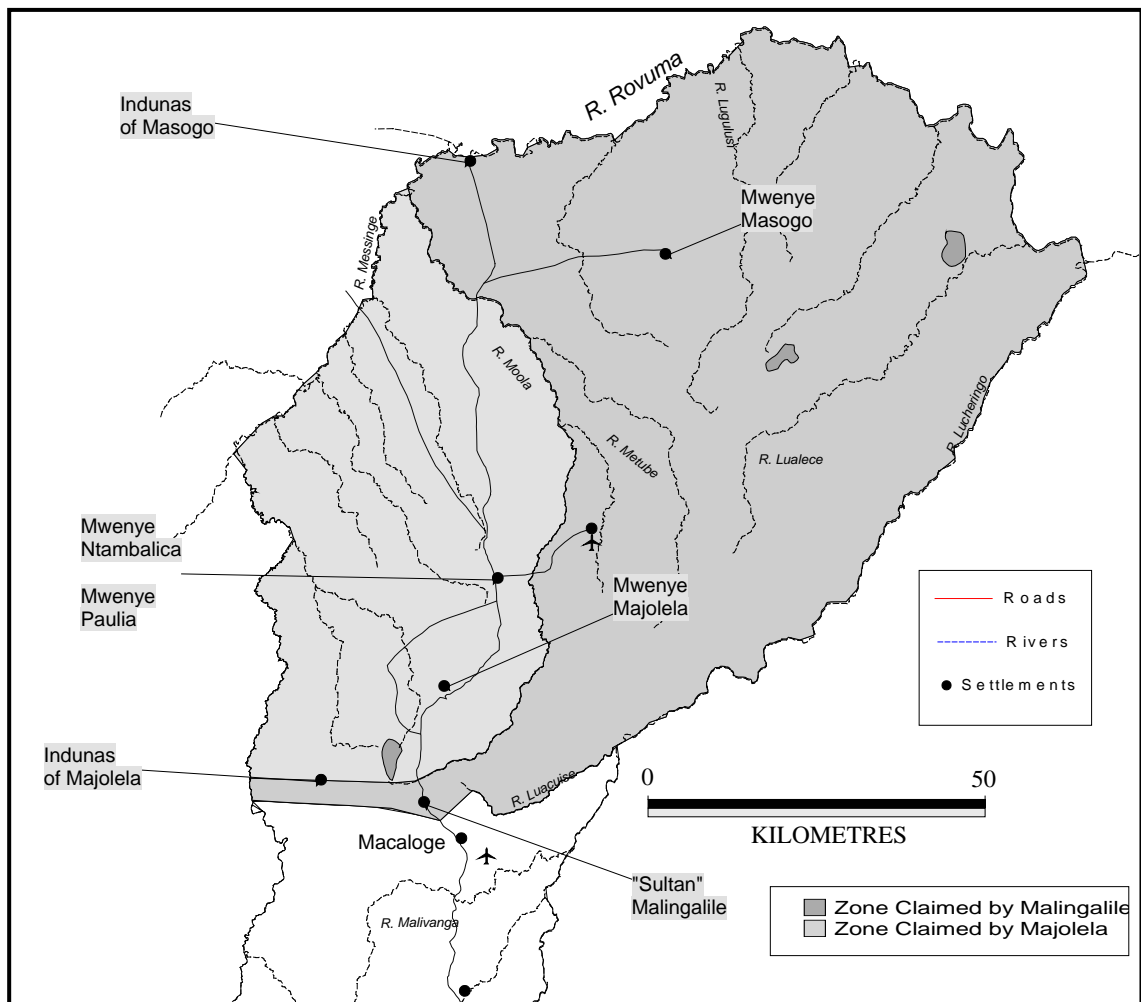
The person of senior local lineage (and also ex-headmen or *induna* in the colonial indirect administration) and thus in principle overall *mwenye musu* of Nova Madeira however was *Che* Ntabalica. He was also an old man but one who had a very small family and was also not of high local status in terms of his decision making capacity or ability to achieve social cohesion. He moved 10 km from the central area of the village to the southern periphery in late 1998 taking with him the most immediate members of his own *mbumba* building 4 huts and opening new fields. He left other sections of the lineage behind in a grouping of huts in the older fields. The last main grouping was that of 'Tuliene' named after *Che* Caetano Tuli acting as *asyene mbumba* and comprising around 6 huts of a lineage (and matri-local husbands of women in this lineage) originating in a separate village. This village called Pauila located around 20 km away had been abandoned since the 1970's. With the return of *Mwenye* Pauila from Tanzania in late 1999 he and his *mbumba* settled in this 'Tuliene' and assumed leadership of that lineage and effectively superseded the *asyene mbumba* role of Caetano Tuli. Finally there was the last satellite settlement near the old Pauila village comprising *Mzee* Nkanda and his *mbumba*, belonging to the same lineage as those in Tuliene and thus relationship to *Mwenye* Pauila.

In the evolution of the CBNRM initiative of north Sanga many features of institutional change and organisational arrangements reflected the above causal factors that influence settlement pattern and which are linked to lineage features. While Nova Madeira village was the most complex (a result in part of particular refugee resettlement), all the 5 villages illustrated settlement patterns influenced by the frame of the lineage. These settlement patterns are essentially ones in which 'villages' are made up of semi-autonomous 'hamlets' (which can branch off to form fully autonomous settlements) and these villages represent a number of lineages or *mbumba*, while the hamlets reflect single *mbumba* or fledgling *mbumba* comprising between 10 and 40 people.

### 2.3 Multiple Sources of Governance: Actors and Institutions

The distribution of villages and customary leadership in physical space is shown in Map 9, in what remains a disputed hierarchy of authority between governance and leadership of these settlements.

**Map 9: Customary Authorities: North Sanga**



#### *Customary Authority*

Customary authority actors had both internal governance roles (points of authority but also responsibility and obligations within villages and the local lineage) and external ones (point of contact with the external world of the state, party, administration, other villages etc). The agency of the *Mwenyes* was thus based on claims to authority and legitimacy from various sources. These claims could call upon a number of institutions

such as the lineage and lineage seniority, historical precedents dating back to the large chieftaincies of the 19<sup>th</sup> century or the loose indirect rule of colonial times and the extent that an individual leader could currently depend on others to back up his claims. Claims to autonomy by *Mwenyes* in the late 1990's after most villages were re-establishing following the war were also reinforced by the physical distance between village settlements, and the ability within a village for individuals to move off and assert their local *mbumba* related autonomy in a hamlet.

These tensions were highest in relation to external relations, such as the 'areas of influence' claims by *Mwenye* Majolela and Malingalile (in Map 9) which were essentially based on colonial era *Regulo* (reified Chief) legitimacy for the relationship to government or other external actors but not legitimised by local village actors who rejected such a hierarchical and large scale governance and representative function. More locally legitimate was the role of the *Mwenye* in promoting cohesion, consensus and representation at the village scale. In interviews it was the features of cohesion and consensus building that was particularly stressed, with representation more as a point of contact with the outside world rather than a position of decision making power for the village. The key functions of the *Mwenye* noted in discussions were; leading the *Chonde Chonde* ceremonies interacting with the ancestors, a 'pastoral' role in initiation ceremonies (*Inyago, Jando and Masondo*) to make sure they were well organised and correctly carried out, as an ultimate 'judge' in cases where the *Asenye-mbumba* could not resolve conflicts and similarly in land allocations (the family/*mbumba* decides but the *Mwenye* confirms it is appropriate and accepted by all affected).

#### *Customary Religion, Islam and Religious Leadership*

Other local actors and agency involved in consensus building and cohesion included; the *Chonde Chonde* ceremonies (which could be led by the *Mwenye* but was a process of seeking intercession of ancestors with God that was available independently to all via praying at the Nsolo tree - *Pseudolachnostylis maproneifolia*); the initiation ceremonies (involving roles for the *Mwenye* but also for the Muslim cleric and *Asenye-mbumba*); the 'traditional doctors'; and importantly Islam as an institution (bound into the distinctive identity of the Yaos of north Niassa as discussed in the previous chapter) and the guidance on how to live and behave provided by the Muslim cleric (or *Sheia*)



There were 3 kinds of 'traditional doctor' in north Sanga; the *Fantela* whose focus was primarily as a herbalist providing medical solutions to physical illness; the *Tisango* or 'diviner' who provided more psychological solutions, in particular to resolving family or individual tensions; and his (perhaps imaginary) antithesis, the *Nsavi* who provoked evil use of spirits and division. Islam was a particularly powerful cohesive force at the broader scale of the people of north Sanga. The Muslim cleric of Nova Madeira (Mohammed Mbuana) was an individual widely respected for his learning and wise guidance both within and beyond the confines of the village scale, and a considerable actor in intra and inter-community trust and cohesion. This was later illustrated in the co-title community land right process, when he was chosen by the people of north Sanga as one of the signatories of the DUAT land certificate process.

#### *Administrative Actors*

In the late 1990's and the first years of the 2000's the District administration centred in southern Sanga was weakly connected to governance in north Sanga, and the sub-district entities of the Administrative Posts of the area were even more constrained. For example the Administrative Post of II Congresso that covered most of the area of North Sanga lacked a representative (*Chefe de Posto*) during most of 1999 and 2000 and once appointed the *Chefe de Posto* lacked any transport to operate in a very remote location, had no budget for activities and was rarely paid. His livelihood was thus dependant on the generosity of his neighbours or a kind of 'administrative foraging' in which he raised income through taxation of the villages' bicycle fleet. His role in leadership, the provision of state services (health, education, support to local development) and promotion of state local government authority at the North Sanga scale was thus complex and made more so by the vacuum and confusion in formal articulation from the Administration Post downward (to Frelimo *Secretario*, to colonial era *Regulo* etc). The state administrative system, still orientated in an upwardly accountable hierarchy and to a downwardly directive role, thus had little local legitimacy and actors of limited local agency.

The limited local legitimacy of the administration was partly also a legacy of Frelimo's past relationship with customary authority. Of the 5 *Mwenyes* I interviewed on the history of their colonial and post-independence predecessors; 4 of these *Mwenyes* had

had their lineage predecessors arrested by the Frelimo-state in its anti-obscurantist purge, of which most died in prison or subsequently afterwards.

In overview, north Sanga displayed a situation in which the formal local government system had both weak actors and agency. The villages had a diversity of sources of governance spread poly-centrally among various actors, with particular agency arising from the *mbumba* and family level for cohesiveness and conflict resolution focused at local scales; with Islam and the Muslim cleric being one of the few actors with such agency at higher scales than this.

### **3. LAND AND NATURAL RESOURCES – USE AND INSTITUTIONS<sup>4</sup>**

#### **3.1 Land and Agriculture**

Land was regarded as a critical resource as was fundamental in a number of aspects of life – agricultural for subsistence survival and cash income; construction of houses and basic household utensils (jars, pots etc) and other goods and services

Six types of soil were identified in the area

- Sandy Soils or *Nsanga* were the most available and important in Nova Madeira, II Congresso
- Black Soil or *Dyepidiu* was most important in Matchedje, Lilumba and Maumbica in terms of agriculture but not highest in availability (ie limiting factor)
- Red Soils or *Chicunja* was the second most important soil and widely available except in Nova Madeira and II Congresso
- White soil or *Dieswela* was important mainly for house construction
- Clay or *Dlongo* was important for the production of ceramics
- Impermeable grey soils or *Chicale* were of no importance as crops could not grow in them

The main agricultural tools available are pangas, axes and hoes. No fertilizers or pesticides are used in the relevant villages. A system of rotation is practiced to maintain

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<sup>4</sup> The following section is drawn from the detailed ‘resource use assessment’ studies undertaken in each of the 5 villages in the period 1999-2000

fertility. The limited agricultural inputs, degree of crop pests and limited labour available mean that farm sizes are small and along with limited markets this means agriculture (except in Lilumba and Maumbica, which are closer to urban markets and have better soils) does not produce any significant cash income.

### **3.2 Water and Fish Resources**

Water resources were regarded as important as provided different goods and services such as water for drinking and washing, irrigation for garden crops, access/transport and supplied fish. Water was divided into springs (*chipumulo*), rivers (*lusolo*), waterholes (*chisima*) and lakes and dambos (*mitanda*).

The most important of these were rivers as provided all year resources (water for drinking etc plus fish) and water holes. Their availability however was limited in comparison to their importance.

Fish resources were recorded as very important but now of low availability. The method of harvesting depended on the accessibility of equipment. When feasible nets and hooks are used but these are very rare in the area. The usual fishing method is fish poisons (called *Ntuta*) from various roots seeds or leaves. Fish traps and baskets (*Nsipo*, *Nsolola*, *Nrungulo*) are also used.

### **3.3 Forest and Wildlife**

These resources are used for many ends. Trees are used for the harvesting of timber, extraction of bark for bee hives, chicken coops, canoes etc, for supply of fruits, firewood and handicrafts or utensils. Bushes or shrubs are used for the construction of houses, for fish poisons, traditional medicines, rope extraction, and the making of snares/traps. Grasses are valuable for thatching of houses, construction of temporary housing from bamboo, making grain stores, mats, as sources of illumination or extraction of honey from hives, and for mattresses. Harvesting methods are by hand using axes and saws for timber.

This resource was generally recorded as less important and less available than others. Wildlife is used locally for consumption (or sale) and in traditional ceremonies. Wildlife was classified into mammals, birds, insects and reptiles and then each of these sub groups was further broken down (eg mammals into carnivores, herbivores etc or insects into useful and harmful). Of the 5 villages II Congresso had the least wildlife resources.

The value use of mammals and reptiles were that their skins are used for mats, bags etc and some species skins sold for income (python, crocodile, leopard). However the main use is for meat for consumption or sale. Some parts are also used for traditional treatments (the fat of lion and leopard). In regard to insects, the most important are the 4 honey producing species, while for birds the main use is for meat. Some species (honey guides) are used to locate honey, others are used as medicines or to reveal the future. Of the different kinds of fauna, mammals are regarded as the least available.

The main method in bee keeping is use of traditional bark hives hung in trees and harvested once or twice in a year. However, “honey hunting” involving the following of a honey guide to a wild hive and use of axes to open the hive and green branches to smoke out the bees prior to extraction also occurs.

For wildlife hunting the main local method is by snares and traps, with some villages having access to home-made muskets or *Migobole* (such as in the villages of Matchedje and Nova Madeira). Some individuals have access to modern firearms on loan from those outside the area. Generally local people have very little access to modern firearms.

### **3.4 Resource Trends**

From the perceptions of the people of the different villages the trends of natural resources (estimated at 5 year intervals since 1975), and the causal factors in driving trends were:

- Agricultural production has varied over time largely in reflection of the periods of dislocation as refugees but also following events such as drought or floods (e.g. 1997/8 season of poor rains)

- Fish resources in all villages have shown a trend in past 5 to 10 years of decline. This was regarded as due to the excessive use of fish poisons
- Wildlife resources were regarded as showing more variable trends. From 1975 to 1980 wildlife was abundant and increasing but then declined with increase in hunting for government meat supply and the impacts of the civil war from 1980 to 1985. From then it increased until 1990, when a decreasing trend started as result of excessive hunting by Tanzanians and government agents.
- Forest resources generally showed little variation over time. The exception was the case of timber in II Congresso where the trend in the past 10 years, and particularly the last 5 years, was seen as a rapidly declining one due to the illegal activities of Tanzanians and their local government partners in Mozambique.

### **3.5. Resource Users and Resource Use Institutions**

In all 5 villages the main users of natural resources were noted as people from outside the area. The one exception to this was fish resources in some of the villages (Nova Madeira and Maumbica) where the main users were the local villagers.

In terms of wildlife the main users were viewed as being government officials (or their agents) from the provincial or district capitals (Lichinga and Unango) or Tanzanians. The Tanzanians tend to dominate in the northern villages as the main users, with government officials dominating the southern sections. In terms of timber extraction, this was only a feature of II Congresso where both government agents and Tanzanians dominated the (illegal) harvesting. For fishing Tanzanians were regarded as the main users in II Congresso and Matchedje in the north and people from south Sanga District and elsewhere in Niassa dominated the fishing in Lilumba in the south of the zone.

These perceptions stress that the main users and beneficiaries of the existing situation were not felt to be the local people – and this ‘open access’ was clearly resented.

### *Natural Resource Institutions*

Both from these RUAT studies and from wider discussions I held over 3 years there appeared to be very few (at least extant) rules or institutions governing natural resource access and use. This maybe because they have eroded and largely disappeared over time (argued in relation to fisheries and the current use of toxic chemicals in north Samga by Abacar 2000) or that the long history of low population density, mobile non-territorially fixed societies in an environment or relatively rich natural resources was not to develop extensive norms or institutions of natural resource management.

Examples of some ‘rules’ included that the *Nsolo* tree should not be cut down as was the tree species involved in *Chonde Chonde* ceremonies, that Sanga Mountain area (the main watershed for the area) was a sacred zone in which no hunting, agriculture or plant collection was permitted and from discussion with the *Mwenyes* that was memory of past wildlife related traditions. These were that any hunter coming to a village area should first seek permission to do so from the Mwenye (that it was bad fortune as well as impolite not to) and that the hunter should reciprocate for this permission through giving the Mwenye the left leg of whatever animal was shot.

### **3.6 Local Livelihoods**

The sources of commercialized products or cash income were identified in the 1999/2000 studies as:

- Agriculture – maize, rice, groundnuts, beans, cassava, banana, sweet potato, sugar cane, tobacco. Matchedje is the main village producing rice, bananas and sugar cane; which are sold in Tanzania. Lilumba and Maumbica villages are the main tobacco producers.
- Wildlife – sale of meat, skins and honey
- Fish – sales to urban areas

- Forest – main products are handicrafts made from bamboos or grasses (e.g. mats, baskets etc) or household implements from wood (such as maize pounding implements, spoons etc)
- Land/Soil – main products are ceramics (pots, jars etc)

The results of surveys of cash income in two of the villages undertaken in late 2000 are shown below in Table 5.

**Table 5: Household Annual Cash Income in Nova Madeira and Lilumba**  
(Sample size 10 households each village)

Village	Mean Size of Household	Mean Annual Household Cash Income (US\$)			Mean Annual Household Income over 3 Years	Main Cash Income Sources
		1998	1999	2000		
Nova Madeira	11.6 people	\$22	\$40	\$50	<b>\$37</b>	Sale of agricultural produce, labour in fields in plateau, sale of natural resources (honey, fish, mushrooms, fruit), PCC related salaries
Lilumba	7.3 people	\$103	\$248	\$173	<b>\$177</b>	Sale of maize and tobacco is main income source. Also labour and carpentry sales

Nova Madeira is the more typical village of north Sanga in terms of its agricultural potential and illustrates the very low cash incomes available to households and their dependency on diversification of income sources and on sale of natural resources.

Maumbica on the other hand is atypical in being located on the plateau edge in the southern section of the area with fertile soils and good rainfall. Here cash crops (tobacco) and surplus cereal crops (maize) provide the main sources of income, which averaged five times higher than in Nova Madeira. Cash crops and surpluses also caused a major variability between households in cash income, with some families in the sample achieving incomes of up to US\$ 892/year.

The relevance to a CBNRM initiative is that in terms of financial incentives for institutional change, villages such as Nova Madeira have considerable incentives and few existing other options to increase their cash incomes.

#### 4. NATURAL RESOURCES AND LOCAL DEVELOPMENT

##### 4.1 Development Constraints and Priorities

The following basic needs for the communities to achieve an adequate or better life were consistent in all the 5 villages.

<b>BASIC NECESSITIES and DEVELOPMENT PRIORITIES</b>
<ul style="list-style-type: none"><li>• Transport/Access roads</li><li>• Productive Agriculture/Farm fields or <i>Mashambas</i>/ Agricultural inputs</li><li>• Markets and Shops</li><li>• Grinding Mill</li><li>• Wells/Boreholes</li><li>• Good Health/Health Services /Medicines</li><li>• Work/Employment/Income</li><li>• Education/Schools</li></ul>



The **limitations** experienced by the villages in satisfying these basic necessities were;

- Hunger caused by climatic problems, lack of inputs and low production.
- High levels of mortality (especially infant) and general population low health levels
- High illiteracy
- Lack of grinding mills and bore-holes or wells meaning high work for women
- Lack of protein options (limited fish, domestic or wild meat)
- Crop damage from wildlife
- Lack of transport and lack of employment opportunities

The **solutions** used by the local community to overcome these limitations were:

- Walking long distances on foot and carrying loads on bicycles to nearest markets



- Cultivating small farm fields because of shortages of agricultural inputs or crop protection from pests.
- Using local plant medicines due to lack of alternatives.
- Using slow and inefficient traditional means to grind flour.
- Using impure surface water due to lack of other options.
- Leaving the area to seek temporary cash employment elsewhere.
- Over exploiting the existing protein options (e.g. fish stocks and having no livestock [mostly chickens] in excess for sale)

#### 4.2 Natural Resource Development Options

The villages identified the following natural resource based initiatives as important or viable.

**Table 6: Potential Natural Resource Based Initiatives**

<b>Natural Resource Initiative</b>	<b>Villages where identified</b>	<b>Support Needs</b>
<b>Timber Harvesting</b>	All villages except II Congresso	Assistance with license, training, equipment and market
<b>Apiculture</b>	As above	Equipment and markets
<b>Fishing</b>	All except Maumbica	Equipment, training in new methods, markets
<b>Agriculture</b>	All villages	Extension services, seeds, markets
<b>Sport hunting/Eco-tourism</b>	Matchedge, Nova Madeira, Lilumba	Training in wildlife management techniques, training in skills for employment, capacity building support for institutions
<b>Handicrafts</b>	II Congresso, Matchedge, Lilumba	Markets and new product development

The villages prioritized for implementation Apiculture, Timber Harvesting, Agriculture, and Fishing. The rationale for this was that these were resources in which they either already had skills or easy access to, which could earn significant income if marketing problems could be solved, or which were readily available.

The most surprising result was that Hunting and Eco-tourism, was put into a second level of priority. The rationale given was that its implementation was not simple nor directly possible to be undertaken by the community themselves, it involved complex access rights, was open to rent seeking by others and was a resource that was not in high density. From discussion this view, which was widespread, seemed to be based on experiences gained by communities while in Tanzania, as well as doubts in the local context concerning the transference of an economic enterprise outside their direct control.

Finally the villages identified the factors that could prevent the successful implementation of these resource-based initiatives. These included;

- Misunderstandings or conflicts within the community and between the community and other agencies (eg Government and NGO)
- Lack of decision making powers at level of local community groups
- Lack of adequate management system for resource control and monitoring
- Lack of defined and agreed limits/boundaries for management area

### **4.3 Challenges for Development**

The five villages identified exactly the same resources as those that had been noted as currently important (land/soil, water, forest, fauna) as key ones to be inherited by the next generations and for their development. These were regarded as vital to guarantee their sustainability in an uncertain world and were an inheritance from the ancestors.

The villages also identified factors that could prevent future generations from inheriting these key resources. These included:

- Large scale land concessions

- Illegal/unsustainable hunting
- Indiscriminate cutting of trees
- Uncontrolled fires
- War
- Natural calamities (drought or flood)
- Lack of or poor control and management systems

Large-scale land concessions were the most regularly noted and prioritized factor. The villages seemed concerned that the granting of land concessions to “foreigners” (the examples of land allocated to private sector South African farmers in south Sanga in 1997 or the extension of Niassa Reserve were given) would seriously affect them and their future. Perhaps surprisingly, the other factors were largely concerned with the need to develop and implement rules and management structures for resources.

## 5. CONCLUSIONS

This chapter has addressed the aspects of local governance and natural resource use and priorities at the smaller scale of the 5 villages of north Sanga District in the late 1990s/early years of 2000.

The governance features that emerge indicate that the *mbumba* remains a significant framework for local governance in this area and in the current time and fits with many of the historical propositions of the previous chapter. However, it has also sought to illustrate that on this frame various (largely village focused) actors with different agency exist; with separate but interactive functions in which promotion of consensus and village cohesiveness between and within family lineages is prominent. The diversity of local actors concerned with local community agency, of which the most visible is the *Mwenye*, is not one organised around any concentration of coercive power in any one actor or over a hierarchy of scales. Cohesion and consensus actors in the society do not function well above the village scale; with the important exception of the non-*mbumba* related agency of Islam and the actor of the Muslim cleric or *Sheia*.

The chapter has also aimed to illustrate the rather different situation for the agency and actors of state administration and local government whose scale-agency attributes are pretty much the exact opposite of the local society. The collision of the two drawing on very different ‘cultures’ and sources of legitimacy and the recent history of their interaction in north Sanga context, promoted at the village level:

- A reluctance to engage with authority or with rules of an administrative nature.
- A belief that government and its agents are extractive rather than supportive and that outside agents in general may at best be a source of patronage and short-term benefits but have little longer-term commitment

The chapter has also presented the significant knowledge about natural resources of residents of north Sanga, the local dependence on them and the capabilities of the villages to plan and develop priorities and scenarios for the future governance and management of forests, wildlife and fisheries.

## CHAPTER 8

### **PROGRAMA CHIPANJE CHETU: CBNRM IN NORTH SANGA, NIASSA**

*'We are looking here, in our place, for money from our ground, not money from the air'*  
Comment in 2001 from a member of a group from North Sanga after an exchange visit to a 'CBNRM project' in central Mozambique.

#### **1. INTRODUCTION**

This chapter presents and discusses the evolution of a CBNRM initiative in north Sanga District. It brings together the threads of the past chapters of national political history and reforms to policy and legislation with the more localised history of Niassa and the Yao people and the 'small society's' governance of land and natural resources of the previous chapter. It aims to illustrate the dynamic interaction of scales and adaptive cycles of governance change brought into sharp focus by a process seeking to secure local rights to management and benefit from land and natural resources. This dynamism was beyond issues of technically feasible conservation or local development 'projects', beyond questions of success or failure in CBNRM. It created 'trouble' in all kinds of ways, within the local community, between them and administrative structures and politico-economic elites and between provincial and central government. It is a story of a governance landscape with memories and contexts that defy structural simplification.

The narrative flow follows a generally historical basis divided into 3 phases (1998-2001; 2001-2004; 2004-present) which broadly reflect different key events, breakthroughs or breakdowns in the process and aims to emphasis the dynamic nature of what remains an on-going adaptive development. These time periods also reflect different stages in the evolution of reforms in land, natural resources and 'democratic decentralisation' laws, regulations and practice at the national level which had their influence on local scale (see Chapters 3 and 4). Finally, it also reflects different time periods in my own 'scholar-practioner' involvement; the first phase where I was directly involved in the initiation and implementation of the programme and the latter phases in which I was more involved in a research role.

## 1.1 Objectives of Programa Chipanje Chetu (PCC)

The genesis of Programa Chipanje Chetu was in mid 1998 when a reconnaissance process was undertaken by IUCN in collaboration with the Niassa Provincial Services for Forestry and Wildlife (SPFFB) to identify an area where the local community were interested to establish a CBNRM initiative and where the on-going evolutions of land and natural resources reforms could be piloted in practice.

North Sanga was selected on the basis that; *firstly* the people resident in the area had an interest in such an initiative as they saw few agricultural or other development options, were concerned at losing access rights to land or resources and had a high dependence on natural resources; *secondly* that it had a relatively high abundance and variety of natural resources and low density of people; and *thirdly* that the provincial government expressed support for the initiative and no competing alternative land uses (no state forest or wildlife concessions) were envisaged.

IUCN was able via the Ford Foundation to secure initial 18 month funds in late 1998 to start the initiative with further longer-term fund support being envisaged as part of IUCN-Dutch aid programme for CBNRM pilots in Mozambique. The approach of the programme were developed in 1998 and into 1999 focused on transference of natural resource governance and land rights to local institutions at community scale. These were specified as goals and objectives in a process approach (rather than conventional donor 'project log-frame') in the evolving guidelines or 10 principles for Programa Chipanje Chetu that I had first drafted in early 1999 (see next section). The key objectives are summarised below (which also constituted *Principle 1*).

‘The basic goal of the programme is to achieve self-sufficient development by the local communities of north Sanga based on sustainable use of the natural resources of the area. The conservation of biodiversity is a secondary objective. The programme is essentially a local level planning and development initiative with implications beyond natural resources - specifically in terms of local governance and rural empowerment.’

The main points to note from the statement on objectives of the initiative was that the emphasis from the earliest stages was on local governance (transfers of authority to lowest level possible) and local benefits (political, economic, social and environmental) as central to the process; rather than the conservation of biodiversity as being a prime driver. While different actors and institutions were over the past 8 years to perceive the

initiative in various ways (a wildlife or forestry ‘project’, a biodiversity protection initiative, an investor led community charity programme, a state run conservation initiative and more) the Programa Chipanje Chetu had a political basis in local governance explicit from its formal origins in 1998-9.

This was also notable in the name adopted for the programme – Programa Chipanje Chetu or PCC. The name evolved during the local village planning and development process in 1999 (see previous chapter) partly from discussions on an existing CBNRM initiative in Tete (Tchuma Tchato – see Chapter 4) but also reflecting the extent of local concerns over ‘foreign’ land concessions and external uses of local resources. The initial phrase used to capture the core concerns of the process was ‘*Metinje Getu, Chipanje Chetu, Mbunju Mweto*’ meaning in Chi-Yao ‘Our Land-Forest, Our Wealth, Our Future’. A combination of proprietorship, benefit and vision in the context of a small society that had spent more than 30 years in war, as refugees and formal ‘owners’ of very little. The name was shortened to Chipanje Chetu (Our Wealth) and remains with its vested meanings (and often ironies) used by different actors up to the present<sup>1</sup>.

It is worth noting that in an overview of CBNRM initiatives in Mozambique (Matakala and Mushove 2001:16) its main critique of Programa Chipanje Chetu was its name - for being ‘obscure in meaning’. This is a revealing reflection of the technocratic perceptions and mental models of centrally driven projects for ‘community based’ natural resource management. The authors were employed by the largest funded CBNRM government support initiative ‘FAO Project GCP/Moz/056/NET’ – a ‘proper’ name for a programme in their and central conceptions of reality. However, this set of acronyms is more questionable in terms of any real meaning outside of Maputo or the donor-technical agencies and particularly for the purported beneficiaries – local communities in Mozambique who function in their local vernacular languages. While this ‘name’ feature may seem a minor issue, one of the intentions of this chapter is to stress the importance of very different underlying mental models or beliefs between different actors in the process of governance change in north Sanga that proved durable and influential in institutional or structural features of reform. To put it simply – talking

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<sup>1</sup> An additional reason for shortening the name was that in the language of central Mozambique the Chi-Yao word for land-forest had a different and ‘indecent’ meaning. As the then head of WWF Mozambique (Milagre Cezerilo Navunga) pointed out to me; a programme that in Chi-Sena sounded like ‘our private parts, our wealth, our future’ might be misconstrued.

of ‘Our Wealth’ and linking local ownership and benefit in a local process with a local name was just one example exposing very different basic beliefs between actors about governance and the process of change.

## **1.2 Development of ‘Guiding Principles’**

The 10 Principles of Programa Chipanje Chetu (*Os Dez Princípios*) was drafted as a basis for building consensus within the various institutions and actors involved in the programme. In the initial establishment of the programme the main institutions involved were IUCN and the Provincial Services for Forestry and Wildlife (SPFFB) with its fledgling unit for ‘community based management’. This grew during 1999 to include other actors with administrative or other interests in north Sanga and the programme and included the Sanga District Administration and two NGOs; ACORD (a rural development agency) and OPORTUN (a local provincial NGO focused on support to land reform and related capacity building).

The need for some guiding principles became clear at an early stage given the different norms about ‘projects’ and mental models or beliefs about the nature of ‘development’ initiatives and the low knowledge held of the central reforms to policy and law by different actors in the rather remote context of Niassa.

For SPFFB with its very limited budget and human capacity, ‘community management’ was focused around a FAO funded initiative concerned with deforestation in the south of the province, in which communities were to be instruments of government reforestation efforts rather than holders of resource proprietorship and benefit. The project was primarily to act to provide the main source of vehicles, staff salaries and benefits, and equipment for SPFFB in the absence of a suitable government budget (see Anstey et al 2002). The ‘projectisation’ norms also applied at wider provincial and at district level in which government administrative structures with very limited resources or budgets tended to use their gatekeeper status as a mechanism to try and control and direct resources and benefits to themselves.

Matakala and Mushove’s (2001:23) observation that many CBNRM initiatives were characterised in Mozambique by being ‘paternalistic and over-burdened with rhetoric’ in my view reflects this administrative norm in which the ostensible aims of these



protects of empowering local development were permitted on a largely rhetorical level but benefits and control remained often firmly in administrative hands along paternalistic lines.

A further aspect was both the recent and longer-term experience of development initiatives within the cadre of administrative or technical staff at provincial and district level. From the early to late 1990s Niassa had received most funds in the context of emergency relief or returning refugee initiatives (largely through NGOs) and the basic rehabilitation of provincial government administrative functioning and infrastructure (particularly in health and education). District administration was very weak as were the provincial sections responsible for natural resources and land (Cadastral services) and the technical capacity or motivation of individuals was also generally low in the 'end of the world' context of Niassa as a least favoured posting. During the emergency rehabilitation period post war in Niassa, such structures or individuals within them had become habituated to viewing 'projects' promoted by well funded NGOs as the means for extracting resources, salaries and equipment and accustomed to the often limited relation between 'projects' ambitious stated objectives and the outcomes actually realised or realisable. These extractive norms continued into the period (late 1990's onwards) when donor funding increasingly switched away from NGOs to direct funding of government budgets, but when both district and less favoured provincial sections still remained weakly resourced.

Historical experiences also were important in beliefs about how and by whom change and development could take place. As noted in earlier chapters, administrative norms of directive and paternalistic approaches were almost identical between colonial and post-colonial periods. This was particularly so in north Niassa where the administration was responsible for efforts to impose collective farming or communal villages and manage re-education or 'Operation Production' camps. Irrespective of the failures of such initiatives, the beliefs that the proper role of local administration was to carry out central directives and in turn direct the local population to be 'developed', presented complications in a CBNRM or land tenure process requiring norms of facilitation and

support for transfers of power and respect for local citizens skills, capacity and knowledge<sup>2</sup>.

A final feature of historical legacies was that individuals' actual administrative experience in failed collective experiments in the socialist era provided them with little belief that local communities (the '*povo*') had the interest or capability to undertake collective action to manage natural resources, self-govern land or make effective decisions on enterprise management. In short, a belief that initiatives to implement such new reform concepts were as impractical and as over burdened with rhetoric as the past ideology generated by Maputo, to be agreed to in abstract but not overly in action; and to favour the more 'practical' ideas of private sector investor led initiatives as generators of district development and as partners for district officials.

To put this more concretely in context; the Sanga District Administration was based in the southern part of the district at Unango which had been the centre for the 1980s collapsed socialist era experiment to create a vast 400,000 hectare collective farm. Given the decayed remains of the infrastructure of the centre (lack of adequate housing, electricity or other amenities) many of the senior staff were based out of the provincial capital (Lichinga) in the late 1990s and early 2000s. Most of the administrative activities took place in the very southern section of the district where the majority of the population lived and the road network existed. The north of Sanga was thus beyond much administrative involvement and in fact only very briefly visited twice by the District Administrator in the first 2 years of Programa Chipanje Chetu. Some staff, such as the district head of agriculture (and thus also of wildlife and forest sector), remained those from the collective farm era (with related training and lived experience<sup>3</sup>) and now with the primary task of supporting government partnerships with the private sector. This included supporting the implementation of the Government granting of land in southern Sanga to South African farmers (the controversial *Mozagrius* scheme) through carrying out central directives much at odds with local community views (local land

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<sup>2</sup> Such features have also been noted in other regional contexts with Murumbedzi (1996: 15) for example noting that in Zimbabwe's CAMPFIRE programme government and administrative actors constituted "a paternalistic cadre of experts; whose training and experience are such as to discount the ability of local people to plan and administer their own affairs, let alone manage their resources in a sustainable manner".

<sup>3</sup> In this colleague's case – a fluency in Bulgarian, an encyclopaedic knowledge of the scientific use of a combine harvester on the steppes and a limitless fund of humour-horror stories about state planning.

disputes and labour disputes were rife) and later supporting companies involved in tobacco and other cash crop marketing schemes. The maintenance of top-down directive development with preferential service provision roles for external ‘investors’ reinforced, rather than reformed, many officials beliefs about the local community as passive recipients rather than as active citizens that the administration actually existed to serve.

The closer relations with such resource rich private developers than with local people also tended to create patronage-clientist relationships. The administration gatekeeper status could benefit from the resources available from such investor schemes for institutional or private benefit (such as fuel, transport, per diems, gifts and for example in the case of the South African farmers – the loaning of tractors for the District Administrator’s personal crop fields). With additional district level budget allocations and new staffing the capacity situation of the Sanga district administration was to improve from the mid 2000’s, but the legacy of beliefs about the limited agency of local people coupled with a preference for investor led development schemes to solve district challenges was to prove resilient.

With the reduction in funding opportunities for NGOs in Niassa there was also increasing pressure for them to diversify into new fields while inevitably carrying forward institutional norms, fixed overheads and staff with beliefs on ‘projects’ gained from past experience. Given this experience had largely been drawn from emergency relief or refugee rehabilitation and targeted outputs (to build school, clinic, well etc) and in context of relatively high resourcing (vehicles, equipment, salaries); the more complex interactive and process basis of community capacity building and subtle engagement in facilitating transfers of powers in local governance (land, natural resources, local agency) was a new challenge to established institutional norms, fund allocations and individual beliefs.

As discussed in earlier chapters the class distinction between urban and rural is historically strong in Mozambique and the beliefs and functioning of NGO staff (like government staff) was not immune from influences of this urban/rural dualism in mental models – educated/ignorant, modern/backward, developed/undeveloped and so on. A combination of institutional norms and individual beliefs thus affected how people operated in ‘projects’. The ‘natural’ working place and focus for resources was the

office in Lichinga, visits to the ‘field’ were expensive expeditions of some hardship for as limited a time as possible for the task of providing the targeted input (training course, data collection, provision of equipment, seeds, micro-credit schemes etc). Lack of buy in by local communities of, or gain from, such inputs was often seen as an indication of their own inherent problems rather than that of the project design or implementation. While this is a generalisation, the key point to make is that for district and provincial government and for NGOs, norms and beliefs about community agency were a powerful but little visible aspect of implementing the institutional change of new reforms to local governance, land and natural resources in practice.

The ‘10 Principles of Chipanje Chetu’ were thus evolved to try and establish some ground rules about a process; to make explicit roles and functions and to establish up front the norms and beliefs underpinning the programme of promoting local community agency in governance, land and resource terms. The Principles drew on applied experiences gained elsewhere in Mozambique, elsewhere in the region and from wider scholarship in common property regime and community based natural resource management. They also aimed to make explicit the practical options of applying the still evolving central policy and legislation in a provincial and district level context where knowledge of such reforms was low and the feedback possibilities of experimentation in the field leading to refinement of regulations or policy was often discounted.

The full 10 Principles are given in Appendix 2, and the following are some of the key elements. The first principle (see previous section) established the basic goals of the programme and the second emphasised the basic ‘ownership’ of the programme as being vested in the local people of north Sanga and specified the government, NGO and private entities roles as support and facilitating.

*Principle 2 (OWNERSHIP AND ROLES)*

The Programme is implemented and owned by the local communities of North Sanga District - through their representative institutions.

- The roles of central, provincial and national government agencies is to facilitate the transference of rights, functions and responsibilities for natural resource management
- The roles of NGOs are to facilitate the capacity building of community level institutions and provide technical advice.
- The role of the private sector is to optimise the market value of specified resources and in those areas identified by the community’

The third principle identified the mechanisms key to achieving the goals of the programme and the ‘ownership’ by local people. This focused on the local tenure, rights and institutional features supported in the national reforms and the identification of the processes emerging from new legislation on land and natural resources that could be followed to achieve them.

*Principle 3 (TENURE AND INSTITUTIONS)*

The two most critical activities for the success of the programme will be a/ the transference directly to local communities of secure tenure/access rights to land and natural resources and b/ the establishment of local institutions to hold these rights and exercise management functions, responsibilities and distribute benefits.

- Secure tenure/resource rights will be achieved through the delimitation, demarcation and titling of land in the programme area in the name of the local community/communities.
- Representative community institutions (based on criteria for self identification, democratic elections, conflict resolution mechanisms, administration and financial management capacity) will hold land tenure and resource access rights and be the core institution responsible for management and benefits.
- Resource rights will be devolved to the community institutions, initially through management plans or development plans for natural resources approved by the relevant statutory authority.

The fourth principle was concerned with tackling some of the ‘project’ norm biases whether of government or NGO agencies in which the majority of funds tended to be devoted to the agencies high cost elements such as vehicles and salaries, to creating complex and high maintenance external structures prone to collapse post-project funding and lastly the leakage of available programme investment from devolution (local community) ends to those of subsidising administrative decentralisation.

*Principle 4 (EMPHASIS IN IMPLEMENTATION)*

The focus of the support to the Chipanje Chetu programme by government agencies, NGOs and donors will be on facilitating the capacity of local community level institutions (land and resource rights, institution building, management and planning) to manage and benefit from local natural resources. This principle implies that;

a/ the expenditure of funds and human resources will be minimal for capacity building, infrastructure, vehicles etc for NGOs or government agencies (for which other budgets are available) and;

b/ only those minimal management structures or systems which can be sustained by the revenue base and technological capacity of the programme area and community institutions should be invested in or created.

In other words, this programme is not an indirect means of funding government decentralisation but a direct means of promoting local level management and benefits from natural resource use.

Principle 5 dealt with equity and disincentives; that investments by the local community in natural resource based revenue production should not be unfairly taxed and that such revenue was not a substitute for district, provincial or national budgets for public

services. Principle 7<sup>4</sup> was concerned with transparency and economic efficiency (open tender system for private sector access to marketing opportunities) and Principle 8 that the programme was viable under certain natural resource-social conditions and should be targeted at areas that met these.

The last principle emphasised that the programme was an evolving process and taking place in a context of rapid change and many uncertainties. Given the challenges of short term and limited donor project funding, complex norms and beliefs between a diversity of institutions and actors and a level of ‘vagueness’ in policy and legal reforms, time and process were important issues to stress.

*Principle 10 (PROCESS NOT PROJECT)*

A core principle of the programme is that it is a process of rural empowerment and local level planning and management. It will therefore take time and require an experimental approach. It should therefore not be treated as a ‘project’ within the timeframe and expectations of government, donor or NGO agencies but as an evolving process that may well require up to 10 years to fully secure the goals noted in Principle 1.

### **1.3 The Collaborative Group – NGO’s and Government Agencies**

As noted earlier, the development of a multi-agency collaborative approach occurred over time with the initial period being largely activities undertaken by IUCN with the support of the provincial government agency for forestry and wildlife (SPFFB). These efforts were mainly focused on IUCN activities within north Sanga district including undertaking the village level resource assessment and planning process (see last chapter), the initial support to the development of village elected institutions (the ‘*Comites*’), identification of pilot natural resources revenue generation options, an initial community scout system and very basic infrastructure development (opening of tracks, bridge repairs, locally constructed accommodation etc) to allow access to and functioning within the area. This was done with relatively little funds, staff or equipment. IUCN had a small grant from Ford Foundation, a single member of staff (myself), a 6 year old Land Rover seconded from the Maputo office and basic field equipment.

While there were advantages in such an approach in making focused use of limited funds, supporting local level experiences, making local investments and (albeit slowly)

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<sup>4</sup> Principle 6 is not discussed here but can be found in Appendix 2, while Principle 9 is noted on p.203.

addressing norms and expectations about ‘projects’ as extractive activities; there were also disadvantages. These included being marginalised in a wider process requiring broad political support (at district and province level) in a complex process of power transfers and in a process that required skills in more than natural resource management. Fortunately, ACORD which was one of the better established development NGOs in Niassa, was in 1999 re-structuring its approach and was interested in increasing its efforts in Sanga and supporting land tenure and natural resource management by local communities. The Land Campaign advocacy and local Niassa NGO, OPORTUN, also became involved in North Sanga and added skills and capacity on land tenure related aspects.

First on an informal basis and later in a more structured arrangement there developed a ‘Collaborative Group’ for supporting Programa Chipanje Chetu comprising provincial government (SPFFB) and district administration with the 3 NGOs of IUCN, ACORD and OPORTUN. This group provided some resilience to the support process (as the individuals involved changed or the funding or capacity of each of the agencies fell or grew) and a forum to clarify, debate or challenge approaches, norms and beliefs. It also provided a degree of consensus linking government and NGOs during phases when political support was crucial. In this sense it addressed the ninth Principle of Chipanje Chetu relating to coordination and political will.

*Principle 9 (COORDINATION AND POLITICAL WILL)*

To be effective, to avoid duplication of effort, contradictory activities and loss of focus the programme will have to have good coordination at two levels:

- within and between the community institutions and individuals of the area.
- within the support agencies of provincial government, district administration, NGOs and donors.

Given that such programmes imply a major transfer of power from state agencies to communities there will have to be powerful and direct political support to ensure that bureaucratic resistance is minimised.

By the end of 1999 the Collaborative Group was formally established (albeit that District level participation was slow to emerge) with the 10 Principles incorporated into the terms of reference of the group and the roles and functions of the different agencies. Each agency had designated representatives who attended monthly meetings of the group and took part in the annual planning to pool available resources and identify priorities for activities.

## **2. BUILDING LOCAL NATURAL RESOURCE GOVERNANCE: 1998-2001**

While establishing some clarity on the purpose and mechanism for a pilot CBNRM initiative (the principles) and a support structure involving different scales of governance and type of agency (the collaborative group); the main activities in the period 1998-2001 were focused on the development of village level governance and natural resource management institutions, options for local income from such resources, resource inventories and processes to formally acquire land and resource proprietorship at this local community scale.

### **2.1 Village Management and Governance Institutions**

The process of evolving local level institutions as the core implementing, proprietorship and benefit structures for Programa Chipanje Chetu started during the initial reconnaissance work in 1998 and through the village resource assessment in 1999.

The village resource assessment (or RUAT) process allowed for an extended period of time to be spent in each village during which it was possible to discuss the nature of new reforms to land and natural resources and the potential they offered for change and local development. The methodology also promoted discussion and exchange of information with the smaller group elected by the village to be the expertise to identify the range of natural resources used, key priorities for initiatives to manage and benefit from them and the importance to this of having formal rights or tenure to land and resources. This mix of planning and dialogue thus led on to issues of how and who could represent them and whether the existing structures of party or customary authority or experiences with associations while refugees in Tanzania were suitable and finally the range of skills and capacity that would be needed.

Debates on the process resulted in choice of elections of 6 men and 6 women by all adults of the village to comprise a village committee for Chipanje Chetu (or *Comite*) of 12 people who then internally decided on posts of responsibility within the Comite – president, secretary, treasurer and members. *Mwenyes* (or lineage heads - ‘chiefs’) were not considered for election as Comite members in this initial process but as non-voting advisers as needed in Comite decisions or activities. The Comites were agreed to be voluntary organisations. The composition of Comites varied considerably between



different villages depending on individual contexts and dynamics. They also varied over time; for example Nova Madeira was to choose from 2001 onwards one of the village *Mwenyes* as President, whilst elsewhere (such as Lilumba and Maumbica) *Mwenyes* were retained in advisory roles or had no direct roles in Comite operations. Perhaps the critical democratic and community agency aspects of this process was that it allowed for choice in local design and local evolution of governance representing various strands of authority and interests in the complex historical legacy of north Sanga discussed in previous chapters. The process stood in marked contrast to the hierarchical and reified ideas of traditional chief (as ‘local authority’) in the state approaches to local government. It was also a process that was starting from the small scale of individual villages (mostly comprising 100 or less households) in building upwards systems of governance, management and benefit.

The functions of the Comites were identified as being the core institution responsible for representing village interests with the support or facilitating agencies, the management of natural resources in their area (including the community scouts), the related revenue generation initiatives and leadership in resolving conflicts of this resource management, use and benefit.

In late 1999 training was provided in the area to members of the different Comites to build their capacity to undertake these functions; first by bring together representatives of each Comite to one site and then followed up by mobile training teams going to each village. While this was an introductory process (basic book-keeping, leadership skills, and information on wildlife and land laws) it also demonstrated some of the challenges facing the programme. Firstly the level of literacy in the population in north Sanga was very low adding complexity to formal training, secondly the logistical challenges of the large area and poor road infrastructure made capacity support difficult and infrequent and lastly the low availability of skills or funds for training was a major challenge in ensuring consistency and progress in Comites.

There were also challenges arising from the incentives to drive such local CBNRM institutional change; the two critical ones being increased proprietorship and economic benefits (see Bond 1999). As discussed further in the next section the process to achieve community land rights in practice (demarcation and certification) was still emerging

with the relevant regulations to the land law only being approved in 1999 and still poorly understood at provincial cadastral levels. The process of consultation and agreement within the communities of the area and their neighbours about the zone to be included in the land right progressed well in late 1999 and early 2000 but the more technical and bureaucratic process internal to the provincial cadastral services was to prove the slowest of all.

The development of revenue generation initiatives at village level as incentives for the Comites gaining operational experience and the community some confidence in the process was challenged by the fact that although the area had relatively rich wildlife, timber and fisheries resources the ability to generate revenue from them depended on significant investments. The first was in getting approval and licensing from complex state bureaucracies to permit harvesting, the second was in developing local skills, equipment and skills in harvesting and value adding for the resources and the third in transporting and marketing the products from a remote area to appropriate consumers. With the low 'venture capital' of funds available for the programme and limited experience of the facilitation agencies in small business development allied to the bureaucratic impediments, this component of revenue generation was slow to develop.

The relatively slow development of proprietorship and economic benefits as incentives for local institutional change was compounded by the level of community distrust of external actors and initiatives that drew on their historical experiences discussed in previous chapters and on the continuing involvement, in particular of district officials between 1998 and 2000, in illegal timber and wildlife harvesting.

To put it simply, for the local community there remained, even after a year of interaction, a suspicion that the programme was for the benefit of the government, its staff or individuals in the NGOs and that the talk of devolution to local institutions was merely a variation on a historical theme of local disempowerment. Bridging between the norms and beliefs of internal and external actors was no small test for the programme, and ultimately depended on trust developed over time between key individuals.

However, early initiatives for income generation did evolve within the scale of the individual villages focused on 'User Groups' operating under the umbrella of the

respective Comites in aspects such as timber/carpentry products and honey production. While these varied in success and revenue generated that could provide sufficient income for the 'Interest Groups' and sufficient profit to the Comites for dividends to the general community, they were important in providing experience for Comites in management and dispute resolution. They most importantly provided the chance to make mistakes and to do so at a scale of interaction (the small village) and revenue (low) in cycles that could lead on to adaptation and learning from the mistakes. These early 'adaptive cycles' of evolution promoting community agency were to prove important in later stages when risks, scales and revenues were much higher.

The question of scale in relation to appropriate local governance institutions and to addressing issues of ecological, economic and tenure-rights scales was another important factor in this period. From the perspective of social scales the village one was the most effective in governance given the given the particular social aspects of the Yao people and the historical contexts of north Sanga discussed in previous chapters. It was also in practical terms a scale in which interactions and consensus could best take place in addressing challenges of institutional change given the relatively isolated nature of each village in an area of 6,500 sqkm. However, appropriate scales ecologically, in terms of resource management and in terms of transaction costs in land titling were all at larger scales than that of the village.

The RUAT process had indicated that the area of 6,500 sqkm represented a viable ecological unit, involved resource areas that were shared between the particular villages, was a viable geographic unit simplifying demarcation (bounded by 3 rivers) and was administratively viable in being within the limits of one district. In fact the area and number of villages was increased during 1999 from the original focus on Nova Madeira, Matchedje, II Congresso and Lilumba villages to include Maumbica. This was under pressures from both the Maumbica community to be part of Chipanje Chetu and that of the original villages that it should be included to avoid intra-community tensions and possible 'sabotage' by people from Maumbica of internal efforts to management and benefit from resources. This inclusive approach stressing cohesion was despite the fact that the original villages recognised that the relatively large population of Maumbica, which was agriculturally rich but natural resource poor, did not fit well within the viability criteria for inclusion in the programme (see Principle 8) and would dilute

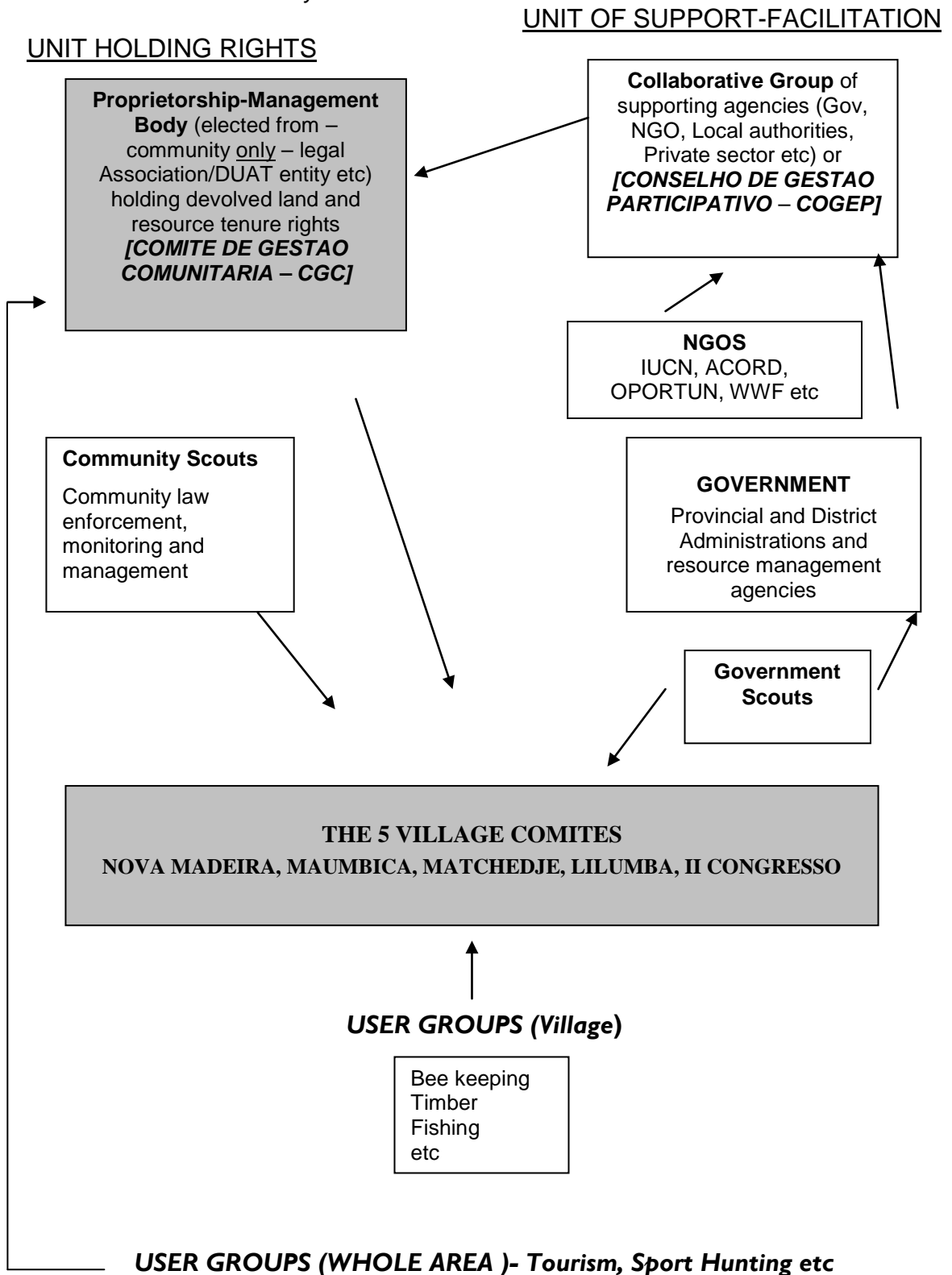
shared benefits. The challenge from these features was how to evolve local institutions that could function to meet these larger scale requirements while retaining the strengths of village scale governance.

The process started with a basis in delegation upwards from village Comites of certain roles and responsibilities to a higher level entity composed of 2 members from each village Comite. This entity with 10 members was referred to as the *Conselho de Gestao* of Chipanje Chetu with the responsibilities relating to interaction with the support and facilitating agencies (the Collaborative Group), the process of land tenure and rights for the overall area and the management of natural resources (such as future wildlife enterprises) that required a different institutional scale than the village ‘User Group’ one. The planned evolution was to legalise this intra-village entity or Management Council through the existing Mozambican mechanisms of establishing an ‘Association’ legal body.

The Management Council in this early arrangement of local resident only and intra-village entity fulfilled the Principles of the Chipanje Chetu programme and the CBNRM devolution model as a semi-autonomous body. This institutional design evolving from practice was also a forerunner for what was to later emerge as the recommendations for national CBNRM in debates at central level following the 2002 Regulations to the Forestry and Wildlife Law (see Nhantumbo and Macqueen 2003; Nhantumbo et al 2006). Specifically these were the clear separation of the roles and functions between a legal body of proprietorship, management and benefit elected by and comprising only members of the community (referred to as the *CGC* or Community Management Committee) and the facilitating body (with option of providing co-management functions in situations where the community did not have land or resource rights) that was referred to as the *COGEP* or Participatory Management Council. Figure 3 below relates these later national recommendations to the evolving institutional design of Chipanje Chetu 2000-2004.

**Figure 4: Proposed Organogram 2000-2004 – Programa Chipanje Chetu**

Arrows indicate 'accountability to'



For sport hunting or tourism sub concessions to the area - user group decisions made at Comite de Gestao Comunitaria (or CGC) level not Village Comite

The evolving Chipanje Chetu institutional design faced a number of constraints in terms of the complexities and contradictions between different sector policies and legislation that were still emerging. The clarity of the land law for local community private entities in the DUAT rights process was supportive, the forestry and wildlife evolutions were vague but offered possible avenues, while those of local governance ('local authority' laws of 2002) were effectively going in the opposite direction in not supporting locally elected or semi-autonomous community entities. It was paradoxically the relative weakness of the programme and its low revenue production in the initial years that was to allow an institutional design that privileged the local communities as having a semi-autonomous basis to persist up to 2004. In later phases it was to be challenged when competition over control and benefits in the directive norms of administration and other actors were to rise and, for example, the 'Management Council' was to lose its clear separation from administrative actors.

## **2.2. Development of By Laws**

One of the results of the training and capacity building efforts of late 1999 of the Comites was a decision by them to identify their own locally applicable rules or by laws for the management and use of natural resources. This was partly in frustration with the extreme complexity of the official wildlife and forestry laws but also a practical response to the question of; 'if this was their area to manage their resources through their community scouts what were the rules to enable this to happen effectively?'

Table 7 below outlines the rules, sanctions and mechanisms that evolved. It was a remarkably efficient process (was outlined in one afternoon discussion by 10 people from the different villages) and practical in its applicability. Its underlying principle was that there was no need to make rules except where absolutely necessary ('everything should be permitted that does not have to be expressly forbidden'). It provided the mechanisms for limiting 'open access' to natural resources by differentiating rules between outsiders and members of the community and graduated sanctions that could be applied within local decision making bodies. They also balanced sanctions with incentives. The By Laws were durable enough to be the basis for application by the community scouts and later for incorporation with minor modifications into the formal Management Plan for the area.

**Table 7: By Laws Or Internal Regulations Of The Comites (developed October 1999)**

RULES	WILDLIFE	FOREST	FISHERIES
<b>TO BE USED: MINIMAL RULES</b>	<p>Common species (e.g. duiker or <i>Ngolombue</i>, Guinea fowl or <i>Nganja</i>)</p> <p>Crop pests when near to farm zones or village limits (eg all pig species, porcupines etc)</p> <p>Use of traditional instruments (muskets, spears, bows and traps)</p> <p>Larger animals only when extreme crop pest problem (eg kudu, buffalo, elephant) and through permission of Comite and relevant state authority.</p>	<p>No prohibitions (except those noted under controlled use), except outsiders should first request permission as is polite</p> <p>Honey collection by traditional methods (tree cutting or bark hives) to be permitted for residents.</p> <p>Collection by outsiders of honey or wax to be mediated through Comite</p>	<p>Fishing by local non toxic forest poisons, traps and lines to be permitted for <u>residents</u> of area.</p>
<b>CONTROLLED USE</b>	<p>Any hunting by outsiders e.g. Tanzanians, government officials, people from outside this community.</p> <p>Hunting of large species with potential economic or social values (lion, elephant, buffalo, eland, zebra, hartebeest)</p> <p>Hunting beyond village limits and use of poisons or long trap lines</p>	<p>In short term until resource recovers and controls possible any cutting of high value timber species (6 species identified) by outsiders or individuals in community.</p> <p>Timber cutting to be undertaken through licenses issued by Government to Comites and via them to local timber associations (pit sawing) to ensure control and equal revenue spread.</p>	<p>Fishing by toxic chemicals (e.g. DDT or rat poison) to be prohibited for all.</p> <p>Fishing by Tanzanians to be banned</p> <p>Any fishing by other outsiders to be mediated through Comite and Chief</p>
<b>SANCTIONS, MANAGEMENT , BENEFITS</b>	<p>Fines (either community work or \$\$ to be determined by Comite with graduated sanctions (i.e. nature of offence and frequency)</p> <p>Captured items (meat, fish etc) to be distributed openly by Comite to village or to deserving cases if not sufficient quantity (identified widows and sick)</p> <p>Instruments fishing nets, hooks, canoes, timber saws etc to be held by village Comite – option of use for local user groups. Guns, snares captured to be held by community scouts/state scouts.</p> <p>In general for fines and punishments both the chiefs and Comites will be involved.</p> <p>Differential fines depending on market value of product and origin of culprit. For example if local resident assists Tanzanian will have same punishment as Tanzanian, not as local.</p> <p>Incentives to be offered to community scouts for capture of ivory and firearms.</p>		
<b>GENERAL</b>	<p>Basic Principle – Everything should be permitted which does not have to be expressly prohibited.</p>		

### **2.3 Local Enforcement of Rules: Community Scouts**

One of the earliest activities undertaken by the programme was the establishment of a basic system to monitor and control the off-take of key natural resources from the area of Chipanje Chetu. This was based on findings from the initial reconnaissance work done in late 1998 and confirmed by the information during the village assessments in 1999 that large mammal, timber and fisheries were being heavily exploited and predominantly by those external from the local community (see previous chapter). One of the major threats identified to existing livelihoods of the people of the area and to their planned initiatives to benefit from future management of their resources was this 'open access' situation. There was no wildlife or forestry staff (SPFFB) in Sanga District and effectively no state capacity to monitor or enforce controls.

In late 1998 a small team of local community scouts (*Fiscais Comunitarios*) was recruited in the Nova Madeira area and began collecting information on the extent of the use and identifying the main proponents involved. The system was further developed in 1999 and 2000. Each village selected between 2 and 3 members of the community as their community scouts operating under the Comite for their village area with additional porters or assistants. There was a 'mobile group' of community scouts (4) and porters-assistants (5) based in the programme centre at Pauila camp to cover areas further away from individual villages and finally 2 government/SPFFB scouts located in Nova Madeira on control point on the main access road for the area with 1 community scout. There was thus in 2000 a total of 14 community scouts, 10 porters and assistants and 2 state scouts; all with basic field equipment and uniform and who had received initial training in data collection (simple patrol reports for wildlife, forestry and fisheries data and incidents of illegal use) and the responsibilities and obligations as indicated in the formal law and the local By Laws. Further training for selected staff was later undertaken at the national wildlife and forestry training school in Gorongosa in central Mozambique. The 2 state scouts had the legal rights for arrest and holding of firearms and thus provided the necessary back-up as required in different incidents. The establishment and running costs of this basic system was covered by IUCN as an initial investment in supporting local capacity to manage the resources and as a means of direct empowerment of the Comites. The basis was that as resource revenues increased responsibility for these costs would be transferred to the local community entity.



Perhaps as (if not more) important than the ability to control the high levels of off-take was the extent that the system was able to change attitudes about power and accountability; making something concrete of the proprietorship concepts of ‘our resources, our wealth’.

As shown in Table 8, between late 1998 and early 2000 almost 95% of all recorded major illegal hunting incidents involved members of the district or provincial administration and police staff. This included the District Administrator, the heads of sub-district structures (*Chefe de Posto*) and policemen; normally through their provision of firearms or bullets to third parties in return for meat or ivory. In the case of illegal timber harvesting along the Rovuma River in 1998/9 this also involved collusion between sub district administrative staff and businessmen in Tanzania.

The willingness and ability of the community scouts, Comites with support from the state scouts to confront such extractive norms by government officers was a very significant shift in local governance of natural resources. It also generated reactions.

For example, during the elections of 1999, the Provincial Director of Health while on party political campaigns in Matchedje ordered the hunting of some sable antelope to distribute as an election booster for the Frelimo party. He was prevented from doing this by the Comite President, the community scout and the village *Mwenye*. His reaction on return to Lichinga was to report to the Provincial Governor that in north Sanga the *povo* or ordinary people were suffering from ‘armed bandits of this Chipanje Chetu programme’.

**Table 8: Illegal Wildlife Incidents North Sanga 1998-2000** (Source; my monthly illegal hunting data records and those of the community scouts of Chipanje Chetu)

Date	Name of Hunter/Weapon used/Animals shot	Promoter	End User
4/98	Khangomba SKS 2 elephants	Ex CID Policeman Lichinga	Sold by ex policeman to Malawians
6/98	Unknown hunters SKS, 3 elephants	Maniamba Police	Sale to Malawians
12/98	Zangado/Champion/Mandela (AK47 private+ SKS from Police) 6 sable, 1 hippo, 2 zebra	Private	Sale to Tanzania
4/99	Maluata Omar (AK47 from police in Il Congresso) 1 buffalo, 3 sable	Police Il Congresso	Police Il Congresso Sale to Tanzania
4/99	Omar Nsawanga (AK47 from police) 2 sable, 1 warthog, 2 reedbuck	Police Il Congresso	Police Il Congresso Sale to Tanzania
5/99	Ajaua Omar (AK47 police) 1 eland	Police Macaloge	Police Macaloge for local sale + Lichinga city
5/99	Chitemango Assane (AK47 police) 1 sable 1 warthog	Police Macaloge	Police Macaloge for sale Lichinga city
6/99	Khangomba (SKS from local official) 7 sable	Macaloge administrator	Macaloge administrator sale to South African farmers
7/99	Magaia (SKS District Administrator) 3 sable, 6 duiker	Sanga Administration	District Administrator
7/99	Aide Assane (SKS administration Macaloge) unknown species	Macaloge administrator	Macaloge administrator
7/99	Mohammed Jassini (AK47 from police) 6 sable	Police Il Congresso	Police Il Congresso sale to Tanzania
8/99	Saide Bonomar (Mauser, from army) unknown	Army	Police/Army Sale in Lago District
10/99	Magaia (SKS District Administration) 3 reedbuck	District Administrator	District Administrator
11/99	Unknown hunter (AK47 District Police) unknown species shot	Provincial Director Health	For "distribution" in election period
2/00	Abdala Mtucuta (SKS from Police)	Police Il Congresso	Police Il Congresso sale to Tanzania
3/00	Raimundo and Denis Sabite (AK47 source unknown) captured before hunted elephants	Private	Private. For sale to Malawians

◆

Equally the stopping by community scouts and a state scout of the District Administrator while she was carrying in her official car some bushmeat that her hunter had shot (plus her falsely issued licence was not accepted) resulted in similar allegations at provincial level. At the time she refused to hand over the meat saying she was the District Administrator and “I have the power to do what I like in my district”. That neither of the scouts (state or community) backed down and were supported by the village Comite President indicated a change in mentality to power structures and to ownership of resources.<sup>5</sup> This was reinforced when the complaints by such government actors was rejected by the Provincial Governor who thus provided the required political coverage for SPFFB and the Chipanje Chetu community system to continue to address this major source of illegal extraction.

Although incidents were to persist up to 2003, the intensity was much less and involved more rogue elements of the police in II Congresso and Macaloge settlements, rather than an ‘accepted right’ and established norm of administration staff. The environmental benefit of this control and change from an ‘open access’ to local level management was demonstrated in the 2004 aerial survey of Chipanje Chetu (Craig and Gibson 2004) when resource management indicators (such as fire prevalence, elephant carcass to live ratios, wildlife densities) proved similar to (and in some cases better than) that of the nearby Niassa Reserve.

#### **2.4 Natural Resource Livelihood and Income Initiatives**

Efforts to develop income initiatives from the natural resource base in this period were focused on the priorities identified in each village during the resource assessment process.

*Beekeeping* was one of these identified activities with the main focus on supporting the marketing of honey produced from local techniques of harvesting in Nova Madeira, Matchedje and Lilumba. The main advantage of beekeeping was that it was one of the few resources that did not require bureaucratic permission to be harvested or sold and was an existing product with existing methodologies at the local scale. In the first year

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<sup>5</sup> In terms of historical continuities it was an interesting aspect of this incident that the same state scout had in the 1960s arrested a Portuguese District Administrator for exactly the same reason in Marrupa District – and had been “transferred to other duties” as a result.

of operation a total of 500 litres of honey was produced in the 3 villages and sold in Lichinga. The system was based on purchasing the honey from local producers by paying an above local price for honey that was of high quality (from local bark hives rather than from natural hives from cut trees which tended to be impure or smoke affected) so that the individual producer benefited. A collective profit was generated for the Comites through bottling the honey in jars and selling in the markets or shops in Lichinga. The challenges for increasing this system and profits over the following years were twofold. Firstly the market in Lichinga or Niassa was a small one and the necessary investment available for market development was minimal. Secondly, was the supporting NGO (ACORD) challenges in terms of its institutional norms of 'small projects' and capacity building; a very limited experience in small business development and a belief in technological solutions (introduction of modern hives and related expensive and complex techniques) emphasising the production side rather than focusing on the marketing side.

*Fishing* was primarily supported as a local generator of benefits through the controls on external harvesting by Tanzanians and from elsewhere in the province and on toxic methods of fish-poisoning introduced by outsiders. An MSc study of local fishing and management options was conducted by Antonio Abacar in late 1999 and these basic recommendations (Abacar 2000) on reducing the 'open access' fisheries applied by the Comite-community scout system for overall community benefit. The rapid recovery of the fisheries and exclusion of outsiders was to prove important during the drought-famine period in 2001 when the availability of fish for consumption and sale or exchange for maize was critical for local people's livelihoods. With the By Laws in place 'self help' options were also feasible; as demonstrated in Matchedje where 14 nets confiscated from Tanzanians by community scouts was then used under the village Comite direction for local benefit.

*Timber Extraction* based on local technologies of pit sawing and production of chairs and tables for local and urban sale local carpentry was supported by facilitating 'Simple Licences' issued by the provincial forestry and wildlife section (SPFFB) for 30 cubic metres for each user groups undertaking these activities under the umbrella of the Comites in Nova Madeira, Matchedje and Lilumba. IUCN also supported basic forestry inventories by SPFFB to be included in the evolving management plan for the overall

area so as to allow for the granting of formal forestry concession rights to the Management Council and provide them with the option of local harvesting at village scale or negotiating private company access and thus income generation.

*Hunting* and tourism options were supported in a similar way by the collection of basic data from community scout reports and knowledge (with the addition of 2 brief aerial reconnaissances) to undertake basic wildlife status surveys and viability for sport hunting and ecotourism. A simple ‘tourist camp’ was constructed (for around \$200) by the community scouts using local materials at a site near Nova Madeira and placed in 2000 under the management of the village Comite. Further basic construction and rehabilitation of an airstrip, roads and housing were done at Pauila Camp (a Portuguese army camp abandoned in 1974) which served as the centre for the programme and base for support by IUCN. As in the case of the forestry inventory process noted above, the basis of this investment in the wildlife component (surveys, zonation, basic infrastructure for control and access-accommodation) was to provide the legal basis (via a management plan) for the state delegation of wildlife use rights to the Management Council. The Management Council would then have options of local harvesting of wildlife and also negotiation (as best suited the Council and Comites) with the private sector for adding value and marketing use of wildlife in ecotourism or sport hunting.

While sport hunting-tourism was recognised from an early stage as the single most likely generator of significant economic income for Chipanje Chetu, it was not rushed into for a number of reasons. The first was that the resource assessment had made clear that all 5 villages had rated this option as less than first priority – based on their negative experiences of sport hunting operations in Tanzania or knowledge of it elsewhere in Niassa (Niassa Reserve). Secondly while sport hunting generates large amounts of revenue it also attracts rent seeking from officials and generates distortions in local governance (see regional examples in Madzudzo et al 2006), whether within the community or between them and other actors. On the process basis of the programme principles, the guiding logic was to first secure the land rights and natural resource rights by the local community, and build some resilience through success and failure in Comite scale enterprises before embarking on more complex interactions.

Between 1999 and 2000 the hunting activities therefore concentrated on facilitating licences for limited hunting of antelope requested by and undertaken through the Comites of the 3 main villages for the production of meat. This meat was for ceremonies (*Ziara*) of a collective nature and the process served to demonstrate in a concrete form that the programme was not about stopping harvesting but changing who could decide.

### **3. LAND TENURE, RESOURCE MANAGEMENT AND BENEFITS: 2001-2004**

The period 2001 to 2004 was one of unexpected decline in funding and capacity building for the programme from the supporting NGOs. The field operational budget for Chipanje Chetu was around US\$ 60,000/year in 1998/99, dropping to around US\$ 40,000 in 2000, \$20,000 in 2001/2 and as little as US\$ 5,000 by 2003/4. Envisaged as a 10 year process of investment, adaptation and consolidation (IUCN 1998), the programme was operated on less than 20% of its estimated investment needs from 2001 onwards.

However, it was a period also of significant progress. Firstly in formally securing local community land rights (or DUAT), secondly the completion of the Chipanje Chetu Management Plan to meet the bureaucratic requirements for delegation of resource management and the thirdly the generation of significant economic benefits from the natural resource base. In turn this creation of income was to generate new pressures within the 5 villages and the local community institutions and encounter new external challenges to emerging local governance.

The significant point of this period was a simple one – the programme did not collapse but proved resilient and evolving. This was in contrast to the general scenarios of pilot CBNRM initiatives in Mozambique (as illustrated in reviews in Nhantumbo et al 2006) in which ‘projectised’ initiatives (of usually only 3 years injection of donor and NGO funds and support) generally disintegrated once the ‘project’ and funds ceased.

Underlying this section is therefore an aim to understand what aspects promoted this resilience and continued evolution of PCC despite the decline in external funds and support. To do so it examines the process of changes in proprietorship (land and resources), of income and of the emergence of local institutions governing management

and benefit in the context of new dynamics within the community of North Sanga and amongst other actors evolved.

Before addressing these structural changes and new dynamics it is useful to note one other underlying feature that was to prove significant in the resilience of the process; the leadership and character of Antonio Abacar. He became the IUCN field coordinator in late 2000 for the Chipanje Chetu programme and in 2001 was also appointed head of the provincial forestry and wildlife sector (SPFFB). He was thus in a significant position both to act and facilitate change through the state administrative process as well as act through the NGO facilitation role to promote local evolutions. That he was able to manage these various key facilitation roles was partly related to his background and also to the relationship he established with the people of north Sanga. His professional background was as one of the small intake of staff into the wildlife sector in Mozambique that had received BSc equivalent training in the late 1980 and early 1990's at the Mweka College for Wildlife Management in Tanzania; training that included both practical conventional wildlife management and in concepts of more people centred conservation. With his colleague Luis Namanha, he had initiated the ideas for the Tchuma Tchato CBNRM programme in 1993 based on applied experiences of the excessive conflicts and inequality of a safari hunting operation in Tete province. He had worked in various protected areas in Mozambique before being selected to be the responsible government officer for the new and enlarged Niassa Reserve partnership with the private sector between 1996 and 1999. This involved living in an extremely remote section of Niassa in a tent for 3 years with the post focused on addressing the 'community relations' element of the Reserve programme. As the programme was then predominantly a protectionist management regime and had involved the doubling of the size of the reserve zone, the post involved managing a high level of local conflict over land and natural resources while trying to find compromises in governance and benefits.

He was awarded a Ford Foundation scholarship in 1999 and chose an MSc degree at the University of Natal in which his thesis focused on CBNRM options in inland fisheries. His field study site was in North Sanga during the initial phase of the Chipanje Chetu programme (Abacar 2000) and thus his first activities in the area and his relationship with the local people was based on a research effort to understand local fisheries and his recommendations focused on the devolution of rights to management and benefit to

local institutions. He thus represented in professional background a ‘practioner-scholar’ versed in the local realities of the field but also with an understanding of wider academic and regional concepts in CBNRM and in the emerging policy and legislation in Mozambique that could be used to pilot such initiatives. He represented in personal character a strong sense of natural justice on issues of local resource use and management and in the service or facilitating role of government official or NGO officer that stood in some contrast to the more general norms and beliefs noted in the previous section. This drew on his experiences in Tete and in Niassa Reserve particularly in regard to issues of inequality in the outcomes of state and private sector relations with local people and conflicts over natural resource management and a conviction that an alternative governance approach was possible.

There are two important features for Chipanje Chetu evolution that emerge from this brief character sketch. The **first** is that in a context of limited funding resources and slow moving bureaucracy the importance of a committed and resourceful individual to facilitating a process of change and having some agency within state and NGO sectors to do so was critical. An example of commitment being Abacar’s use of his own funds in investing in key processes when NGO support was late or absent and his resourcefulness exemplified by using local provincial delegation powers to pioneer income distribution mechanism that was still unresolved in national legal evolutions. The **second** is that in the local community context, Abacar had a position of trust based on his field approach and experience with living and working in rural Niassa that came through his past reputation amongst communities in Niassa Reserve, his initial work in Sanga doing field research with local people and his general disregard for the accepted norms of state or NGO staff in terms of working in ‘the field’ (per diems, travel allowances, directive rather than facilitative approaches etc).

This particular aspect of individual agency and beliefs in cycles of change will be returned to later in this chapter but the narrative now returns to a more detailed examination of dynamics in the processes of proprietorship and benefits.

### **3.1 The Community Land Rights process**

The process of achieving rights to the land in the Chipanje Chetu area by the people resident there began in 1999 with discussion in each of the villages of the reforms to



policy and legislation and their implications for local development. This formed part of activities of the resource use assessment (or RUAT – see previous chapter) undertaken in each village where maps made by the community also provided spatial data on areas of settlement, of the extent of natural resources used by each village and of the boundaries between self identified communities. It is important to note that these ‘boundaries’ were not sharply delineated between the 5 villages (some overlapped, some left large open spaces) and were not simply reflections of claimed authority by traditional leaders to cadastral limits. As outlined in the 2 previous chapters the Yao social and governance system in north Niassa and the history of North Sanga did not stress large defined territorial limits but the smaller scale of the *mbumba*, the village and hamlet, the female ownership of dry season agricultural zones and the *mwenye*.

However, what did emerge from the process of discussion and sketch mapping was a distinction between the 5 villages collectively and other zones. This was most clearly present in 3 sides of the roughly rectangular zone delineated by 3 large rivers which formed the outer limits of individual village zones of use and identity as well as those of national and district boundaries. For example, the Messinge River on the west was identified by Lilumba, II Congresso, Nova Madeira as the limit to their main resource use, was a social limit in that on the other side was a different ethnic group and was an accepted administrative boundary between Lago and Sanga districts. More complex was the 4<sup>th</sup> and southern side of the rectangle in the area of Maumbica with its higher population density, more disputed village use zones and lack of administrative or simple geographic limits with neighbours. What emerged here was again less sharply defined boundaries between villages of that section (Maumbica, Lilumba and Nova Madeira) but between them and more southerly communities; identified spatially through a boundary drawn using smaller rivers and the relief feature of Sanga Mountain (see Maps in previous chapter).

The process was thus one of building up from the small scale of village land use and governance in a specific social, demographic and historical context towards a unit of scale and boundaries that had local social legitimacy within itself and with its neighbours. The important aspect of this process was it represented challenges of innovation, trust and compromises within and particularly between the people of the 5 villages involved. It involved them balancing that which divided and what united them,

and judging the benefits from new opportunities involving the large scale, from the costs to the very local scale of governance of the *mbumba*, the *mwenye* and local recent histories of resistance to colonial or post colonial hierarchical systems of authority. As noted in the previous chapter the single most significant threat noted by all 5 villages in the RUAT studies was concern over the alienation of their land and this along with the possibilities of increasing the benefits from the resources on this land was a powerful cohesive force promoting decisions and agreement between the villages on seeking a certified DUAT land right for the combined area. This took place internally through agreements to the limits of the area being agreed through public meetings in the individual villages and an overall agreement with sketch map of the area being signed by representatives chosen by each village. This stage took over a year of internal discussion (with facilitation from IUCN and OPORTUN) and was reached by the end of 2000. It was to take a further 2 years to be formalised by the state bureaucracy.

Initial efforts in 1999 to estimate the costs of reaching a certified DUAT land right from the relevant state agency (Provincial Services for Geography and Cadastre – SPGC) were quotes of US\$ 400,000 for the overall area. This high cost was reflective of the fact that SPGC in Niassa had not yet adjusted to the land legislation of the same year which had outlined simple low cost procedures for certifying community land and was basing its quotation on per hectare costs charged by SPGC for registering private land rights; a significant source of income for SPGC. Debates between the Collaborative Group and SPGC over such charges continued until August 2001 when an official team undertook the required field work. This included the collation of the relevant community signatures and that of the District Administration, the basic delimitation of the boundaries through registering key geographic points and the submission of the relevant documents and report to SPGC for assessment that the legal procedures had been followed. The cost of this process was around US\$ 15,000 and took 3 weeks, with submission to SPGC in September 2001.

However, the paperwork remained within SPGC in a series of bureaucratic delays for a year and a half, until a DUAT ‘Certificate of Delimitation No 03/2003’ was issued in March 2003 and registered in the provincial cadastral records delimiting an area of 6,500 sqkm. This was a significant milestone in a number of ways. Firstly it provided a formal and ‘visible’ land right allocated to the residents of the 5 villages of North Sanga

in a co-title arrangement, secondly it established a semi-autonomous and private legal body comprising all the residents of the area (see Chapter 4), thirdly it legally identified this collective body as having the authority to negotiate or reject any partnership with the private sector and fourthly it set a precedent in being the largest single certified community DUAT in the whole country.

In relation to this aspect of scale, the DUAT certificate of delimitation also had the important component that it enabled the process of sub-division of the DUAT right to smaller units should the co-titlers (the residents of the area) agree to such sub-division. This meant that it permitted further evolution on land rights and governance within an umbrella of consensus and security of tenure. Should for example each village wish to have their own individual DUAT (and separate rights to negotiate land use or access with the private sector) this could occur based on consensus with the others. This is an important point in terms of accountability and authority in governance between scales. It meant that if the costs of the collective land governance unit of 5 villages exceeded the benefits (the tensions in governance scales noted extensively in the previous 3 chapters), there was an option for scaling down at relatively small transaction costs internally, but in mechanisms based on overall community consensus rather than decisions of any local or external elite (traditional chief, party secretary, Comite president, state official etc).

The importance of these DUAT aspects will become clearer later in this chapter, and in particular over tensions regarding Maumbica village, in looking further at questions of collective decision making and governance at scales higher than the village. Before moving on from this section it is however useful to emphasise the contrasts between transaction costs in the process of securing land rights. The social transaction costs within the community of the 5 villages involved a considerable discussion and decision process within and between the villages to opt for the institutional change of seeking collectively to gain the DUAT right. Such change involved assessing the costs and benefits and accepting the risks of authority being delegated to a wider arena than that of the existing small scales of either customary or more recent evolution. This took around a year but it contrasts with the (in principle) simpler financial and bureaucratic transaction costs of the state provision of legal rights for local communities that absorbed 3 years. This long delay with financial and bureaucratic impediments reflects

the limited state support for community DUAT certification (see Tanner et al 2006) and emphasises the importance of external fund support as well as key interventions to overcome bureaucratic obstacles<sup>6</sup>. The declining NGO funds were just enough in 2001 to fund the field delimitation and the existence of the Collaborative Group was to continue to exert pressure for the DUAT certification. The persistence of Abacar, acting within the provincial state machinery (with the support of the then Governor), was critical to the final issuing of the certificate. The DUAT may be a community right in law, but it is a right that is difficult to realise in practice when overly hostage to administrative discretion.

### **3.2 Incomes from Sport Hunting**

The delays in the issuing of the DUAT certification, allied with declining financial support for the programme and the slow process of generating benefits from 'interest group' initiatives at village level, produced pressure for identifying options that would maintain motivation for the continued costs of local institutional change and the viability of the programme for the people of North Sanga.

These costs were in some areas rising (such as increased crop protection problems) while the benefits (general community benefits in all 5 villages) to provide returns for the social transaction costs noted above were not rapidly deliverable from the as yet small scale and small income timber, fisheries or honey initiatives. In addition the declining NGO investment was reducing the capacity to operate the Community Scout system that was delivering community wide benefits in protection of the area from external resource exploitation, a sense of a collective endeavour and the injection of wage incomes into each village community.

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<sup>6</sup> Bureaucratic impediments included the requirement from SPGC that signatories representative of the community should produce national IDs duly notarised; a big complication for a rural population with few formal identity documents and also a step that was nowhere required in the relevant land legislation or regulations. On the other hand the 90 day limit required for SPGC to respond to private sector DUATs applications was not applied to completion of this community DUAT. The double standards applying to private versus community DUAT issuing by SPGC relates to the different forces in each case and the institutional focus of the agency. With private investment as the emphasized goal of the government and the main activity undertaken by SPGC, this receives most priority and is also the most familiar procedure and the most lucrative in terms of agency or individual income. Community DUAT certification is a rare procedure and little understood involving political sensitivities and career risks, with few income benefits and is rarely backed up by powerful 'patrons' of the state-political-economic elite.

An option to address these issues was to experiment with sport hunting as a source of income and investment. The challenges were threefold. Firstly, that the conditions necessary to meet the guiding 10 principles relating to proprietorship and management at the scale required were evolving but not in place in 2001 (devolved land and resource rights; community institution at scale of Chipanje Chetu area). Secondly, the RUAT studies in each village had clearly indicated that a hunting concession was a low priority in their own perception of natural resource based income development – for related risk reasons of loss of control and risk of marginalisation (see previous chapter and Section 2.4 above) and given their own norms concerning external actors as extractive and unaccountable to locally embedded governance. Thirdly, there was a marketing problem. Namely, the challenge of securing a company that would engage and invest in a sport hunting business in a remote area, with high operating costs, a relatively low trophy species density and accept (at least in the short term) a greatly circumscribed role and security of investment.

The solution to these challenges that was evolved between the individual Comites and Antonio Abacar was to seek an operator that would have no concession rights but receive permission to hunt specified species in specified numbers under a licence issued by SPFFB; which had the authority to issue permits from the general provincial quota of trophy species allocated at national level. Abacar would act as the ‘honest broker’ to secure an operator and facilitate the issuing of the licences (in his post as the Head of SPFFB) from the existing provincial quota. The village Comites would identify the relevant areas where hunting could take place and the related Community Scouts would monitor the activities of the operator and the off take. The process would be based on an annual experimental basis to contain the risks noted above and one that could evolve into an open concession tender once the local proprietorship-management conditions were in place, the community had a chance to assess the risk-benefits and the market value of the wildlife resource was more clearly shown.

In early 2001, with the help of the head of Tete Province Tchuma Tchato/SPFFB (Luis Namanha) an operator was selected (Zambezi Hunters) and the first of the experimental hunting started. The operator was granted a licence for 15 animals of which 13 were hunted between July and November 2001 and included one elephant shot on crop protection (but with trophy fee paid). Most of the hunting was undertaken in the area of

Nova Madeira to Matchedje, with the operator's base for his clients being the existing 'tourism camp' near Nova Madeira (Nzuzu - which had been originally established by PCC as a potential source of community income from visitors). Apart from some maintenance of existing tracks opened by PCC and upgrades to the Nzuzu camp the operator's investment in management or development aspects over the period until 2004 was minimal, as befitted the experimental nature of this pilot initiative and the continued primacy of the Comites and community scouts in these issues, but also reflected the limited financial capacities of Zambezi Hunters. The 'shoe string' operational basis of Zambezi Hunters and that it was also not a joint venture with a member of the Mozambican central elite (as the case for many other such companies) allied to the experimental basis of access to trophies (not land) meant that the potentially significant distortions of an external agency on the local governance evolutions were also limited. Accountability was primarily local – to the village Comites and to SPFFB authority – rather than to central institutions and elite actors.

During the first year (2001) the revenue from trophy licence fees was US\$ 6,180. The critical issue was the division of this income in the context that this sum was the state tax on trophy hunting and should formally be transferred to the central financial accounts of the state. The Forestry and Wildlife Law of 1999 had (in Articles 35 and 31) specified that a percentage of such fees should be allocated to the local community from the area of which the resources had been harvested. However, it was not until the Regulations of 2002 that a 20% community allocation was indicated and not until 2005 that mechanisms to do so (and then only in a partial way) were approved at ministerial level. The Tchuma Tchato project in Tete Province had set a precedent in the mid 1990s (see Chapter 4) for distribution of such state fees approximately evenly between 4 entities (the central state, the district administration, the project management costs and the local communities) but was a 'one off' administrative discretion based on a single Ministerial Decree specific to that area.

For Chipanje Chetu in 2001 advice and authorisation was sought by SPFFB and the Provincial Government from the central level (DNFFB and Ministry of Finance) given that no guide from the intent of the 1999 law yet existed. Abacar of SPFFB drafted 2 different options of which the first was an option similar to the model of Tchuma Tchato (in which cash disbursement direct to communities was of 25% to 35%).

The second option was more radical and one in which the distribution would be:

- 57% direct to local communities (the 5 villages equally),
- 23% to invest in the PCC resource management (the Community Scout costs, Comite capacity building etc), and
- 20% to District and sub district local government bodies (for their costs in support and facilitation of PCC).

This was radical because it reinvested **all** of the taxes back into the local context (whether district administrative or community) and the majority of the income to those paying the main institutional change and transaction costs (the 5 villages) with a portion set aside for the required resource management costs of PCC to improve sustainability and independence from donor-NGO investment.

No response was received from the central level to these options. At the end of 2001 the issue was taken to the Governor of Niassa (through the provincial government mechanisms) and his decision was that given the central government repeated failure to respond and his belief in the urgency of a decision being reached that he would authorise within his own delegated powers the distribution of income based on SPFFB advice. The second and more radical option for the income distribution was proposed and authorised. Shortly thereafter a public meeting was held in Nova Madeira attended by the Governor, District officials and representatives of the 5 village Comites in which the allocations of the income were made.

This was a significant moment for both the government sector and for the community. For district officials it was an opportunity to be associated with a positive development and one which also provided incentives in income terms for taking a facilitation and collaboration role with local communities. For the Governor it was an opportunity also for positive public relations and for providing an example of opportunities from private sector investment with community benefits that was a political and economic goal of the province that had been showing few concrete results. For the people of North Sanga it was the first tangible demonstration that the Chipanje Chetu programme did have high level political support (it was the first visit of a Governor for over a decade) and that this support was behind the principle of them receiving the major share of the benefits of their own management of their own resources. It was also significant in the public distribution of the income equally to each of the 5 villages via their Comites and the

allocation of investment to the local resource management priority of the continued functioning of the community scouts. This was a clear demonstration of a shift from the dynamics of external agency to local choices and responsibilities; of ‘money from our ground’ not ‘money from the air’ (see the quotation at the start of this chapter).

Table 9 illustrates the distribution and level of income of income from trophy fees between 2001 and 2004 in this phase of ‘experimental’ hunting and its progressive development over time.

**Table 9: Income from Trophy Fees 2001-2004** (data sourced from SPFFB-Niassa)

<b>Distribution of Trophy Hunting Fees US\$</b>	<b>2001</b>	<b>2002</b>	<b>2003</b>	<b>2004</b>
<b>Total income</b>	<b>\$6,180</b>	<b>\$7,400</b>	<b>\$11,430</b>	<b>\$25,960</b>
<b>Community Cash Dividend (57%)</b>	<b>\$ 3,523</b>	<b>\$4,218</b>	<b>\$6,515</b>	<b>\$14,800</b>
Calculated as contribution to Household income	\$ 5.5/HH	\$ 6.5/HH	\$ 10/HH	\$ 23/HH
<b>Community Natural Resource Management Costs (23%)</b>	<b>\$1,421</b>	<b>\$1,702</b>	<b>\$2,629</b>	<b>\$5,970</b>
<b>Total Community Scale (80%)</b>	<b>\$4,944</b>	<b>\$5,920</b>	<b>\$9,144</b>	<b>\$20,770</b>
<b>District (20%)</b>	<b>\$1,236</b>	<b>\$1,480</b>	<b>\$2,286</b>	<b>\$5,190</b>

By 2004 the income had increased fourfold through increasing trophy licenses and value of licences, increasing wildlife numbers; along with better marketing by the operator and greater use of the area beyond that of the Nova Madeira zone. By 2004 each Comite was receiving around US\$ 3,000 (up from around US\$ 650 in 2001) with funds for internal resource management (by for example the community scouts) reaching close to the required threshold of independence from external NGO led investment. Taken as a calculation of income per household, the overall benefit was US\$ 23/household; a sum exceeding for example many CAMPFIRE initiatives with median benefits around US\$ 5/household (see Bond 1999). For the district entities the income by 2004 was reaching a level of US\$ 5,000, where it exceeded any resource management and land facilitations costs, but provided sufficient motive for positive interactions with the processes



occurring in Chipanje Chetu and away from the disengagements and confrontations of the 1999-2001 era. For both the majority beneficiary (the 5 Comites) and the minority stakeholder (district and sub district officials) there was a positive and incremental benefit from these new evolutions and for changes in interactions over natural resource governance than the norms or histories of the previous period would have promoted.

*Use of incomes.* As noted above the main use of the 23% allocation for PCC management costs was towards the functioning of the community scouts and the basic costs of local natural resource management as independent functions and roles from the operator. This was a key development in allowing for the continued evolution of the programme as investment from IUCN and WWF for such purposes declined to zero by the end of 2003 and were minimal in 2001 and 2002. For the sub-district and district authorities the funds were used for facilitating activities including improving the district scale natural resource capacity (building an office for the relevant agency) and their involvement in the approval process for the land right or DUAT for the local community. Funds were also used to repair the historic monument at II Congresso village commemorating the 2<sup>nd</sup> Congress of the Frelimo Party held in the late 1960s during the independence war.

In an interesting counterpoint, the individual Comites spent as their priority the construction or reconstruction of mosques that was reflective of the importance of these as a shared social (rather than economic) benefit that bound together the people. Investments by Comites in more economic focused developments were in initiatives that varied between villages but included the purchase of grinding mills, small business ventures for honey, timber cutting, carpentry, brick making, small shops and fish marketing and the opening of bank accounts to hold funds. These micro enterprises were supported and influenced by advice and additional investments from the development NGO ACORD.

These local investments based on Comite disbursements of funds encountered a number of challenges. In Maumbica the purchase of a maize grinding mill exposed tensions between the Comite and other sectors within the community (Mubai et al 2006). The priority of purchasing a grinding mill was regarded as having been reached by the Comite without sufficient agreement from the whole community and the purchase and

then re-sale of the mill was alleged to have corruptly benefited members and relatives of the Comite. There were generational differences with the youth of the village pressing for the funds to be used for buying a second hand vehicle to help with transport for marketing of local products, purchasing of goods and helping the sick. The youth were also pressing to change the membership of the Comite, viewed as dominated by elders and an elite unresponsive to the broader community. Tensions also increased between the *Mwenye* Majolela and the President of the Comite. The former regarding the later as arrogant and failing to take advice and he based his claim to a greater role in decision making on the colonial era and the re-emergence of the 'Regulo' position (traditional chief) in new state promoted mechanisms of local government. After some aggressive actions against the Comite treasurer and the public presentation of the bank account statement that indicated misuse of some of the funds, the community and Comite agreed by 2004 to disperse the income directly to each household in the village.

In contrast to Maumbica, there were less generational fissions or contests over authority positions in the other villages but they faced equally difficult management challenges over investments in local enterprises. Efforts to purchase and run grinding mills and set up small shops, brick making and carpentry enterprises suffered from the difficulties of experience in commercial management by the Comite members and the recipients of grants with most failing to be sustainable. In Nova Madeira the support to the establishment of 4 small shops operated in different parts of the village encountered difficulties when the businesses collapsed and the credit extended could not be recouped (Mubai et al 2006:18). However, the fact that this was 'their money' (rather than NGO credits) promoted pressure on the Comite for greater transparency in fund distribution and efficiency in management. This included the change of the individual holding the Comite President position to that of *Mwenye* Pauila (who of the 3 to 4 *Mwenyes* in the village had general respect for his leadership and integrity qualities) and the promotion of a woman as Treasurer over the poorly performing man that had previously held the post (and better reflecting the economic role of women in Yao society – see Chapters 6 and 7). Evolution was also in the sense of increased accountability demanded of those provided with support and a shift in investment to those activities that could be viable. Thus while most micro-enterprises remained problematic, Comite support increasingly emphasised activities concerned with honey production and timber sawing that proved more successful and in the distribution of funds for general social priorities (the

construction and re-building of mosques) and household choice (direct cash remittance to households).

Maumbica and Nova Madeira villages illustrate both similarities in challenges encountered in managing incomes, Comite development and evolving new institutions but also some important contextual differences that influenced these evolutions in each case. These context specific differences were important as they were to promote tensions between villages (and particularly Maumbica with the other 4 villages) that weakened the collective aspects of proprietorship and management at the scale of Chipanje Chetu overall in dealing with external actors and interests.

The contexts that made Maumbica distinctive from the other villages were partly demographic and social scale related. Maumbica had a relatively large population of 359 households (or 1,401 people) compared to the other villages with less than 90 households (see Chapter 7). In these smaller villages tensions with the functioning of the Comites, over individuals in the Comites or over disbursement of funds could be tackled easier in 'face-to-face democracy' terms and evolution and change be more easily supported. Another demographic-scale feature was that with the distribution of income divided equally between the 5 villages the income per household for Maumbica village worked out considerable less than elsewhere; US\$ 8/household in Maumbica compared to US\$ 38/household in Nova Madeira. There was thus a strong motivation for effective management of funds in Nova Madeira with a scale of interaction that encouraged collective engagement and resolving problems encountered and less so for Maumbica.

The challenges of Maumbica were further compounded by the various and distinct fissions over authority and legitimacy that were partly because of its greater size but also its specific history. Maumbica in the south of the area of Chipanje Chetu had generational divisions (youth versus elders) partly attributable to its closer link with the district and provincial centres, it had party political divisions (Frelimo and Renamo relating to different histories of its inhabitants during the civil war) and it had contests over legitimate positions of authority in resource management (a *Mwenye* aspiring to local government leadership in the new state policy context of re-inventing the 'traditional chief' versus the elected resource Comite). Finally, in natural resource

endowment terms Maumbica had little in the way of trophy wildlife resources, with most of the hunting income being generated from Nova Madeira, Lilumba and Matchedje village areas; who, as the main 'producer' communities, were also paying the main costs of wildlife crop damage. On the other hand these communities and in particular Nova Madeira were also gaining the most from the employment options with the operator in terms of staff for the tourist camp and in the hunting operations.

The main points that emerge from this section are that the options focused on the village and district scale opened up by the active facilitation of Abacar and supported by the discretionary powers of the Governor were to produce considerable dynamism. The radical distributive design was able to generate new relationships between district government and local villages. The emphasis on the majority proportion of the income for the local community was to establish their primacy in the process and the portion allocated for PCC management was to ensure some resilience as external NGO investment dried up. But perhaps most important was the promotion of space for local community agency in the evolution of institutions; evolutions that reflected specific local contexts, histories, social relations and demographics rather than external design. They were also outcomes of difficult choices, of making mistakes, of struggling over forms of representation and of actively weighing up the costs and benefits of interactions at scales higher than the basal one of the family *mbumba*, or higher than the individual village.

### **3.3 Resource Tenure, the Management Plan and Local Institutions**

With the issuing of the DUAT land right certificate in 2003 one of the main elements enabling proprietorship and management by the Chipanje Chetu community was in place (collective land rights) but the rights and powers over the natural resources at this scale remained to be resolved. While the process described in the previous section had generated income from local resource use and promoted a sense of ownership it was effectively a compromise focused on the re-distribution of state taxes granted by radical and experimental use of administrative discretion at the provincial level.

What remained a critical process over 2001-2004 was coupling the land rights with resource use rights to enable devolved proprietorship and management by local institutions. The compromise in 2001 noted above had bought some time for this to take place and was able to generate dynamism and institutional change in local resource management within and between communities in North Sanga and norms and relationships at district and provincial level. However, a 'licence to experiment' based on local administrative discretion was open to risk of reversal and not least from central levels. The basis in re-distribution of state taxes was also 'inefficient' in that it did not enable direct negotiations over access and use of resources between the landowners (the DUAT community) and the private sector; such as in a concession agreement between the two entities where rights, responsibilities and roles could be clarified and income optimised. In particular optimising the benefit from sport hunting related to the charging of concession fees to access the area and bed night levies on tourist visitors that could double or more the income available and was standard in other CBNRM initiatives in the region (see Bond 1999; Madzudzo et al 2006). Devolution of natural resource management rights was also important to ensure local decision making over the range of resources (timber, fisheries, non-timber forest products) in the area and in allowing diversity in livelihood strategies.

The avenue identified in forestry and wildlife policy and law to achieve such management rights was through state delegation of powers for management and use of forest and wildlife resources to an entity whether local community or a private body or an association<sup>7</sup>. The mechanism involved in achieving these delegated management powers was that of the entity developing a management plan and having it approved by the relevant ministries. This process had been undertaken by the private-public entity the Society for the Management and Development of Niassa Reserve (SGDRN) in 1999 in gaining delegated and semi-autonomous powers for management of the reserve of 42,000 sqkm and by the FAO projects of the late 1990's for community entity management of mainly non timber forest resources (see Chapter 4). There was therefore

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<sup>7</sup> Article 33 of the 1999 Forest and Wildlife Law and Article 99 of the 2002 Forest and Wildlife Regulations. The later specifies '*Compete aos Ministros da Agricultura e Desenvolvimento Rural e do Turismo, por Diploma Ministerial conjunto definir, através de um Anexo Técnico, os termos e condições para a delegação de poderes de gestão às comunidades locais, ao sector privado, organizações e associações ou a estes em parceria com o Estado, visando o envolvimento destes na exploração, utilização, conservação dos recursos florestais e faunísticos*'.

policy and legislation avenues and actual precedent for Chipanje Chetu to follow a mechanism of a management plan to gain delegated semi-autonomous resource management authority through either the entity created through the DUAT certification (a private legal entity of the ‘local community’) or an Association formed by the people of North Sanga as a collective (and private) body.

By the end of 2001 a draft management plan was developed based on the RUAT studies in each village, resource data collected by community scouts and discussions with local people over these 2 years on management options, priorities and control and monitoring methods – such as the By Laws noted in Section 2.2 above. Local data was complimented by more formal surveys including a basic forest inventory and reconnaissance aerial surveys. Data was collected together and added to a simple Geographic Information database that produced maps for internal zoning of the area (agriculture, key wildlife zones, fisheries areas, bee pasturage etc). The draft management plan was presented and discussed at meetings with local communities and with the Collaborative group at the end of 2001 with further additions recommended.

By 2002 the Chipanje Chetu Management Plan consisted of 45 pages detailing management objectives, an adaptive management approach, by laws, zonation, monitoring and management systems for tourism, fishing, hunting (local use + sport hunting), and timber and non-timber products. It also included the 10 Principles of Chipanje Chetu as the foundations for the plan. In this level of detail it exceeded the quality of most planning and management systems for the state protected areas in Mozambique.

The critical issue of this mechanism of the Management Plan leading on to delegation of powers and a devolved community resource authority became bogged down in a bureaucratic paradox. While the 1999 law indicated general avenues for delegation and resulted in actual cases of power transfers, the 2002 Regulations (Article 99) while repeating the intent added further levels of complexity;

The Ministers of Agriculture and Rural Development and of Tourism shall issue a joint Ministerial Diploma to define, by means of a technical annex, the terms and conditions for the delegation of management powers to the local communities, the private sector or organisations and associations (emphasis added).

The challenge in the submission of the Chipanje Chetu Management Plan was that no such joint Ministerial Diploma or technical annex was developed at the central level and still 5 years later remains unresolved. This was partly due to central institutional breakdowns and competitions resulting from the divisions of wildlife and forestry between 2 Ministries and resulting artificial divisions between tourism and other usage of resources. It was also due to declining central state interest in facilitating in any active way developments from 2002 onwards in devolved powers to entities other than private investors (see Chapter 4); and the lack of any committed actors within these institutions with the agency to take discretionary decisions to practically apply the enabling policy and 1999 law. The bureaucratic paradox was thus that the more local evolutions and developments emerged in North Sanga (and elsewhere) the increasingly less adaptable and higher in transaction costs were the ‘enabling legislation’ and ‘facilitating agencies’ at the centre. Despite efforts by Antonio Abacar of SPFFB and the advocacy pressures of the head IUCN Mozambique (Isilda Nhantumbo) the critical natural resource devolution breakthrough of the Management Plan remained stymied in Maputo administrative stalemate. This situation thus constrained Chipanje Chetu to the experimental options of provincial administrative discretion rather than making the breakthrough to formal devolution and semi-autonomy in management.

However efforts to develop the core proprietorship-management entity that could hold delegated state powers once these were approved did make more progress. This emerged in an evolutionary way with Abacar facilitating in 2001 the establishment of a new *Conselho de Gestao* Chipanje Chetu comprising 11 individuals; 7 of these were from the community Comites and 4 from the district administration (agriculture section, 2 *Chefes de Posto* and the District Administrator). This reflected a co-management design with the district officials holding a non-executive and non-voting status. Efforts in 2002 and 2003 focused on developing a more specific semi autonomous entity in preparation for devolution of powers and management. This was in the form of a legally recognised Association as a collective body for the people of North Sanga at the scale of the land rights and the resource devolution.

The process encountered much the same identification document complexities and slow provincial bureaucracies as the DUAT process but in 2004 (via Niassa Government

Dispatch 59/GPN/GAB/04) such an Association was legally established with its base being Nova Madeira and comprising 10 members representing the area and drawn from the individual villages. With its focus as an operational body comprising only members from the local community it fit the ‘separation of powers’ discussed in Section 2.1 above and the recommended (see Nhantumbo and Macqueen 2003; Nhantumbo et al 2006) national CBNRM guidelines promoting a distinction between advisory bodies (*COGEP*- Councils) from proprietorship-management-benefit bodies (*CGC*-Community Management Committees). However, while the Associated existed as an entity its ability to be active in function awaited the outcome of the bureaucratic approval for state delegation of wildlife and forestry powers; and thus the co-management Council (*Conselho de Gestao*) remained the primary upper scale entity in practice.

What this discussion reveals is a considerable degree of contrast between scales and actors in dynamism and evolutionary capacity. The highest being demonstrated within and by the people of North Sanga, and next at the provincial and district scale where through integrity, resourcefulness and use of administrative discretion by key actors at this scale there was the agency sufficient to tackle land rights (DUAT certification), representational challenges (the legalisation of the Chipanje Chetu Association) and implement radical experimental options for income generation and distribution that promoted further community agency and evolutions. It was the actors and institutions at the central state level in the forest and wildlife sector (gatekeepers in devolution of natural resource powers) that were to prove the least resourceful or evolutionary, the most isolated from feedback and interactions and the most likely to react with ‘top-down command and control’ responses of ever more restrictive rules in a search for universal regulatory design and structure. If during 2001-2004 space at the local was opening up in land, self governance and resource management, at the centre it was increasingly closing down and particularly in the key area of resource devolution.

It was new interventions arising from this central level from 2004 onwards which were to create very new challenges for Chipanje Chetu and to the predominantly local scale (villages, district, province) interactions that had characterised its dynamics up to then.



## **4. WHOSE WEALTH, LAND AND RESOURCES?: 2004 TO PRESENT<sup>8</sup>**

### **4.1 Contests, Hunting Concessions and New Challenges**

In late 2004 there appeared in North Sanga a new proposed private investor initiative called Lipilichi Wilderness Investment. This proceeded to undertake surveys in the area, conduct a helicopter census of over 80 hours of flying time and develop an investment programme. This was of over US\$ 1.5 million in capital costs alone to obtain a state concession for the area, fence off a block of land in the zone between Nova Madeira and Matchedje for intensive wildlife translocation and breeding and undertake a mixed tourism and hunting operation in a concession zone covering most of the North Sanga sub district. As set out in the ‘Lipilichi Initial Investment Programme’ (Anon 2005:1):

‘The final goal of the Lipilichi Wilderness is to have an area where pristine habitats are preserved and managed correctly, where wildlife numbers are at the peak carrying capacity and where there is a safe and sustainable co-existence between the communities, the wildlife and the people involved in the project’

In relation to the ‘safe and sustainable co-existence’ with the communities, the proposal emphasised employment opportunities and ‘the supply of a sustainable source of cheap protein so that they don’t look to the project area for meat’ (Anon 2005:4). The investment programme was developed for submission to the central Council of Ministers who had the authority to grant approval for such large concessions and investment initiatives. Lipilichi Wilderness Investments was a Mozambican registered entity comprising a partnership between South African investors and John Katchimila. The later was a Minister in the Mozambique Government until early 2005, a very senior Frelimo party figure, and was in origin from the Nyanja ethnic group of Lago District in Niassa (bordering Sanga District in the west).

A wider backdrop is that this period of late 2004 to early 2005 was one of significant national political and policy transitions with the holding of elections, the transitions to a

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<sup>8</sup> Information in this section is not drawn from personal ‘field observation’ as in the previous sections but from interviews undertaken between June and August 2007 in Maputo or via correspondence with individuals in Niassa. Sources included central and provincial government officials, NGO staff, private sector actors, staff from the Niassa Reserve SGDRN company and those involved in land tenure initiatives and research. Much material was provided informally and to avoid sensitivities and the fact that the situation remains evolutionary for Chipanje Chetu, I do not specify names or informal documentary details in this section.

new President (from Chissano to Guebuza) and policies shifting to slow or reverse general devolutionary reforms (see Chapter 4), an increasing emphasis on investor led development of partnerships between the elite and foreign business interests and a re-politicised government administrative structure (EIU 2007). One further change originating from these central dynamics and reflecting them was the new President's appointment of a new Governor for Niassa in early 2005.

The proposals and transitions outlined above represented a very significant set of new dynamics and scale influences on Chipanje Chetu and the people of North Sanga and ones derived from the centre. One particular element was that for the new proposed development of Lipilichi Wilderness Investment (or LWI) the very existence of a Chipanje Chetu was 'invisible'. North Sanga was presented as 'pristine' and a 'wilderness' ready for correct management and for safe and sustainable co-existence between investors, wildlife and communities. As a 'picture' of wilderness and potential whose intention was focused on securing central level granting of a large development concession it was perhaps a persuasive one, but it was a considerable dilution of the reality of North Sanga and the institutional changes and achievements of its residents. It was not however very different to the *modus operandi* of most of the tourism and wildlife initiatives occurring in Mozambique (see Chapter 4) nor of the history of grand 'development schemes' of Niassa from the colonial times onwards (see Chapter 6); and was in keeping with increasing trends for a 'European style enclosure movement' (Norfolk and Tanner 2007:2) in the land tenure trends in the country. From a different perspective, the LWI initiative was also exactly the kind of development (land and resource concession to outsiders) that the 5 villages of North Sanga had identified in the RUAT studies in 1999/2000 as representing the main threat to their future.

One of the features of the LWI proposal was thus the extent that it was remote in its frame of reference from the provincial, district or village level. One illustration of this being the name of 'Lipilichi' was drawn from the village of Lupilichi that was not in Sanga District but in the neighbouring district of Lago; and in fact 'Chipanje Chetu' was not mentioned at all in the proposal. Another was that in the same month that the provincial wildlife authorities had coordinated an aerial survey of Chipanje Chetu with the authorities of Niassa Reserve to standardise census data over the north of the province, LWI conducted a highly expensive helicopter survey of exactly the same area.

But the most powerful illustration was that an CBNRM initiative that had existed for 5 years, was an official collaboration involving and supported by the provincial, district, sub district officials, NGOs and by residents of this ‘wilderness’, had a DUAT certified community land right and was producing significant local incomes was completely ignored in the LWI process focused on centrally granted concession rights. It is hard to avoid the conclusion that those involved believed that the combination of sizeable funds and high political elite agency acting at the central level would be sufficient to render obsolete any existing provincial or local activities and agreements.

Initial actions at the provincial level seemed to support the validity of such a conclusion. In mid 2005 the new Provincial Governor of Niassa suspended all hunting activities in North Sanga and established a commission to study the ‘crisis’ that had emerged in the area. The functioning of Chipanje Chetu and in particular the generation of income that supported the management activities and the generation of funds for local people (and district entities) was to remain effectively paralysed until 2007.

The perceived ‘crisis’ of mid 2005 had its origins in a basic competition between LWI and Zambezi Hunters over legitimacy of hunting operations but was also to incorporate claims that there were conflicts between the 5 villages and finally claims that the law did not support some of the core existing components of Chipanje Chetu; such as the right to have tourism and sport hunting in community DUAT land or to distribute trophy incomes in the proportions authorised by the provincial government from 2001 onwards.

On completion of Zambezi Hunters season in 2004, the operator was awarded by the provincial authorities (through SPFFB) a further year of trophy licences to be taken in 2005 in the Chipanje Chetu area on the same non-concession basis as previous years. In late 2004, LWI (who had no authorisation from provincial or central authorities for any hunting activities) became actively involved with Maumbica village. This was via providing some residents with health and agricultural support and building a new house with zinc roof for *Mwenye* Majolela as the ‘Traditional Chief’ of the area (Mubai et al 2006:21). Subsequently Majolela signed a ‘contract’ with LWI for them to undertake hunting operations in the area of North Sanga. Majolela had no rights to do so whether in customary context, in PCC Comite context of Maumbica, in the DUAT co-title frame

or in terms of formal administration. He was considered a ‘saboteur’ (Ibid:21) of Chipanje Chetu by the Comite of Maumbica itself. However, even if this action was disputed within Maumbica itself it was to create some tensions between the community of Maumbica and the other 4 villages, exacerbating the existing social fault lines previously discussed. In turn the Zambezi Hunters operator was to react to the ‘Maumbica contract’ of LWI by seeking to secure patronage relations with individuals in the other 4 villages<sup>9</sup>. Whatever the ethical limitations of either hunting company, the reality was that the LWI ‘contract’ was entirely bogus and that the main cause of any increased intra-community tensions was the actions of LWI operating entirely outside the existing PCC structures or those of the administration.

The commission conclusions were that there was ‘a large weight of non acceptance of the Lipilichi Wilderness project’ by the communities of North Sanga<sup>10</sup> but also that there were ‘profound misunderstandings and ignorance by both operators and by the local communities of the concepts [principles] of PCC’. The commission members were drawn from the provincial level (provincial heads of tourism and agriculture plus advisors to the Governor) with one member from the central level (the National Director of Conservation Areas in the Ministry of Tourism). By effectively spreading the blame around fairly evenly the commission was thus able to achieve a politically acceptable compromise judgement; one that acknowledged the rejection of LWI illegitimate activities by the bulk of the people in North Sanga but avoided confrontation with powerful political and economic interests by concluding all parties were at fault. It was on this basis that the Governor could call for suspension of all activities and initiate an open tender process for a hunting concession.

What the commission judgement and the initiation of the open tender process for a hunting concession did positively generate was firstly to refocus the main interactions to the provincial scale and secondly to re-establish that Chipanje Chetu and its CBNRM purpose and the PCC principles were (at least in official rhetoric) the core of whatever developments were to emerge in North Sanga. Critical to this was the existence of the DUAT certificate of community co-title rights to the land in question: a formal ‘visible’

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<sup>9</sup> Such dynamics of ‘divide and gain’ created by hunting companies in a context of patronage and unclear authority are not unique as illustrated by experiences in Zimbabwe CAMPFIRE initiatives in the mid 2000s (see Rihoy et al 2007; Taylor and Murphree 2007).

<sup>10</sup> Letter of correspondence from the Governor of Niassa 27<sup>th</sup> July 2005 in the PCC files, Lichinga

legal right that could not be easily ignored, dispensed with or retracted by political agency or reversals of administrative discretion.

For technical advice on the mechanisms and process for a tender for a hunting concession for the Chipanje Chetu area the Government of Niassa in late 2005 approached the Niassa Reserve Company (SGDRN) and its supporting NGOs, Fauna and Flora International and ResourceAfrica. This represented a transition from the previous main technical support agency for Chipanje Chetu of IUCN. It also coincided with the start of a transition period in which provincial responsibility for Chipanje Chetu shifted from the forestry and wildlife services (SPFFB) and the leadership and involvement of Antonio Abacar to the provincial services for tourism (DPT). This represented a change in the dynamics of the main external inputs. Firstly IUCN's role had been focused on facilitating, advocating and supporting village level upwards reforms (the community as main client), the SGDRN-Resource Africa requested role was more specific advisory services to the Government of Niassa in a hunting tender process (provincial government as client). Secondly the shifts within the administration of responsibilities were a dilution of the key 'honest broker' and catalytic role in evolutionary changes that Abacar had played for 5 years between administration and the local communities in North Sanga<sup>11</sup>.

It is useful to return to the findings of the commission study that (along with the external business interests) there were 'profound misunderstandings and ignorance' on the part of the community of North Sanga about Chipanje Chetu purpose and its principles which had led to 'violation of the established legal principles and management rules'. The reactions, persistence and resourcefulness of the residents of North Sanga from the start of the 'crisis' and suspension through 2005 and 2006 was to suggest that, while this description might well apply to external actors, it did not reflect their own institutional changes in governance scales, and their knowledge of their legal

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<sup>11</sup> Although increasingly marginalised administratively, Abacar continued through 2004 to 2006 to play a strong supportive and advocacy role with the communities in North Sanga and at higher levels showing considerable integrity in what was a highly politicised environment for a government official. The latter is exemplified by a remark made to me by one of his senior DNFFB colleagues in Maputo in June 2007 that 'the problem for PCC was because of this political big potato' and that because of Abacar's actions resisting this 'Abacar had to flee for his life in 2006'. This colleague had himself been told by his National Director when promoting options of delegation of resource rights to PCC in 2006, 'don't talk to me again about this Chipanje Chetu' inferring that this was a warning to stay away from what had primarily become a political rather than technical issue.

rights. Their own applied CBNRM practioner experience over 6 years of both set-backs and breakthroughs far exceeded those making the judgement of 'ignorance' of PCC principles or purpose.

As was acknowledged by the commission, the solidarity of the villages against the imposition of a concession of their land as a centrally driven alienation was strong ('a large weight of non-acceptance'). The local legitimacy of an elite in one village in signing up (following inducements) to support such alienation was extremely weak and did not represent either PCC or local customary governance institutions nor cause their disintegration. The struggles internally between 1999 and 2004 in tackling difficult scale issues from the family level upwards had built up a pluralist and resilient form of local governance. These struggles included evolving the by laws, the village resource governance of the Comites (as reflecting the diverse local forms of legitimacy and representation – *Mwenye, mbumba*, Islam, party secretary, individual leadership etc), the Community scouts, the challenges and comprises involved in scaling up from the village to achieve the DUAT land right certification and the challenges of scaling down the benefits from area-wide income. The later in particular had involved the local evolution away from the mechanisms supported by the NGOs for micro-enterprises or the cases of self-benefit by members in some Comites to reflect the wider collective interest in investment in infrastructure of social cohesion (the building/re-building of mosques) and the devolution of cash income to the household level.

The resilience of local community institutions in North Sanga and resourcefulness of community agency was demonstrated by the sustained pressures on both the provincial and national level for accountability for their rights represented by the DUAT certification and the core principles of PCC of devolution of resource proprietorship, management and benefit. This was despite the local level withdrawal of both the main supporting NGOs (ACORD and IUCN) in 2004 due to lack of funds 'which came at precisely the moment that the community needed NGO lobbying and other support' and was viewed within North Sanga as a politically pressured abandonment that left them more 'vulnerable to manipulation by elite interests' (Norfolk and Tanner 2007:19). Now more 'on their own' the local community was faced with the challenge of making their case at higher scales and demanding accountability while being located in a peripheral and isolated situation.

The linked routes taken were to appeal directly to the Governor of the Province, to pressure district and sub-district structures (who had also lost out income in the suspension) and to access and use the provincial and then national media to expose their viewpoints. The latter was a particularly powerful tool in a country with an independent press and one with a strong readership interest in ‘scandals’ of political elite abuse of powers and ‘land grabbing’ by investors. This lobbying via the media became particularly strong as the suspension of PCC activities and stalemate in finding appropriate solutions dragged on through 2006 raising further local suspicions of political elite manipulation. For example the *Noticias* national newspaper published a series of stories between June and October 2006 about Chipanje Chetu based on interviews with and quotations from members of Comites, community scouts and other residents that laid out the past progress of PCC and raised the local complaints about the continued stalemate and elite manipulation. In particular, one *Noticias* story of 17/10/06 reported on a meeting of the Niassa Governor with representatives from each of the 5 Chipanje Chetu villages. In this meeting the Governor was required to publicly defend the decision to suspend activities, justify the reasons why the provincial government appeared to support the state concessioning of their land and to deny that ‘the government was defending the interests of Lipilichi Wilderness because it involved various renowned personalities of the country’.

The ‘scandal’ aspect around land and political elite and reactions of the residents of North Sanga was also to raise Chipanje Chetu from its relative obscurity as a local initiative at the far end of ‘The End of the World’ to gain the interests of national actors and agencies involved in land and resource reforms. Although IUCN had been forced by fund limits to pull out of local PCC programme support, the head of its country office in Maputo (Isilda Nhantumbo) was also one of the leading researchers and promoters of CBNRM reforms and took (until her IUCN transfer from Mozambique in 2006) an active and ethical stand with relevant Ministers and senior government officials in Maputo on the contradictions between stated government commitments to CBNRM and actual reverses taken with regard to Chipanje Chetu. She was also one of the founders of the National CBNRM Forum (a collaborative structure between academics, land and resource NGOs and government institutions) which in July 2006 sent a team to investigate the situation of Chipanje Chetu. This team (comprising a lawyer, land tenure

specialist and government wildlife official) published a report (Mubai et al 2006) with extensive interviews with residents of North Sanga that further raised Chipanje Chetu issues and profile at the national level and amongst NGOs, the government sector and donors. Chipanje Chetu also reached an international audience through being a case study in an FAO Commission on Legal Empowerment of the Poor report (Norfolk and Tanner 2007). The combination of these media stories, case studies and Forum investigatory report were to give voice to the residents of North Sanga at scales unimaginable in 1999 and keep a spotlight on the transparency and accountability of provincial and central actors' decisions.

The achievement by residents of North Sanga in retaining cohesiveness internally in confronting powerful interests in the period in 2004-5 when they were largely 'on their own' and being able to reach up in scales to draw in different kinds of actors to promote administration accountability indicates their resourcefulness in local governance and democratic processes. It raises the issue not only of what mechanisms they used (DUAT land certificate, Comite, community scouts, media, debates with district-provincial authorities, national forums) but just as interesting for wider democratic reforms in Mozambique – those they did not use.

They did not use the courts or judicial system, the party political or elected members of national assembly (parliament) structures or the reified 'traditional leadership' or *Regulo*. Nor did they use the co-management structure of the Chipanje Chetu *Conselho de Gestao* (Management Council) that was in the external design common to many CBNRM initiatives in Mozambique of linking state-private-community representation in one entity, intended to be a focal institution for effecting local accountability at higher scales.

**In short, they used precisely none of the 'democratic decentralisation' mechanisms promoted by reforms to local government and national elective governance that had been bankrolled by significant donor funding for over a decade.**

What this suggests is that the agency of the form of national elective democracy, the 'rule of law' of the judiciary and the institutional basis for local governance reforms



were being found wanting in practice. These complex policy and legal reforms were comparing ill in practical application to the simple rights basis of the DUAT as a reflecting self-identified communities and local legitimacy (as a private but collective legal entity) and the agency of a pluralist democracy evolving from the base (*Comites*) representing various strands of authority and interests - rather than blueprints drawn from state, donor, academic or NGO ideology. At the core of the differences was the direction of accountability. In the public based entities of national reforms in Mozambique, this accountability was primarily upwards.

It was the informal or private entities, semi-autonomous from these public institutions but with legitimacy drawn from and accountable downwards, which in the context of North Sanga were providing the space for local democratic governance evolutions. And what was driving these evolutions was not abstract 'decentralisation' (or reform models of central derived transfers of governance down hierarchies of public institutions). It was that most powerful of forces in history (see Chapter 3) for governance and democracy – a local demand for restitution of long standing land, resource and decision making rights based around socially legitimate institutions. This was 're-localisation' and 're-revolution' with its echoes going back at least 3,000 years to Democritus pragmatic approach to the challenges of democratic governance – how can 'the people' delegate power and authority upwards from local communal scales while retaining accountability downwards.

It is worth looking in more detail at the weakness of these public institutions being promoted by national democratic reforms from the perspective of North Sanga. *Firstly* the nature of the proportional representation and party list basis of Mozambique national elective democracy meant that there was no 'Member of Parliament' for North Sanga; that is, no individual elected by and representative of a locality. Those on the Frelimo or Renamo party lists selected to be in the National Assembly owed their accountability to the party that provided them with the position, not to the electors of a locality. *Secondly*, the route for redress of appealing to a political party (Frelimo was the main party supported in North Sanga) was not a realistic strategy for the people of Chipanje Chetu given that it was one of the most senior members of Frelimo elite that was perceived to be at the core of the problem. *Thirdly* the route of the judiciary to seek redress on for example DUAT recognition against a concession process was not viable due to the

historical legacy in Mozambique of judges and courts as a prosecution mechanism of the state and the very high cost of justice in Mozambique (see Tanner et al 2006 for land-judicial studies).

*Fourthly*, the 2000 reforms to local government had promoted a reified conception of the ‘Traditional Chief’ or *Regulo* as focus for the lowest scale of local government; a position allocated at district administrative discretion and thus accountable upwards in state structures. In the case of the residents of North Sanga, the ‘Traditional Chief’ recognised by the state was *Bibi* (or Queen) Yahaia who lived near the administrative post of Macaloge. She was the person (selected through the administration) who in 1999-2000 replaced the previously recognised *Regulo* - *Mwenye* Malingalile (from the lineage of the 19<sup>th</sup>-early 20<sup>th</sup> century Sultan Malingalile of Sanga) who had been deposed by the administration for his strong opposition to the granting of extensive land to South African farmers in Sanga District between 1996 and 2000. While Malingalile was respected and had a degree of legitimacy in customary governance relations with *Mwenyes* of the villages of North Sanga, *Bibi* Yahaia did not have either. Her inclusion, at administrative insistence, in the Management Council was resisted by the Comites both on the question of her illegitimacy in ‘Traditional Chief’ representative terms and that fact that she lived beyond the borders of Chipanje Chetu and thus had no rights to benefits or decision roles. Thus the local government public body route of redress offered neither local legitimacy nor local accountability.

*Fifthly*, the Management Council at the overall scale of the 5 villages was a co-management body of mixed administrative and Comite membership with thus mixed directions of accountability; and while it served for advisory purposes it had neither the political agency nor the representative function for the seeking redress at provincial or central levels. The Chipanje Chetu Association (semi-autonomous private entity) established in 2004 of only village membership did have such an alignment of local accountability and representativeness but remained ‘stillborn’ in the sense that the delegation of powers to activate its agency had been resisted by central state institutions.

What the above discussion indicates is that the evolutions of Chipanje Chetu during this ‘crisis’ exposed on one side the nature in which most of the key ‘democratic reforms’ in Mozambique were proving minimalist; that is to say they were emerging as public body

structures that were primarily accountable upwards. On the other side, a CBNRM initiative drawing on the land enabling legislation for local legitimate institutions and allowing for local context in evolutions upwards from the base, aided by the resourcefulness of local people and administrative actors, was providing space for democratic change and mechanisms of redress (pluralist and semi-autonomous private bodies accountable downwards).

#### **4.2 New Institutional Arrangements**

The establishment of a tourism and hunting concession agreement in Chipanje Chetu was to prove a lengthy process and this reflected the conflicts between the various actors and agencies over two key issues; firstly the status of the land in terms of this resource use and secondly the institutional structure holding proprietorship, management and benefit rights that could be the party of contract with the private concessionaire. With technical support being sought by the Provincial Government from SGDRN/ResourceAfrica in July 2005, a tender procedure elaborated by the end of 2005 it was not until September 2006 that the actual tender terms and basis were published.

It was essentially a conflict between the 10 principles of Chipanje Chetu and its direction until 2004 of devolution, and the reluctance of the mainly central actors to any dilution of their powers and their preference for co-management institutions in which the state administration and the private sector-elite were the dominant partners. The most singular feature was the use of the ‘vagueness’ and contradictions of the tourism, forest and wildlife ever more expanding micro-legislation to stalemate change rather than to open up space for the intentions of stated policy and the 1990s primary law reforms to evolve from practice, common sense and context. In legal framework terms it was the collision between the ‘common law’ mechanism (typified by the DUAT land law and Comite By Laws – *everything is possible that does not have to be expressly prohibited*) and that that of the ‘received law’ (*everything is prohibited which is not expressly permitted*) from Mozambique’s colonial and socialist-era ‘command and control’ heritage of the central state.

*Land use classification.* One of the arguments used in the suspension of CBNRM development of Chipanje Chetu in 2004 was that the official status of the land did not permit sport hunting by foreign nationals to take place there. This drew on a relatively

obscure sections of the Forestry and Wildlife Law (Article 22) and Regulations of 2002 (Article 57) dealing with licences for sport hunting by foreigners in which State Hunting Reserves (*Coutada*) and 'Game Farms' (*Fazenda do Bravio*) were noted as those areas classified for sport hunting by foreigners. The primary article of the law relating to hunting (Article 46) was that it could 'be carried out in "multiple use" zones, on game farms, in hunting reserves, in buffer zones and in historically and culturally valuable zones'; a much more inclusive range encompassing state, community ('multiple use zones') and private land. And it was on this basis that sport hunting (including that by foreigners) was generally applied in Mozambique, such as throughout Tete Province (which had no State Hunting Areas) and in the buffer zones of Niassa Reserve where sport hunting by foreigners was taking place over 20,000 sqkm of land. This particular Article 22 was also in contrast to the general thrust of the 1999 and 2002 legislation of lowering the barriers and transaction costs for local community benefit from investing in the management of resources. There was no such 'land classification' inhibiting, for example, community negotiations for high value timber extraction whether by nationals or foreigners.

The argument on appropriate land-use classification also ignores the fact that since the early 2000's the community and provincial actors had sought from the central agencies clarification and delegation of powers and fulfilled the various steps required for such delegation (Management Plan and Association legal entity) and that it was the central level itself through stalemate and inaction which was effectively denying the implementation of relevant law. The Zambezi Hunters operator had also since 2001 been paying a hunting licence fee to the central agency, which was also aware that in North Sanga sport hunting by foreigners was taking place (as elsewhere in Mozambique) and had never disputed the 'legality' of it. It is again difficult to avoid the conclusion that recourse by central actors to obscure bureaucratic manoeuvrings had political rationales; and that these were not simply concerned with the specific elite and Chipanje Chetu aspects but more generally to any shift from state-elite distributive control over the most lucrative form of wildlife use.

This conclusion also seems to be borne out by stratagems that stalemated the tendering process. The first was the recommendation from the central structure (the Ministry of Tourism-National Directorate of Conservation Areas [DNAC]) that the appropriate

solution was to declare the Chipanje Chetu area a state Hunting Area or *Coutada* (and thus put the resources under the direct control of DNAC). It could then be opened for a concession process. This was rejected as an option by the provincial level on the basis that the state alienation of community DUAT certified land to create a *Coutada* would face considerable local resistance as well as more national questioning by NGOs, the media and donors given the public spotlight now on the initiative. The alternative of declaring the area as a 'Game Farm' was also debated at the various government levels but stalemated over contradictions within the legislation (one section of the law requiring that such 'Game Farms' should be surrounded by a fence [clearly untenable in costs for the area of 6,500 sqkm] and another that no fence was required) and the absence of any precedent. The mechanism of using delegation of powers capability (via Management Plan and legal community private entity – the Association) in the law that had formed the agreed PCC development and principles since 1999 remained also stalemated (as it had since 2002) by lack of proactive decision making at the centre and failure to develop the relevant technical annexes to the Regulations of 2002.

In the sense that 'taking no decision, is still a decision' it was clear from this central stalemate that an enabling political environment at national level to use the existing law and administrative discretion to make an active step forward in the resource devolution commitments of policy was absent.

This paralysis at the centre reversed back the onus of finding solutions to the Niassa Governor and provincial scale; where the local pressures for actively finding solutions was strong and the agency to do so was to prove higher. Chipanje Chetu was declared by the Provincial Government of Niassa in late 2006 as a 'Community Based Conservation Area' under the considerable state decision powers delegated to the Governor. This area classification (which exists nowhere in national legislation) was thus the construct of provincial administrative discretion evolved as a 'one off' answer to central paralysis and to allow time for national legislation to address its own contradictions and complexity.

*Institution.* The Provincial Government having established Chipanje Chetu as a 'Community Based Conservation Area' then delegated the authority to manage the area to the 'Management Council' of Chipanje Chetu. This institution of the Management

Council, as noted previously, represents a co-management entity and thus provincial decision retained a compromise arrangement over resource management and benefit and in terms of accountability and legitimacy. Unlike the DUAT land legal basis of co-title and co-proprietorship held by the all residents of North Sanga in a semi-autonomous institutional basis, the Management Council with its mix of actors and accountability reflected a perspective reluctant to devolve resource governance too far from administrative control.

While it proved extremely difficult for me to get clarity from relevant provincial officials responsible for this institutional arrangement on what exactly were the actors-powers within the Management Council, the structure in August 2007 was; 5 members representing the 5 villages of North Sanga (one as President, one as Secretary of the Council), the District agricultural officer, the District Administrator, the state recognised 'Traditional Authority' (*Bibi Yahaia*) with the intention to add NGO and private sector membership. It was stated that the 5 members representing North Sanga villages were the only ones with voting rights, but control over the financial disbursement and bank account was jointly between 2 representatives of the villages and 2 from district administration.

The institutional structure with delegated resource management authority at the highest level thus remain an amalgam of what both the PCC Principles and the recommendations (Nhantumbo et al 2003) for Mozambican CBNRM institutional development advocated as two separate entities (the *COGEP* and the community only *CGC* – see Figure 3). As a compromise arrangement the institution remains open for further change towards these recommendations depending on whether new developments and dynamics open new spaces or close them down.

#### **4.3 Concession Contract; Opportunities and Constraints**

Based on the above institutional and land classification developments using the discretionary powers of the Provincial Government the technical basis for a tender concession process for the 'Hunting and Ecotourism of Chipanje Chetu Area' could be developed and was advertised nationally in September 2006. In what was a limited marketing exercise, a total of only 8 submissions were received from the private sector for this tender, of which those by Lipilichi Wilderness Investment (LWI) and Zambezi

Hunters were the most detailed. Reviewed at the provincial level with technical support provided via SGDRN/ResourceAfrica, the tender was finally awarded to LWI.

In late January 2007 a contract with LWI for a 3 year concession for hunting and eco-tourism was signed on the behalf of the Management Council by the Governor of Niassa. The fact that the contract involved the signature of the Governor indicates the uncertain legal status of the Management Council as a body representative of the DUAT certificate or holding delegated resource rights. The concession contract was for 3 years (rather than the 5-10 year basis of *Coutadas* or hunting zones of Niassa Reserve) as an interim measure. Of particular relevance was the allocation in the contract in benefit, responsibilities and roles between the two contracting parties.

The benefit basis for the Management Council was income from a combination of annual concession fee, bed night levies as well as the trophy fees (which had formed the only past mechanism of income). This improved and diversified the economic returns from wildlife management with US\$ 69,000 being deposited into the PCC-Management Council bank account by late 2007. Other stipulated benefits included the requirement for local employment and training of people in North Sanga in the operations of LWI. The contract confirmed the existence of the community DUAT certificate for North Sanga and also formalised that the Management Plan for Chipanje Chetu with its principles, zonation, by-laws and diverse resource management objectives should form the framework for concessionaire activities and management actions. The contract established an annual planning and monitoring system for activities by the operator to ensure compliance or provide the basis for cancellation of the contract.

More complex (and contradictory with the Management Plan and principles) was the powers, responsibilities and roles ascribed to the concessionaire. These included exclusivity against other commercial operations in the area, rights to refuse entry into and through the Chipanje Chetu during the hunting season and an obligation to employ a force of at least 40 scouts and undertake anti-poaching operations. The contract also stipulated a whole range of responsibilities relating to the concessionaire investing in and undertaking community and local infrastructure development activities that included; road building, health care and education extension work (building schools and clinics) and agriculture extension initiatives (subsistence crop, cash crop, aquaculture

and apiculture development). The contract is thus effectively looking to the concessionaire to deliver on, and take over, many of the roles of both the district administration and the development NGOs. It confuses the distinction of roles and governance in decision making between the 3 parties of local administration, the private sector and the (ostensible) owner-managers of the area. It runs counter to both the PCC principles<sup>12</sup> and the evolutions over 2001-4 in which village Comite-household interactions determined income use (including internal management investment in their own community scouts) and in local development priorities; a choice for social cohesion and household dividends rather than externally preferred 'development schemes'.

It also creates imbalances in local governance terms in according the concessionaire a kind of 'local government' status in service delivery mediated by the administration and is open to potential abuse of this status in manipulating local power dynamics for self-gain. To put it simply, these almost 'joint venture' arrangements<sup>13</sup> promote the agency of the private and administrative actors over that of the community agency of the local residents and their institutions.

An additional critical area related to the co-management features of these new arrangements is the as yet unclear distribution mechanisms for the income generated from the contract. The strengthening or weakening of community agency in driving further evolutions will depend both on the degree of autonomy accorded by the Management Council to decision making by village Comite scale relevant (and downwardly accountable institutions) and the securing by this level of the predominant share of the funds generated. The period of 'local resistance' between 2004 and 2006 suggests that the residents of North Sanga are resourceful in finding mechanisms to confront and redress inequity at provincial and central scales and this suggests some optimism that the Management Council will deliver on these aspects of devolution in institutional and funding terms.

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<sup>12</sup> See Principle 2: 'The role of the private sector is to optimise the market value of specified resources and in those areas identified by the community' and Principle 4: 'this programme is not an indirect means of funding government decentralisation but a direct means of promoting local level management and benefits from natural resource use'

<sup>13</sup> See Madzudzo et al 2006 for wider discussion of such power imbalances and perverse incentives for co-option and manipulation in joint venture sport hunting concessions in the context of Botswana and Zimbabwe.



However, there does also remain one further and important potential safeguard in this respect and in provision of significant agency to community actors. This arises from the co-title and co-proprietorship mechanisms of the community DUAT land right (see Norfolk and Tanner 2007). As noted previously this permits the co-titlers/co-proprietors (the residents of North Sanga) to *firstly* sub-divide the area of North Sanga (with low external transaction costs) as they so collectively choose (such as between the 5 villages) and thus concentrate agency and decision making to smaller scales and with the right in law to veto any private concession agreements. I would argue that there is thus a powerful and practical mechanism to ‘withdraw consent’ by the residents as a whole should developments in the Management Council or by the concessionaire require it and also to seek new or more appropriate scale-governance arrangements. The *second* strategic option is related; neither the Management Council nor the Provincial Governor (who signed the concession contract) are in legal terms ‘holders’ of the DUAT land right and the formal consent of all the co-proprietors actually holding this right in co-title was neither sought nor given in the awarding of the concession contract. There is thus a legal avenue available to the residents of North Sanga to withdraw their consent and collapse the legal validity of the concession contract.

The DUAT land right thus provides the potential for ways to generate/re-generate community agency as a key factor in influencing or catalysing further evolutionary cycles of adaptive change in Chipanje Chetu. It rests this capability on local contexts, legitimacy and dynamics rather than homogenous structural design or institutional choices from above. The Management Council, the government administration and the concessionaire are still effectively on sufferance to that most powerful of democratic forces; the right and agency of citizens acting collectively to withdraw consent and precipitate change.

## 5. CONCLUSIONS

*'It is not the trap that matters, but the art of trapping'*. A Kikuyu proverb

I would conclude in an overview of the events discussed in this chapter that they revealed institutional change in CBNRM in North Sanga as non-linear, non-equilibrium and scale interactive; as well as the agency in change being contingent on specific contexts (historical, social and environmental) and responsive to the beliefs of actors involved.

The first element of this overview (non-linear, non-equilibrium, scale interactive) is illustrated by the cycles in the progression of the Chipanje Chetu programme of both breakthroughs and breakdowns in the process of devolving land and resource rights and management to local entities. This chapter has been broken down into 3 main time periods describing cycles in which evolution and adaptation to events have occurred with interactions in scale both within the local north Sanga context and its residents and also with district, provincial and national scales. This fits the Complex Adaptive Cycles and Panarchy conceptual framework of this research with its emphasis on scale interactions and the building up and breaking down of resilience in such cycles. What has been emphasised here has been the extent that Chipanje Chetu as a CBNRM initiative confronted by progressive under-funding and declining NGO support and central state level increasing tendency to re-centralisation did not collapse. It did not fit the pessimistic scenario of donor funded and NGO implemented CBNRM programmes in the region outlined for example by Madzudzo et al (2006):

*'...as the experiences of southern Africa in general show, donor funding are (sic) fickle and, if they dry up, the NGO funding will also dry up. This will leave local communities exposed, leaving the state to determine the nature of decentralisation in general and CBNRM in particular. The sequence of this scenario is: state control of resources, seemingly vibrant CBNRM with the support of a donor, a suspicious or envious state, and a return to state control when the donor leaves'*

In fact in the Chipanje Chetu process it was the 'crisis' of NGO funding and declining support which drove a new cycle of adaptation by key actors and the growth of higher local community agency. It was the next 'crisis' of intervention by the 'envious' central level state-elite actors in another cycle which was countered by the reactions of this new level of community agency. This is a scenario of local communities not as passive

recipients of state-NGO policy and projects but more reflective of their agency of 'strong, politically potent constituency demand' rejecting the status of 'permanent adolescence in national structures of governance' (see Murphree 1995:3 and Chapter 2) gained from new tenural rights to resources and collective benefits from them.

The second element (agency contingent on context specific issues and related to beliefs of actors) has been illustrated by the extent that the process of adaptive and evolutionary change has been significantly shaped by the particular social system and specific history of the people of north Sanga and their local institutions of governance. The matrilineal *mbumba*, as an 'unwritten constitution', the actors of the *Mwenyes*, Muslim cleric and others of village scale governance and social cohesion have had particular scale implications; reflected in the resilience of the village Comites as CBNRM institutions through these 'crises' but a more problematic status for institutions and interactions at higher scales. This *mbumba* 'mental model' as one still open to new scale interpretations to build cohesiveness up scales between villages to resolve conflicts is well illustrated by an example from one of the interviews in Mubai et al (2006) with a member of a Comite about the Nova Madeira and Maumbica tensions. Her views were of inclusiveness, within an *mbumba* framing, that:

A man who has more than one sister does not have to suffer for having various nephews-neices-cousins, but should know how to live together and share with each of them in his house.

The importance of beliefs, 'mental models' and norms have also been stressed in this chapter in relation to actors and their agency in institutional change. As noted by North:

Belief structures get transformed into society and economic structure by institutions – both formal rules and informal norms of behaviour. The relationship between mental models and institutions is an intimate one. (North 1996:348). Emphasis added.

The chapter has noted the importance of the '10 Principles of Chipanje Chetu' as a mechanism to create a shared set of beliefs about the purpose, ways and aims of the initiative in a context of varied NGO, administration and community norms. It has also emphasised the critical role played by individual actors (such as Antonio Abacar) and the importance of beliefs on integrity, equity and democracy in the cycles of governance that emerged. The contrast in such beliefs has been shown as particularly stark in the actions-reactions of the central state actors compared with that of the local communities. As noted by Crick (2003) the key element of democracy 'as a kind of behaviour' does

not always go together with democracy as a policy doctrine or as an institutional arrangement.

Finally the events described in this chapter suggest that the most significant actor-agency catalysing the shifts in cycles of adaptive evolutions in Chipanje Chetu has been generation and regeneration of community agency. The promotion of this community agency has been particularly facilitated by the DUAT land rights process of devolving powers to local self-identified entities and its mechanisms of responding to local contexts and legitimacy. As to the future of Chipanje Chetu and the consolidation of democracy for the people of north Sanga; their community agency has proved a powerful force so far and there remains space in the 'withdrawal of consent' for it to continue to catalyse new adaptive evolutionary cycles. As noted by Churchill in his historical and adaptive perspective of governance changes and democracy (Churchill 1956:453): 'The future is unknowable, but the past should give us hope'.

In the wider context of Mozambique, the case of Chipanje Chetu in illustrating limited progress or trust in the implementation of national reforms to democratisation, decentralisation and resource rights, suggests that the 'traps' of these formal institutional reforms designed by the central level (political elites, state administration, donors, policy advisors, academics, NGOs) and set nationally have yet to deliver much meaningful change. However, the 'art of trapping' in greater activism at local levels, and in evolving so far informal, diverse but socially legitimate governance mechanisms, may well prove more significant.

*'History is not about assigning or sharing blame, nor it is about narrating the 'past' ... History is about the present. We must understand the present as history so as to change it for the better.... we have to understand history, as much as the philosophy and the political economy that underpin the existing world.'* (Shivji 2006:15)

*'The ancient insanity of governments, the mania of wishing to govern too much'*  
Maximilien Robespierre (quoted in Roberts 2006:486)

## **1. OVERVIEW**

This thesis has taken a historical look at developments in Mozambique around questions of institutional change in the governance of natural resources as a means of addressing the current and future status of CBNRM. The research has been rooted in the perspective that the core concern of CBNRM is how power and authority over natural resources is distributed within a system; with the emphasis on local origin democratic governance, local community socio-economic development, and collective tenure systems for land and natural resources.

This thesis has sought to understand institutional change in CBNRM:

- Not as a lineal process (A-B-C-D) with little connection between A and D and in which ideal structural design can be predictive in choosing the preferred outcome.
- Not as a dialectical change (A-B-A-B etc) of right or wrong, success or failure
- Not as a multi-stage cyclical but repetitive (A-B-C-D-A-B-C-D)
- But as cyclical and evolutionary and interactive between multiple scales in which actors and their agency can have critical points of intervention opening up new adaptations and evolutions but in which no preliminary structural design or policy will lead on instrumentally to predicted outcomes.

It has used Complex Adaptive Cycles and Panarchy (Gunderson and Holling 2002) as a conceptual framework suited to better understanding such cyclical, evolutionary processes and interactions of scale and to question what actors with what agency are significant to push through new adaptive cycles and enhance resilience in CBNRM.

It has done so by a core focus of the research being on a pilot CBNRM initiative in northern Mozambique called Chipanje Chetu and following its evolutions from 1999 to 2007. To better understand the temporal and governance scales the thesis has studied the contrast between the ‘small society’ of the Yao people of Niassa Province in northern Mozambique over a history of 500 years with that of the national scale history of the Mozambique state over a period of around 50 years. In particular it has looked at the considerable body of policy and legislation reforms to democratic processes and the governance of land and natural resources that have evolved since the end of the civil war in the early 1990s.

Of these ambitious national reforms many have stalled in the process from developing policy in the mid 1990s, framework legislation in the late 1990s and into implementation in practice since 2000. While national economic development indicators have shown considerable growth and Mozambique has been widely characterised as a success story for rebuilding a ‘failed state’, assessments of governance have suggested the progressive entrenchment of democratic minimalism and the ‘transformative preservation’ of benefits from politico-economic reforms primarily for the state-party elite (see chapters 3 and 4). Profound changes to local governance of elected public entities of local government from the periphery to the centre in the early reform policy intentions have also become transformed into the reification of ‘traditional authorities’ along colonial precedent. Changes in national leadership also have been argued as representing a trend towards re-centralisation and a reversal of the policy intentions of the earlier reform phase. As noted by EIU (2007:3):

The style and substance of governance under Mr Guebuza differs substantially from that of his predecessor, Joaquim Chissano, whose time in power was characterised by political pluralism, national reconciliation and a more collegial style of government. By contrast, Mr Guebuza is seeking to consolidate his party’s political hegemony in Mozambique, even at the risk of undermining previous democratic reforms. As a result, independent institutions are being re-politicised, the patronage networks of the Frelimo elite extended, and the rhetoric and autocratic style of the former one-party state revived.

It is against this national cycle of evolutions in an increasingly dis-articulated political system (see Chhatre 2007) in which the majority of citizens have little direct influence on the national political process, that the adaptive cycles of change in the ‘panarchy’ of

scales in natural resource and land governance and at the local implementation level of the Chipanje Chetu CBNRM initiative have taken place.

The thesis has aimed to illustrate the inter-connectiveness of these adaptive cycles over time and scales of national to provincial to local villages in north Sanga District. In particular it has aimed through a detailed study of the Chipanje Chetu initiative to try and identify what actors with what agency have proved significant in the fast moving cycles at this local level in precipitating new adaptive cycles and promoting resilience in local democratisation.

The research suggests that actors with beliefs or ‘mental models’ that emphasise democracy as a kind of behaviour have been significant along with devolutionary mechanisms in the land tenure reform law which empowers self identified, locally legitimate and socially embedded institutions to develop. It has been the emergence of community agency in the particular historical and social context of north Niassa however and promoted by the formalisation of collective land ownership in particular, which this thesis suggests has been the critical factor.

## **2.1 KEY RESEARCH FINDINGS**

### **Hypothesis Revisited**

The research for this thesis was based on a hypothesis that:

The transfer of land and natural resource rights, use and management to the lowest scale feasible will promote an evolutionary process of socio-economic and political benefits in the adaptive interactions between the local and the national scales of governance.

The hypothesis has generally been substantiated by the results of the study and the developments in practice in the Chipanje Chetu CBNRM initiative. The transfers in powers were only partial but institutional change did exhibit an evolutionary progression and did for the local scale provide evidence of socio-economic and political benefits. What remains to be further clarified or proved is that this local scale can impact upwards to create new evolutions in adaptive cycles at the slower moving national scale; that is that actors and agency of CBNRM locally can act on catalysing

change in national reforms to natural resource governance and the wider consolidation of democracy.

A more nuanced conclusion of this research would be that it revealed institutional change in CBNRM in North Sanga as non-linear, non-equilibrium and scale interactive; as well as the agency in change being contingent on specific contexts (historical, social and environmental) and responsive to the beliefs of the actors involved.

The research points to a need for policy frameworks to support flexible multi-level governance and adaptive management processes that can learn, generate knowledge and cope with change. It argues also more simply for greater recognition to be given to learning from the history of democratic governance and the persistent lessons of the diffusions of power in the ‘small society’ from Ancient Greece to the present time; that the political process is a practical endeavour needing continued work, revision, mutual help and generosity rather than theoretical constructs or ideal institutional design. A ‘policy recommendation’ summed up in the Kikuyu saying that it is not the trap that matters but the art of trapping<sup>1</sup>.

### **Adaptive Cycles and Panarchy**

These theories largely drawing on research in the natural sciences, have been used in this thesis to explore institutional change in CBNRM and provided a useful conceptual framework to illuminate the interactive nature of governance of natural resources and of social and political evolutions over time and scale.

### **Democratisation in Natural Resource Management; Institutional Choices**

An underlying conclusion drawn from examining over time the large scales of national governance and natural resource governance and the more local scales of governance in the ‘small society’ is that the binary choices of assessing CBNRM in Mozambique as being either a ‘success’ or ‘failure’ is not a very useful or productive approach. The less linear approach of viewing CBNRM as part of adaptive cycles over time linking

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<sup>1</sup> Mutego ti ngoro, ni wathi warera.



political governance, natural resource governance and scales from local to national seems to offer more inclusive scope for analysis.

In particular this relates to the preoccupation in the scholarship on democratisation in natural resource governance that gives considerable weighting to the issue of institutional choice between public and private entities (see Ribot and Larsen 2005; Ribot 2007). What this thesis argues, in agreement with Chhatre (2007) is that a preoccupation with concerns over the correct institutional choice places too much emphasis on structure and external design. The more critical aspect is what factors can generate community agency (whether via private or public entity) in CBNRM adaptive and context specific conditions.

### **Beacon and Barometer**

One of the aspects that arises from the use of complex adaptive system theories in this analysis of governance and natural resources in Mozambique is the contribution that local CBNRM can make as a small and often fast moving adaptive cycle dealing with issues of tenure, communal institutions and local democratic governance on the slower moving cycles of national democratic government and policy on natural resource governance.

On the wider national democratic governance aspect these relationships of small and large scale cycles suggest that CBNRM can act as both beacon and barometer. A *beacon* for applied land tenure or local governance reform and a *barometer* indicating the state of wider local or national democratic governance.

## **2.2 METHODOLOGICAL REFLECTIONS**

I would suggest that the ‘practioner-scholar’ approach (or what O’Brien 2001 refers to as ‘action research’) adopted for this thesis is particularly useful in research into issues of local governance, tenure and resource management and benefits. This is particularly so in challenging the current orthodoxies both theoretical and that emerging from many conservation and development entities, of a crisis of confidence in community based governance of natural resources.

The thesis has aimed to illustrate that it was precisely the times of crisis in the evolution of the Chipanje Chetu initiative (of the all away of NGO funding or support; of new external threats of land enclosure) that drove new cycles of innovation and adaptation and new growths of community agency in addressing these challenges. On a more personal level it was my own ‘crisis’ as a practitioner in facing what appeared to be a stalemated situation of chaotic community structures in the villages that opened up a fascinating area of scholarship in the ethnography of the Yao people and the underlying scale specific governance institutions of the *mbumba* and the deep history of this small society.

To put it another way it would have been easy as a ‘project practitioner’ at that time to have withdrawn with the conclusion that CBNRM in north Sanga was difficult and hardly worth trying or as a ‘PhD researcher’ that Chipanje Chetu illustrated yet again the naiveté of the theoretical constructs of CBNRM of community cohesion or capacity to manage natural resources collectively. The advantage of the action research approach was its help in confronting a more complex reality that I have tried to emphasise through this thesis – it helped make visible a governance landscape with its particular memories and contexts. This is a very difficult landscape to comprehend from either behind a desk or in the equally abstract contexts created by project driven processes.

A further aspect of the ‘practitioner scholar’ approach is that it encourages the democratisation of research and ideas on community level governance of natural resources in that it promotes the inclusion of those most actively involved on the ground – namely the members of the communities involved. The people of the 5 villages in the area of study as illustrated in the previous chapter emerged as eloquent and effective practitioner-scholars in their own rights in dealing with the external narratives of ‘CBNRM’ crisis and in innovative and diverse ways of getting their own perspectives of local natural resource governance and benefits heard.

A related methodological reflection from this thesis is the importance of longitudinal studies such as that attempted here. I would suggest that the need for such longitudinal studies in CBNRM has increased as donor, NGO and government narratives in the region have moved on and attention has fallen away from what is actually happening at

the local level in initiatives started as projects or programmes during the 1990s. A number of recent studies (see Taylor and Murphree 2007; Rihoy et al 2007) have illustrated that contrary to expectations of collapse post project or NGO funding, local evolutions in governance of natural resources are producing new and fruitful dynamics. These are particularly important to research given the emerging regional challenges in which adaptations for climate change, new enclosures of collective land and resources for bio-fuels or carbon offset businesses or privatised 'wildernesses' are growing and where the lessons from CBNRM around local governance, tenure and livelihoods are ever more important.

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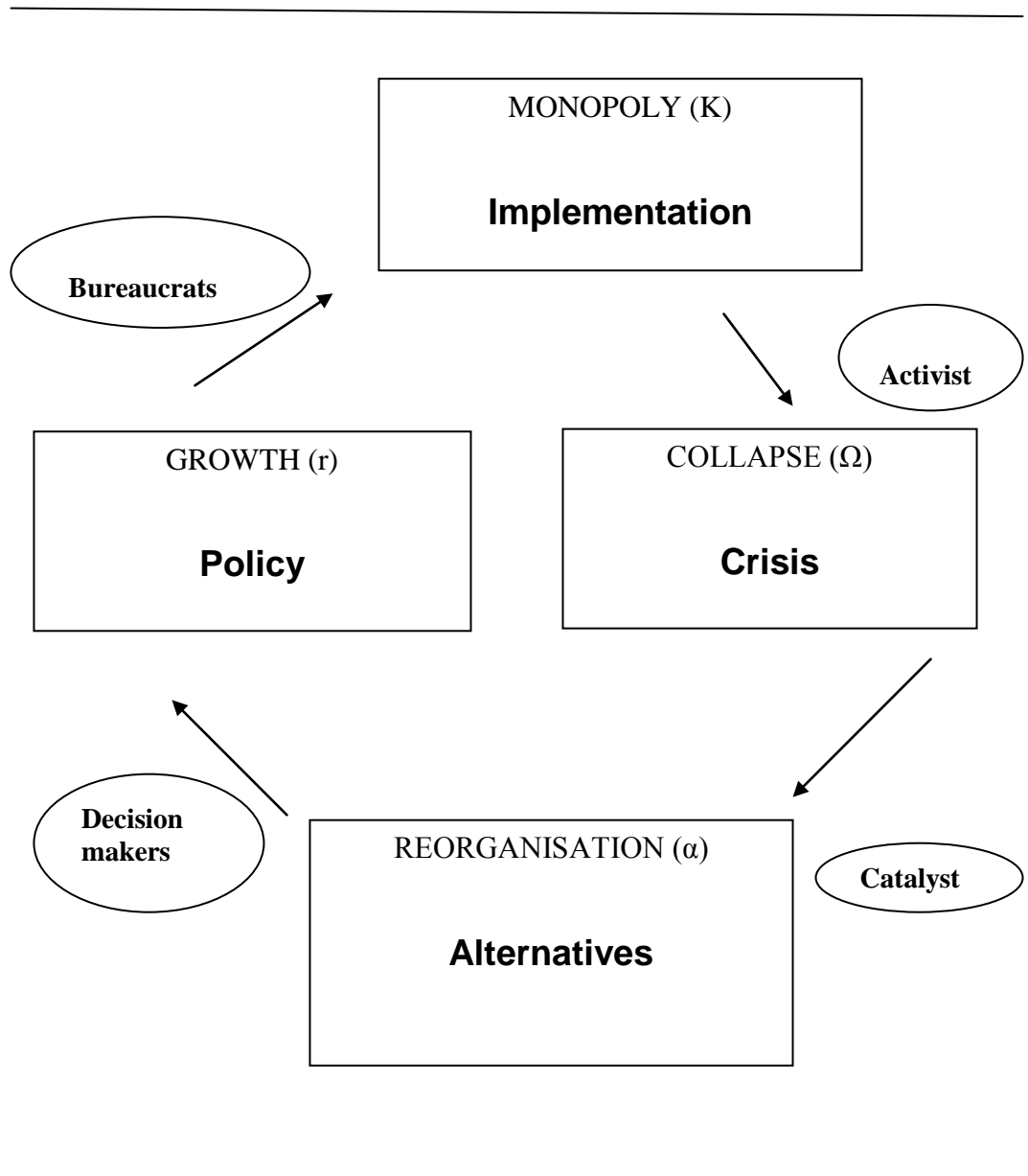


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# APPENDICES

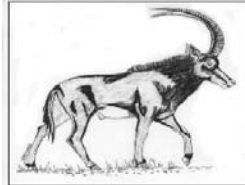
## Appendix 1

### Schematic Representation of Complex Adaptive Cycles, Actor Groups and Policy Evolution (adapted from text in Gunderson, L.H., C.S. Holling and S. Light 1995)



## Appendix 2:

### TEN PRINCIPLES TO GUIDE PROGRAMA CHIPANJE CHETU



<p><b>Princípio 1</b></p> <p><b>GOALS AND SCOPE</b></p>	<p>The basic goal of the programme is to achieve self-sufficient development by the local communities of north Sanga based on sustainable use of the natural resources of the area. The conservation of biodiversity is a secondary objective. The basic hypothesis of the programme is that the transfer of natural resource authority and functions to the lowest level possible within the local communities will result in self sustaining development through the accumulation of economic, social, environmental and political benefits. The programme is essentially a local level planning and development initiative with implications beyond natural resources - specifically in terms of local governance and rural empowerment.</p>
<p><b>Princípio 2</b></p> <p><b>OWNERSHIP AND ROLES</b></p>	<p>The Programme is <u>implemented</u> and owned by the local communities of North Sanga District - through their representative institutions.</p> <ul style="list-style-type: none"> <li>• The roles of central, provincial and national government agencies (DNFFB; DPAP; SPFFB; District Administration; Police etc) is to <u>facilitate</u> the transference of rights, functions and responsibilities for natural resource management</li> <li>• The roles of NGOs (UICN; OPORTUN; ACORD; WWF etc) is to <u>facilitate</u> the capacity building of community level institutions and provide <u>technical advice</u>.</li> <li>• The role of the private sector is to optimise the market value of specified resources and in those areas identified by the community. These basic operational principles are in line with those specified in the Ministry of Agriculture Policy of 1996.</li> </ul>
<p><b>Princípio 3</b></p> <p><b>TENURE AND INSTITUTIONS</b></p>	<p>The two most critical activities for the success of the programme will be a/ the transference directly to local communities of <u>secure tenure/access rights</u> to land and natural resources and b/ the establishment of <u>local institutions</u> to hold these rights and exercise management functions, responsibilities and distribute benefits.</p> <ul style="list-style-type: none"> <li>• Secure tenure/resource rights will be achieved through the delimitation, demarkation and titling of land in the programme area in the name of the local community/communities. Resource rights will then be devolved by the relevant state institutions to the community (or its representative institutions).</li> <li>• Representative community institutions (based on criteria for self identification, democratic elections, conflict resolution mechanisms, administration and financial management capacity) will hold land tenure and resource access rights and be the core institution responsible for management and benefits.</li> <li>• Resource rights will be devolved to the community institutions, initially through management plans or development plans for natural resources (quotas and zonation of use for wildlife, other forest resources, fish etc) approved by the relevant statutory authority (DPAP/SPFFB etc). In the longer term (depending on the development of regulations to existing legislation) resource planning will be an internal decision making process of the community and its representative institutions.</li> </ul>

<p><b>Princípio 4</b></p> <p><b>EMPHASIS IN IMPLEMENTATION</b></p>	<p>The focus of the support to the Chipange Chetu programme by government agencies, NGOs and donors will be on facilitating the capacity of local community level institutions (land and resource rights, institution building, management and planning) to manage and benefit from local natural resources. This principle implies that</p> <p>a/ the expenditure of funds and human resources will be minimal for capacity building, infrastructure, vehicles etc for NGOs or government agencies (for which other budgets are available) and</p> <p>b/ only those minimal management structures or systems which can be sustained by the revenue base and technological capacity of the programme area and community institutions should be invested in or created.</p> <ul style="list-style-type: none"> <li>• In other words, this programme is not an indirect means of funding government decentralisation but a direct means of promoting local level management and benefits from natural resource use.</li> </ul>
<p><b>Princípio 5</b></p> <p><b>EQUITY AND DISINCENTIVES</b></p>	<p>An important principle drawn from those above is that the local communities will not be unfairly taxed in terms of the benefits from their resource management. Their management of natural resources should be treated in the same way as any other land-use option such as livestock, cotton or cereal production. The revenue from the programme should not be a substitute for district, provincial or national government budgets for services such as roads, health care and education - for which the normal taxes of Mozambique payable by individuals and companies apply.</p>
<p><b>Princípio 6</b></p> <p><b>SELF-SUFFICIENCY</b></p>	<p>In order to avoid the “dependency syndrome” and to promote self-sufficiency the support programme (Government agencies, NGOs and Donors) will avoid the provision of “free” infrastructure or activities - such as building schools, clinics, or donating maize grinding mills, cash payments etc. Activities or micro projects (such as small scale fisheries, beekeeping etc) will be based on the principles of credit and long-term sustainability, wherever possible.</p>
<p><b>Princípio 7</b></p> <p><b>TRANSPARENCY</b></p>	<p>In the interest of transparency and maximising the potential net economic benefits of resources <u>an open tender system</u> will be followed for any use of resources by the private sector or third parties.</p>
<p><b>Princípio 8</b></p> <p><b>VIABILITY</b></p>	<p>The programme will focus on those areas where the viability of community based natural resource management as a land use is likely to be high. This implies areas where there is low human densities, high resource value, low alternative revenue options (eg agriculture or livestock) and strong community social systems.</p> <p>It will not attempt to undertake activities in areas which do not meet these basic criteria.</p>
<p><b>Princípio 9</b></p> <p><b>COORDINATION AND POLITICAL WILL</b></p>	<p>To be effective, to avoid duplication of effort, contradictory activities and loss of focus the programme will have to have good coordination at two levels:</p> <ul style="list-style-type: none"> <li>• within and between the community institutions and individuals of the area.</li> <li>• within the support agencies of provincial government, district administration, NGOs and donors.</li> </ul> <p>Given that such programmes imply a major transfer of power from state agencies to communities there will have to be powerful and direct political support to ensure that bureaucratic resistance is minimised.</p>
<p><b>Princípio 10</b></p> <p><b>A PROCESS NOT A PROJECT</b></p>	<p>A core principle of the programme is that it is a <u>process</u> of rural empowerment and local level planning and management. It will therefore take time (eg building effective community institutions) and require an experimental approach (feed back of progress to redesign activities and focus). It should therefore not be treated as a ~project~ within the timeframe and expectations of government, donor or NGO agencies but as an evolving process that may well require up to 10 years to fully secure the goals noted in Principle 1.</p>

**APPENDIX 3: Photos**  
(all by author except where indicated)

**The Road to North Sanga** (August 2000)



**Main road Niassa Province** (near Mandimba in rainy season 1999)



**Constructing Road to Paulila (1998 and then 1999) – Caetano Tuli (right) and District Agricultural Officer**



**Re-constructing Paulila Camp - ex Portuguese Army base of mid 1970s (2000)**



**Nova Madeira Village (1999)**



**Opening new fields – Nova Madeira (2000)**





**House Maumbica in 2000** (note painting of war ambush)



**RUAT Village Planning Team – Nova Madeira 1999**



**CRUAT+RUAT Team Matchedje village 1999 (flip charts of village zonation of natural resources)**



**CRUAT Lilumba village learning forest inventory methods (2000)**



**Writing up RUAT/CRUAT daily village planning records (Afonso Macadona in Matchedje village 1999)**



**My house – Nzuzu Camp 2000**



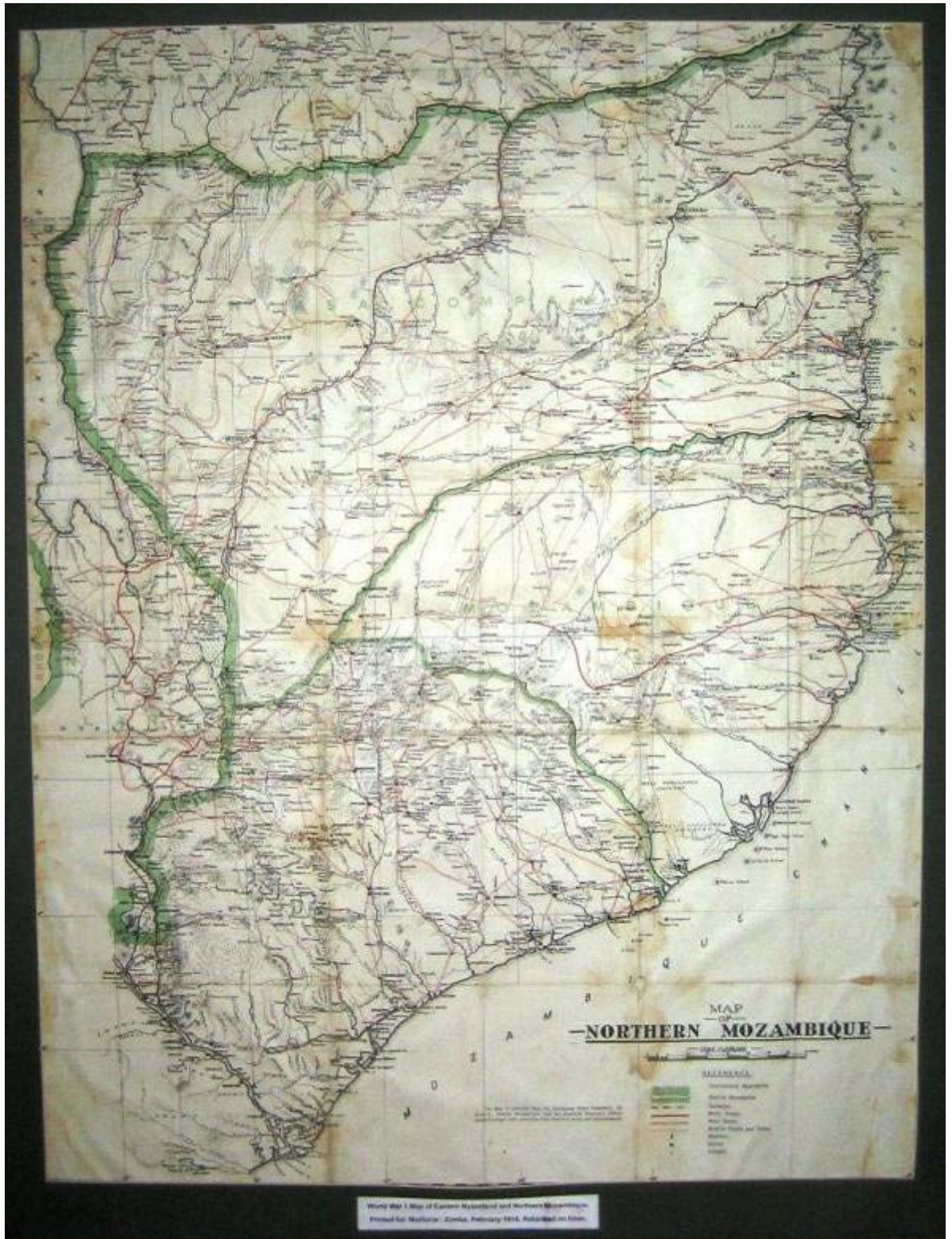
**Accommodation in my initial year (1999) – on *dambo* edge north of Nova Madeira**



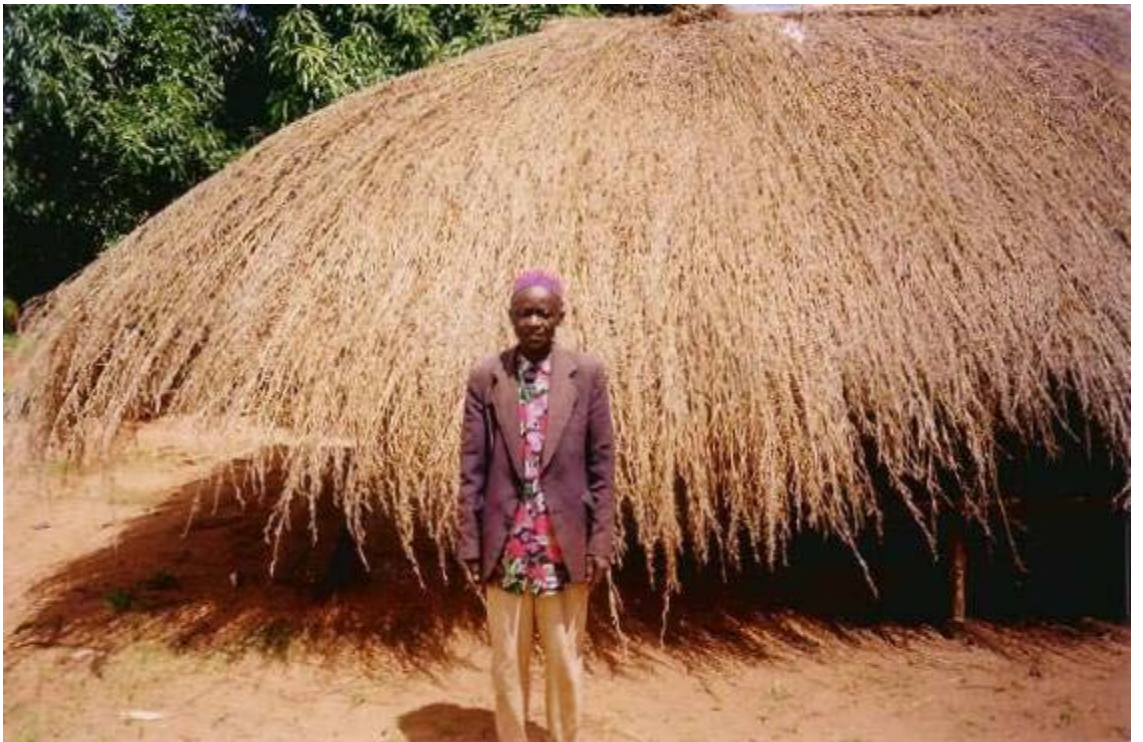
**My house/office 2001-2 (rehabilitated officers mess of Portuguese army base abandoned 1974)**



**Photo of 1917/18 British Army (NORFORCE) Map of Northern Mozambique** from First World War Campaign against retreating German East Africa army (Original linen backed map found in second hand bookshop in Malawi). *Note large number of villages along Lugenda River to Rovuma River (top centre) in what since late 1990s has become Niassa Reserve/Buffer Zone*



**Mohammed Mbuana – Muslim Cleric (*Sheia*) of Nova Madeira (2001)**



**Carpenter and *Tisango* or Diviner – Nova Madeira 2002**



**Comite Chair and Comite Members Nova Madeira 1999 (constructing PCC centre)**



**Sultan/Mwenye Malingalile (left), Mwenye Paula and two advisors of Malingalile (at Paula camp and ex village) for Chonde Chonde ceremonies for PCC 2000**



***Mwenye Masogo (far left) and some of Comite of Matchedje village in 2000***  
(building PCC village cente/store)



***Community Scout or Fiscal (right) with his porter – Matchedje village area in 2000.*** This fiscal was to lose his life in 2001 crossing back over Rovuma River having retrieved a firearm hidden in Tanzania used by Tanzanian and other illegal hunters in Matchedje area





**Comite Members from Matchedje Village 2000 – attending meeting in Nova Madeira and training course in associations and finance. (on far right Mwenye Masogo; Comite Chair – second from left)**



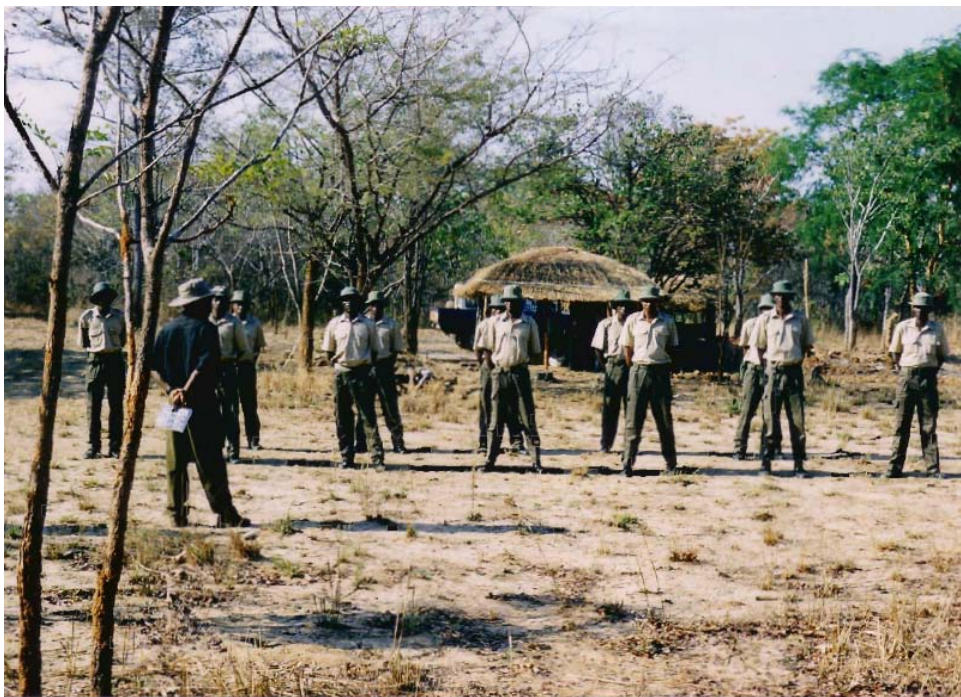
Typical Yao hamlet community (Paula-Nova Madeira area) 1999 – *Mwenye musu* and lineage



**Community Scouts + Government Scout – Nzuzu Camp 2000.** Far right Sampas Ali Hussein (head of PCC community scouts) and second from left Benson Kaputi (Government Game Scout)



**Community Scouts completing training at Paula Camp** and receiving formal rights to act under the Forest and Wildlife law (2001) from the Head of SPFFB (Hilario Akisa).



**Sampas Ali Hussein (Community Scout) on left detaining District Administration driver + vehicle containing illegally hunted meat. 2000 Lilumba/Maumbica area**



**Ivory in Niassa Reserve (1999) – Incalawe River area** *(photo credit J.A. Abacar)*



**Tree cut to harvest honey (2000) in Nova Madeira area**



**Bark Hive in Matchedje area 2002**



**Top-bar hives –2001**



**Extracting 'Sweat Bee' hive [family *Halictidae*] (2001 Paulila area)**



**'Sweat Bee' honey comb**



**Honey and grubs from above comb. Ideal for tea**



**Fish Trap (Nova Madeira design) 2001**



**North Sanga/PCC after the early dry season fires 2001**



**The Lucheringo River confluence with the Rovuma River (Tanzania on opposite bank) 2002.**



**Miles of Miombo woodland – eastern side of PCC-Sanga in 2001**





**A ‘practioner-scholar’ version of the cargo cult.**  
Re-clearing Paula airstrip after 25 years of re-growth (2000)



**Mohammed ‘Mpishi’** – Nzuzu Camp – dry season 2000. The curry powder & beans chef of Sanga District



**Clean streams of Sanga-Mavago border area 2001**



**The 1994 IUCN Land Rover** (known as *Ndembo* or elephant to Sanga residents after its wallowing but steady progress in rainy season mud) – ambulance, market produce transporter, tsetse fly magnet, local bus and sometimes even jailed vehicle. *Photo credit – J.A. Abacar 1999 Niassa Reserve – Ncalawe river*



**Jose Antonio Abacar**

