To Co-operate or Not to Co-operate?

A study of Collaborative Management Planning in Mount Elgon National Park, Uganda

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Marte Sletten[1], Paul Vedeld[2] and John Kaboggoza[3]

Abstract

This paper addresses challenges of collaborative resource management around Mt. Elgon National Park in Uganda, investigated through household and community level surveys conducted in 2002. In an initial situation of strong conflicts, due to eviction, land deprivation and restriction in resource access through the conversion from a forest reserve to a national park, the paper analyses first of all how the processes behind establishing the participatory venture have been, to what extent people have felt activities as legitimate and inclusive using an implementation process perspective. This includes a discussion of to what extent the participation here can be seen as slow processes of social change involving participation as a goal in itself, and as part of efforts for a rights-based development. The paper also makes an analysis of the structure of the agreement in itself, and what pitfalls it may contain for the future implementation and establishment as conducive rules for a long enduring social institution.

It is found that people do participate to some extent and that their perceptions towards the Park and Park Staff have improved after the introduction of Resource Use Agreements, which assigns rights and duties to people. The participation is still found to be very controlled and contingent, a rather functional and instrumental approach, with Uganda Wildlife Authority/ IUCN controlling both process and the structure and form of the agreements. Participation is clearly a means, not seen or meant as a right or as an aim in its own right. There are both formal and informal asymmetric power relations, where UWA at any time can withdraw from the agreement. The analysis also reveals a lack of understanding for local heterogeneity, where conflicts within and between local communities are not well addressed. Much of the conflicts are also left and partly actively transferred to the local RUCs, which neither have the resources, nor the mandate to handle these.

It is recommended first of all to rearrange particular formal structures and processes constraining present management and delivery. One should also improve training for UWA staff on handling socio-cultural and local participation issues and secure rights of access better for marginal local people. One also suggests to introduce an external and independent arbitration function between UWA and to support network of RUCs to improve the existing asymmetric power relationships. One should form processes to negotiate and settle underlying, and far more serious issues of land tenure rights around the park.

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1. INTRODUCTION

1.1. BACKGROUND TO THE PROBLEM

At the global level, conservation of biodiversity resources by land protection has expanded more than 10 times over the last 30 years. From less than 1 mill sq.km (3.5%) in 1970 it was estimated to be some 12.2 mill. sq.km (8.8%) in 1997 (Zimmerer et al 2004). With a similar trend of expansion up to 2008, the conserved areas may amount to some 17 million sq.km. or some 12% of the world total land areas spread out over some 100 000 individual areas (Chape, 2005). Thus, biodiversity conservation management is no longer a marginal environmental phenomenon for specially interested people concerning marginalized local people. It has become a matter of common, global economic and political concern, where much broader audiences at global levels must be invited in to discuss the architecture and direction of future policies.

The seriousness of the problem is often argued as the main reason behind a new policy introduction, but there are many possible reasons behind the rapid policy expansion in this area, starting from a substantial increase in the global ambitions on biodiversity conservation and increasing international governance in that respect. This aside, the many interest groups put also their own interests on the agenda, there are international and globalised NGO pressures, framed media focus, spectacular or particular events (Chernobyl, North Sea fish death), wealthy countries with their increased ability and willingness to tackle environmental challenges and costs, new information and knowledge, general policy trends and political feasibility (try to ban use of private cars) are all reasons that must be considered carefully when analyzing reasons for new policy formulations and implementation. Attention should also be put on planning and implementation processes themselves that can put or not put challenges on the current policy agenda.

Constrained land access is an increasing challenge for small-scale local farmers. Natural local population growth and increased in-migration to previously lowly populated areas around national parks are factors contributing to increased and competing demands for land. Land is also limited and even shrinking in supply through processes such as land degradation, increased tracts of land under protection (a result of national and international commitments) and increasing areas are converted to commercial and export oriented used. Such factors all

contribute to less available agricultural land, less access to natural resources and a general deprivation and alienation of local people from land. This is furthermore strengthened through policies involving confiscation of traditional and often informal local usufruct rights of access to natural resources. Such scenarios often form the black cloth for conflicts between national park authorities and local people.

The 'Fortress Management Approach' has been a leading policy narrative in Sub Saharan African natural resource management for almost a century. With a focus on conservation of natural resources, wildlife and the environment in general, local people have systematically been evicted and excluded from the protected areas and denied any consumptive use of the natural resources, with the state acting as a strict controller overseeing the conservation (Hulme and Murphree, 2001, Hutton et al 2005). This policy approach has met with increasing resistance. The "Fortress" policy measures and instruments have still not been respected, and the vulnerable natural resources has in many cases been heavy utilized, despite bans, sticks and controls (Vedeld, 2002).

The experienced unsuccessful management has over the last 10-20 years gradually lead to various types of 'Community Conservation Approaches'. These new approaches have had a joint ambition to legitimize sustainable use in order to achieve both development and conservation in an area, and to get local people to participate in the management (Hulme and Murphree, 2001, Pretty, 1995). The new approach unfortunately also generates challenges ("any solution has problems") regarding how to combine conservation and development successfully, as well as how to achieve a long lasting and fruitful participatory management (Hulme and Murphree, 2001).

In this paper, our ambition is to probe deeper into certain aspects of the participation- what it takes to generate thriving pilot models and actually implement these successfully. We are looking for examples of what has been named ecological modernization, where concomitant concerns for sustainable biodiversity management is paired with economically viable, efficient solutions and wider quests for deliberative or communitarian approaches that secures the broader legitimacy of the ventures (Weale, 1992, Jännicke, 1997, Hajer,1996, Hanf and Iansen,1998).

The paper investigates the planning processes, and the structures of the implemented resource use agreements in relation to outcomes and to participation and legitimacy of governance.

1.2. THE STUDY SITE

Mt. Elgon is located on the border between Uganda and Kenya, 100 km north of Lake Victoria. The mountain represents the eastern limit of various species of flora characteristic for tropical forests of West and Central Africa, and the western limit of various Afro-Alpine species, which makes the area biologically significant on a global scale. The Ugandan part of the ecosystem is mainly regulated as a national park. Some estimated 1.5-2 million live around the park on the Ugandan side (UBS 2002).

In 1994, a local people resource use assessment was conducted in 6 parishes bordering the national park on the Ugandan side (Scott, 1994). The results displayed an extensive forest dependency in terms of number of resources used and people involved, and that people used the forest resources intensively, in terms of frequency and time spent in the forest. The most important resources collected were firewood, bamboo shoots and stems, medicinal plants, pole-wood, crop stakes, wild vegetables, mushrooms, honey, circumcision sticks, crafts, timber and ropes. In addition to being means of subsistence and cash incomes, the resource use was also partly culturally contingent, connected with ancestral worship - and various ritual ceremonies. Scott found that dependency was unlikely to decrease in the nearest future as it represented a substantial economic value for the local people (Scott, 1994). Later, several studies have followed up to measure the extent and degree of dependence on forest environmental incomes (Katto, 2004, Namugwanya, 2004, Gosamalang et al 2008, Kawuki, 2007). It is found that an average household draws around 15-20% of total cash and subsistence incomes from the forest. A study was also made on utilization of (illegal) wildlife resources, and it found to be an active local social institution involving substantial numbers of people in most villages (Jankulovska et al 2005).

Historically, this kind of resource use has been managed through customary institutions in Uganda. In 1938, Mt.Elgon was gazetted as a Forest Reserve and from that time access to resources was provided through systems of permits (Barrow et.al, 2000). The Forest Act of 1964 still allowed local people to use commercially less important forest products and non-timber products in 'reasonable' quantities for domestic use, while permissions were required

for residing, cultivating and grazing inside the forest reserve (Gosamalang et al 2008). However, the regulation was easy to abuse, since few responsibilities were attached to the permissions (Barrow et al., 2000). This system was maintained even after independence, and up to the period of civil war, when forests and other protected areas were under little or no management or control system. Up to 1986, the forests in Mt.Elgon were severely degraded, and there was *"an extended period of up to 30 years during which local people enjoyed virtually unregulated use of the protected area including large scale agricultural encroachment, illegal logging, livestock grazing and access to forest products". During the last 10 years these conflicts have often involved violent confrontations including evictions from the PA, destruction of crops, livestock and property, and even gun battles between armed poachers or cattle rustlers and rangers leading to loss of life on both sides"* (White, 2002). White further refers to that around 25 000 haa was encroached by 1989, which in theory could host a much as 100 000- 150 000 people (1haa/household and 6 people per household).

In 1993, a change in formal land regulation from a forest reserve to national park imposed substantial negative impacts on local people's livelihoods, as any resource extraction became illegal. People were denied access to resources that had been there for free, and strong conflicts arose between the conservation rangers and the local people.

Research indicates that the initial loss of access imposed by the stricter park regulations compared to forest reserve was as high as 58% less resources harvested. Katto (2004) finds that the daily/cap gross forest environmental income were 15.2% of total daily gross income/cap (USD 0.72/cap and day) *after* the transition. The annual total gross environmental income around the park would then be USD 59.9 million assuming 1.5 million people. If there was a loss of 58% of the environmental incomes, the annual total gross loss would be some USD 34.8 million for the whole area (Gosamalang et al 2008). These figures need to be worked over through more comprehensive research, but illustrates the magnitude of the challenges.

In 1993, it was reported that *"the first eviction campaign was held in 1993 and was carried out by FD assisted by the army and was followed up by several similar evictions in subsequent years. The evictions were typically rigorously enforced and carried out without prior consultations with local people. They often involved destruction of crops, confiscation of*

livestock, burning of houses, beatings etc. None of these evictions had lasting effects as the people moved back into the protected area once the eviction campaign funds were exhausted and rangers and soldiers had returned to their camps. The problems were compounded by a weak and under-funded institution and under-trained ranger force. There are many reports of rangers accepting bribes to permit people to cultivate in the national park or even "selling land in the park" (White 2002).

After a period of unsuccessful preservation policy, Uganda Wildlife Authority (UWA) introduced a more consultative eviction policy process, together with the introduction of various Collaborative Management Agreements to local people in a few parishes adjacent the national park border; legalizing forest resource use to some degree. The agreements were results of negotiations with local people, and assigned both rights and duties to local people. The aims of the agreements were to achieve biodiversity conservation, promote development and ease the relationship between local people and management authorities. Various pilot agreements have evolved over the last few years; from the initial agreements that gave people limited access to some few forest resources. The latter Collaborative Resource Management Agreements (the objects for our research) offer local people the right to enter the national park on several fixed weekdays in order to collect specified forest resources. Collaborative management is still being established in parishes in the districts around Mt.Elgon.

Recent research now indicate that the agreements have substantial economic importance for local people's average incomes and that households in communities with agreements had some 6% higher total incomes than other households. If all households around Mt.Elgon had similar agreements and degrees of use, the gross value of these agreements would be in the range of USD 1-2 million /year for the whole area (Gosamalang et al 2008).

1.3. PROBLEM STATEMENT

The balance between meeting basic human needs and securing global biodiversity values is difficult. Extensive use has degraded many ecosystems all over the world, despite attempts to manage resources in sustainable ways. There are different ways that conservation authorities can choose to address the problems present at Mt. Elgon. The authorities have chosen a collaborative management approach for Mt. Elgon (Table 1).

Table 1. Approaches for local community conservation

	Protected area outreach	Collaborative management	Community conservation
Objectives	Conservation; ecosystems, biodiversity and species	Conservation with some rural livelihood approach	Sustainable rural livelihood
Biodiversity resources	Vulnerable	Reasonably robust	Robust
Ownership/tenure status	State owned land and resources (national parks, forest and game reserves)	State land with collaborative management of certain resources with the community. Complex tenure and ownership arrangements	Local resource users own land- either de facto or de jure. State - some control of last resort
Management characteristics	State determines all decisions about resource management	Agreement between state and user groups about management of some resources that are state owned. Management arrangements - critical.	Conservation as an element of land use. An emphasis on developing the rural economy.
Policy instrument package	Participation as means	Participation partly means, partly goal	Participation as goal
Focus in East and Southern Africa	Common in East Africa, some in Southern Africa.	East Africa, some in Southern Africa.	Predominant in Southern Africa, increasing in East Africa
Actors	Researchers	Farmers	Tourism/rural dev. initiative

(Partly based on Barrow and Murphree (2001): in Vedeld, 2002)

What do the Collaborative Resource Management Agreements on Mt. Elgon imply? The specific collaborative management agreements are intended to secure biodiversity conservation promote development and improve relationships between local people and park authorities. In this paper we look deeper into some key aspects of the collaborative management planning at Mt. Elgon.

What does the agreement planning *process* represent in terms of management measures, participation and legitimacy?

To what extent do the agreements as products – as a *structure* – reflect a participatory ambition that can secure legitimate governance of natural resource use?

What are positive and negative elements of the planning process and the agreements relative to participation and legitimacy of governance?

1.4. JUSTIFICATION

The management regime of the ecosystem has been changed, and it is important to assess what has been achieved so far. Any new policy should be evaluated on process, implementation and outputs, and evaluation is especially important when the policy represents a new approach in a policy field. Collaborative management and participation has now become a rather commonplace strategy, but still more research and insight is needed on actual achievements (Hulme and Murphree, 2001, Hutton et al 2005).

In Uganda, there are currently 5 other National Parks, namely Mgahinga, Semliki, Kibale, Bwindi and Rwenzori, where similar Resource Use Agreements are being considered or have been implemented. In addition, similar agreements are implemented in Buto-Buwuma, Budongo and Mabira Forest Reserves. Also in other countries, similar agreements are put into practice. Experiences from one site might throw light on similar challenges other places.

When social institutions such as these agreements are put into practice, they generate impacts on ecosystems, on local communities and on involved protected area authorities. It is important to assess impacts of the changes and also study to what extent the new management scheme is durable. Little is achieved if the agreements for instance are likely to collapse upon donor withdrawal.

Local participation comes at a cost. Since Mt. Elgon National Park is economically unsustainable at present with its low visitor figures and small revenues, the National Park and its collaborative management system relies critically on external funding. Securing continuing funding makes it important to verify that the management strategy is successful.

It is difficult to establish local collaboration, and Mt. Elgon National Park is no exception. By this paper we want to critically assess the Collaborative Resource Management Agreements and contribute to a better understanding of relevant institutional arrangements in the local communities in order to assist a better management of the ecosystem in the future.

The paper presents a section on theoretical approaches, before a brief study area description is given. The paper then presents results from the three objectives while the last section provides some conclusions and recommendations.

2. THEORETICAL PERSPECTIVES AND MODELS

2.1. THEORETICAL PERSPECTIVES ON LOCAL PARTICIPATION

2.1.1. What is participation?

Local participation can be seen as strategy of graded devolution of authority and powers, resources, distribution of rights and duties from state to local levels of governance and from public to civil society and to individuals. Such devolution thus involves transferring policy formulation and policy implementation powers from central to local levels as discussed by fi. Oakley (1991). Graded participation implies a continuum from informing and over to full-fledged self-empowerment of people. In a policy context it both implies participation in policy formulation, planning, implementation and evaluation, but also to be affected as targeted citizens, clients and or customers in governance contexts.

Participation as a policy style in present development work has long-term historical roots, but can in recent times be traced to the communitarian movement with origins in the US (Ezioni, 1976,1988). One stressed the devolution of power and resources from public to local communities, in order to regain legitimacy for the public. Also British research environments around R. Chambers et al 1989 and like-minded researchers at IDS, Sussex and the IIED-environments have voiced similar opinions.

An important reason given for the popularity of (local) participation, has been that it fit well into a neoclassical economic approach and neoliberal ideology ("New Public Management", market-based incentives etc.); where "wildlife were to pay its way". One could reduce public influence and control and secure a contraction of public expenditures at the same time (Bromley, 1994).

The orthodox conservationist NGOs supported these new participation ideas, and often from a strategic rather than an ideological viewpoint. Substantial funds were plowed into projects with communitarian conservation approaches, according to Adams and Hulme, (2001). The new, participatory approach based on an "ecological modernization" thinking (Dryzek 1997) had at least three goals:
- To secure the biodiversity resource better than before
- To increase local economic and social values added
- To improve the relationship between "rulers and those ruled"

These goals were to be accomplished through devolution of authority, resources, rights and duties from central to local levels of governance. The move also implied a shift of governance style; devolution of resources and power from public to civil society, also including increased involvement of private actors and market integration. The narrative of local participation and its basic tenets thus had appeal to a variety of important actors, including policy makers and donors, and the approach gained momentum in biodiversity management. The approach has been tried out over the last two decades, and it has had varying degrees of success. It is time to take stock of practical experiences, also to develop revised and improved approaches.

2.1.2. Participation in practice

One may identify two schools of thought and practice on local participation, according to Pretty (1995). One views local participation as a **means** to increase efficiency; if you involve people, they are more likely to agree with and support the development effort. In this case, participation is part of an instrumental and goal-oriented process, where key actors in designed groups identify measures and instruments in order to bring about local changes in line with particular interests and ambitions.

The other perspective sees local participation as a **right**, in which the main aim is to initiate mobilization for local and collective action, self-empowerment and institution building. The participation is a goal in itself. In this case, one may talk of a "broad unending, inclusive, reflective and open dialogue" between authorities and the civil society. It would imply a project where politics is not a strategy, but more like a "joint investigation of social arrangements and institutions, of what is good or bad, right and wrong, true or false" (Straume, 2001). In such perspectives, the facilitation of arenas and processes would be important. One sees political debates not as processes where individuals try to reach goals relative to predetermined values and interests, but as processes where different perspectives meet and form a base for assessment and decision-making from an extended viewpoint (Torgerson 1999). People are, and should be involved, not primarily as customers or clients, but as citizens.

This is an important distinction. Unfortunately, this distinction is often not made clear, neither in development work nor in research. According to Rahnema (1992, in Pretty 1995:168),*"...almost everyone now says that participation is part of their work. This has created many paradoxes. The term 'participation' has been used to justify the extension of*

control of the state, and to build local capacity and self-reliance; it has been used to justify external decision making; and to devolve power and decision making away from external agencies; it has been used for data collection and interactive analysis. "But more often than not, people are asked or dragged into participating in operations of no interest to them, in the very name of participation".

It is possible to state, as Pretty (1995:169) does, that *"governments both need participation and fear it, because a larger involvement is less controllable, less precise and so likely to slow down planning processes. But if this fear permits only stage-managed forms of participation, distrust and greater alienation are the most likely outcomes".*

Local participation can thus both be a goal in itself and be seen as a means to reach other goals, such as increased conservation of biodiversity. Pretty (1995) has, heavily based on Arnstein (1969), and with support from Uphoff (1992), made a useful overview of different levels of participation (Table 2).

Table 2. A typology of local participation in planning (Pretty, 1995 from Arnstein, 1969)

Typology	Characteristics of each type of participation
1. Passive participation	People participate by being told what is going to happen /has happened. A unilateral announcement by an administration/ project management without listening to people's responses. Information shared belongs to external professionals
2. Participation in giving information	People participate by answering questions posed by external researchers using questionnaires or similar approaches. People do not have opportunity to influence proceedings. Findings not shared/checked for accuracy.
3. Participation in consultation	People participate by being consulted/external agents listen to views. Agents define problems and solutions, and may modify these in light of people's responses. Such consultative process does not concede any share in decision-making and professionals are under no obligation to take on board people's views.
4. Participation for material incentives	People participate by providing resources, for example labour, in return for food, cash or other material incentives. Much on-farm research falls in this category, as farmers provide the fields but are not involved in experimentation or the process of learning. It is common to see this called participation. People have no/little stake in prolonging activities when the incentives end.
5. Functional participation	People participate by forming groups to meet predetermined objectives relative to the project, which can involve the development or promotion of externally initiated social organization. Involvement does not tend to be at early stages, but after major decisions have been made. These institutions tend to be dependent on external initiators and facilitators, but may become independent.
6. Interactive participation	People participate in joint analysis, which leads to action plans and formation of new local institutions or the strengthening of old ones. It tends to involve interdisciplinary methodologies that seek multiple perspectives, and make use of systematic and structures learning processes. These groups take control over local decisions and so people have a stake in maintaining structures or practices.
7. Self-mobilisation	People participate by taking initiatives independent of external institutions to change systems. They develop contacts with external institutions for resources and technical advice they need, but retain control over how resources are used. Such self- initiated mobilisation and collective action may or may not change inequitable distributions of wealth and power.

It is not necessarily the highest level of local participation that is most appropriate at any time or in any context. The level of participation must be seen relative to the issue in question and to its context. In some instances, mere information to people may be appropriate whereas in other cases, participation and capacity enhancement of people should be the main goal. A high degree of local participation can also be more important in certain stages of a project, program or a process for change than in other stages. Participation in formulation of goals is of course crucial in gaining local legitimacy and practical support.

Pretty's focus is for some reason mostly on meetings in the planning and implementation phases of a project. He is concerned about local people's roles in the interaction with the authorities or external agencies. Important aspects are when local people are included in the process, in what way they are included, and how the relationship is between the stakeholders. Points 1-4 are similar in that achievements do not have durable impacts on people's life, since participation stops when the project is finished. Points 5-7 includes local institutions that organize the local people, either created by external or by local people.

For successful participatory development (PD) outcomes (see section 2.1.4), local people must be both capable and willing to carry out what has been introduced and maintain the innovations over time. To what extent people have been involved is thus crucial for continuity of the project or institutional intervention or measure. When talking about participation in a broader time and space context, the community with its local people should therefore be in focus.

Planners and implementers also need enhanced knowledge, competence and proficiency. The new roles of outreach and participation precondition that previous "officers" become conversant in working together with local people for a common good. They must have or need to acquire both theoretical and practical knowledge how to handle social actors and agency in competent ways. It would often assume comprehensive reorientations of existing management cultures and practices, as well as changes in the more formal legal and organizational frames and decision-making structures and processes necessary to facilitate participation. As Chambers et al. 1999 stresses; "*good participation requires facilitators that are sensitive to local heterogeneity and the weak groups, they need "unlearning of old ways", they must be willing to hand over responsibility and resources and they need a specific set of commitment, attitudes and behaviour*".

2.1.3. Key aspects of Participatory Development (PD)

From a governance perspective, PD is a pragmatic and instrumental approach where participation is a way to achieve goals in society in low-cost and economic efficient ways and at the same time achieve or improve legitimacy. It does not necessarily ambition to rock basic power structures in society, or move beyond the limited project or programme scale at local levels. As such the approach becomes more easily acceptable for political mainstream forces, including developing country authorities, donors, development banks and other relevant actors.

PD within protected area management is on the one hand criticized by ecologists and state public supporters arguing for a retreat to firmer (state) rule and less participation on account of its perceived lack of deliverance and its threat to important global and local biodiversity resources (Oates, 1999; Sanderson et al, 2003; Du Toit *et al.*, 2004, Wilshusen et al, 2002). These groups often express a surprising lack of concern for development ambitions and local poverty and livelihood issues.

We will not discuss this further here, but rather look in another direction, where critique comes from sources looking for more comprehensive ambitions for participation and further, that improved participatory analysis and practice requires a deeper ontological foundation in social science theory.

2.1.4. The Tyranny of Participation Critique and TPD

Cleaver (2001) claims that PD in many contexts has rather become "an act of faith in development, something we believe in and rarely question" (Cooke and Kothari 2001). Who can be against participation?

Cooke and Kothari, 2001, argue against PD as a development strategy because they believe that it **depoliticizes development** by imposing participation as a (local) instrumental development intervention. Participation should rather be seen in a broader development perspective as part of the effort to generate historical and social processes of change in society at large. It should hold a promise of *transcending* the present social order (TPD).

They claim that it is often difficult to ascertain that participation (PD) functions well and that there is a **delivery problem**; does participation really improve local people's material

standard and- or social life, and does it lead to increased efficiency, effectiveness, empowerment, legitimacy or sustainability?

There is also a **relevance dimension** in their critique. There are often many other issues that are much more important and urgent for people's livelihoods and welfare than the objectives of the intervention where participation is introduced.

The same applies for *what* to empower in relation to; individual cash transfers, rights of resource access and level of control, right to participate in decisions etc. Cleaver, 1999, sees as a naïve perception that (all) individuals as a principle should be best served by participating at all times. She stresses the need for getting away from narrow project approaches and move towards improved social contextualization and better understanding of the "non-project nature of people's lives, the complex livelihood interlinkages that make an impact in one area likely to be felt in other and the potential for unintended consequences arising from any intervention or act" (see also Giddens 1984, and Long 1992 in Cleaver 1999).

There are also a number of other types of *interactions*, **institutions and organisations** of daily life that are more important in shaping co-operation than the often artificial public negotiations, institutions and organisations launched through Community Based Management.

Underlying this is an important issue how one believes that **individuals and/or groups are motivated** for action and participation. PD often argues that participation makes economic sense; that participation is economically rational and that is why people will or ought to participate. It is, one the other hand, often also argued (often at the same time) that participation is the only socially responsible action and that it implies fulfilling social norms, often generating community wide and long term benefits. There can often be underlying tensions between anticipated social behaviour and individual utility or profit maximization behaviour often not clarified in development interventions in relation to response on participation incentives. Cleaver thus argue that; ***"Non-participation** and non-compliance may be both a rational strategy and an un-conscious practice embedded in routine, social norms and an acceptance of the status quo"*. One should thus study both costs and benefits of participation, as they often distribute differently between actors. In addition, participation can be a result of necessity rather than choice, as the resource in question may be scarce.

At an **ontological level** lies basic assumptions on social versus individual (altruistic/social vs. self-interest/individual motivation behind action and even more basic on the difference between rationalist versus social constructivist and critical realist perspectives on social analysis at large (see fi. Vedeld and Krogh 2000).

Social heterogeneity is prevalent and it can be difficult to know who should be empowered: women, poor, different ethnic groups etc. A naïve perspective on local communities as harmonic and conflict free social institutions can give very problematic outcomes from PD approaches. A community is often riddled with local politics and local conflicts. Cooke and Kotari, 2001 argue that PD approaches often assume that committees or organisations can represent 'communities'. Participatory approaches often take substantial degree of social cohesion within a community for granted. Processes of internal conflict and negotiation, inclusion and exclusion are only occasionally acknowledged and explicitly addressed. Furthermore, overlapping interactions through extended family, physical locality, wider cultural and resource-using localities, development-defined groups, church groups, clans etc. are all important elements or relationships to consider in understanding local communities and the levels of cohesion or conflict. It is often a problem when government or acting agencies try to reform old administrative and traditional systems by generating new organisational structures and institutions. They end up creating new sets of local conflicts and tensions. Cleaver, 1999, thus argues for a view seeing "the community as the site of both solidarity and conflict, shifting alliances, power and social structures". Following this, one should rather utilize local communities own abilities and skills in managing internal conflicts.

PD may reduce conflicts between implementers and local people, but can paradoxically often lead to **increased local conflicts**. PD efforts with focus on establishing committee-like institutions through "democratic representation" and a focus on the elected committee members can easily inhibit other forms of social decision-making and interactions and create conflicts to the extent that local stakeholders are or feel excluded or alienated. Existing local institutions are also often dubiously assumed to deliver proper and legitimate management, and that legitimate solutions can be established by involving persons with certain characteristics, representing legitimate empowerment. In many cases local organisations and social institutions can reflect local asymmetric power relations and actual be reasons for poverty and lack of welfare rather than being part of a solution to the same.

It is often assumed in PD that involvement and **membership** is documented, proven and manifested in public meetings through individual verbal contributions. However, such practices are not necessarily congruent with local norms and practices. To just specify membership when constructing a formal organization does not necessarily overcome exclusion, subordination and vulnerability, as wider structural factors that shape such conditions and relations are often left untouched. One needs far more wide-reaching measures than oral meetings and committees.

An important practical issue is that participation is often constrained by the conspicuous **lack of resources** in many local communities. "Even where a community appears well motivated, dynamic and well organized, severe limitations are presented by an inadequacy of material resources, by the very real structural constraints that impede the functioning of community-based institutions" (Cooke and Kothari, 46:2001).

Hickey and Mohan, 2003, summarizes a **political critique** of the "Tyranny" of PD" in the following;

- PD involves an obsession with "local" as opposed to wider structures of injustice and oppression (see also Mohan, 2001, Mohan and Stokke, 2000)

- PD has an insufficiently sophisticated understanding of how power operates and is constituted and thus of how empowerment may occur (Kotari, 2001)

- PD has a bias towards the civic and the social and it often ignores the state as opposed to the political. There is a tendency for certain agents of PD to treat participation as a technical method for project work rather than as a political method of empowerment (Cleaver 1999, Rahman 1995)

- PD has an inadequate understanding of structure and agency within notions of PD and a related lack of clarity concerning how PD interventions relate to the underlying historical and social patterns of exclusion and inclusion as framed by historical processes of citizen formation (Hickey, 2002, Cleaver 1999).

Despite this and other substantial critiques, PD has still gained substantial momentum in development interventions and is at present supported strongly and applied by most major development agencies. According to Hickey and Mohan 2003, it is now an integrated part of policy within diverse development fields such as decentralization, poverty alleviation, social capital and social movements, civil society, social policy, educational programmes, gender

studies and Poverty Reduction Strategy Papers (PRSPs) not least. It has also, in a post-conditionality sense, become part of the development rhetoric, used and advocated by national, regional and local governments and not least in the NGO sector.

As one example, we can use Hickey and Mohan's analysis of **international NGOs** and PD where they first warn against sweeping generalizations, but (still) state that;

- NGOs serve more as market operators than civic actors building civil society

- The trans-national development NGO community transmits "a neo- imperialist" project through concepts and strategies of how the "third world" should be managed

- The relationship to local actors is more of a patron-client than a true participatory relationship based on solidarity and equity

- The international NGOs tend to favour elements within civil society that can develop similar highly professionalized NGOs in their own image

- Dependence on external funding leads to demand for upward accountability that often constrain efforts for downward accountability

- There is a general urban bias constrains quality of rural PD efforts

(based on Hickey and Mohan, 2003: 21-22)

Hickey and Mohan, 2003 argue in favour of a more reflective and critical approach to participation, not accepting to see participation as a mere technical input in an instrumental governance approach. One should rather re-conceptualize participation in a broader and deeper governance context within a social change development perspective (critical modernization). **Citizenship** and related political space, political capabilities, political capital, institutional arrangements and development, and power relations should be given due emphasis. One could argue that they try to combine a participatory with a deliberative policy model in a reconfigured and transcending approach (TPD) (Martinussen, 2003).

They introduce the citizenship concept to improve the understanding of participatory governance and development as citizenship;

- "Offers a means to cover the convergence between PD and participatory governance"

- "Links to rights-based approaches since it is inevitably and necessarily bound up with the problem of uneven distribution of resources"

- "Helps to establish participation as a political right that can be claimed by excluded or marginal peoples, and thus provides a stronger political and legal and normative imperative for focusing on people's agency with development than is currently the case"

- "Analysis may also provide a means of transcending the distinction between PD interventions and general PD processes in society, particularly because it seeks to situate participation within a broader political, social and historical form of perspective beyond particular interventions".

Summing up they argue that "the notion of citizenship thus offers a useful political, social and historical form of analysis within which to situate understandings of participation, as located within the formation of a social contract between citizenry and authority in particular political communities. More broadly then, citizenship is an inherently political perspective on participation, arguably the chief requirement of post-tyranny approaches to development" (Hickey and Mohan, 2003: 41-42).

2.1.5. Discussing the Participatory Development Critique

To some extent one could argue that the TDP debate reflects the setting up of a dummy only to shoot it down again. PD proponents named, such as Chambers and Pretty, are well aware of many of the challenges that are raised by TPD proponents. Chambers warns fi about the challenges related to local heterogeneity as already quoted, and Pretty, 1995 makes particular case of the distinction between seeing participation as a means, and on the other hand seeing it as a right and as a quest for self-empowerment.

It could also be argued that the political critique is shooting at the wrong target in the sense that much participatory effort does not at all portray to be transcending or generating a new type of governance strategy for society at large. It is rather a pragmatic and instrumental approach to achieve some particular policy goals that either requires local involvement or where local involvement can be economically efficient or technically effective.

However, and along another line of reasoning, much of the critique of PD's performance in the field seems clearly warranted, and it reflects how difficult it is to generate good participatory policies and practices even in cases where good-will and even resources should be available. There can be many reasons for this relating to both local communities

themselves, to complex power structures in the wider society and not least to the delivery systems and the public or civic bodies' skills and competences in delivering this kind of work. Participation as a social change process *is* slow and difficult. The stick and fence policy was tried out over more than 100 years without becoming successful. The new models of participation are less than 20 years old.

Maybe the expectations have been too high? Especially in the case of limited project or programme efforts, limited in time, resource inputs and scope in general, how much transcending participation (TPD) is reasonable to expect? A paradise island in a sea of sharks? Or as said in a previous age; a socialist paradise in a sea of capitalism may not be possible.

And lastly, how radical or encompassing can or could we expect donors and local governments to implement principles of participation?

2.2. POLICY IMPLEMENTATION PERSPECTIVES

In this paper we analyze both structures *and* processes of participation in relation to the introduction of resource use agreements' in Mt.Elgon NP, Uganda. By structures we mean both the institutional and organizational structure, and by process we mean both political administrative processes. We look at both the importance of formal structures and decisions made, and on the implementation process and outcome of this so far (see Sabatier, 1986, S. Winter 1990, and Kjelleberg and Reitan, 1995 for some integration efforts of the two views).

In Table 3 we outline two different research approaches on implementation aspects of political decisions. The views will in most cases be complimentary. To some extent there are cases of partly incommensurability, as they focus on different elements of the study of political decisions and implementation.

Table 3. Decision and process oriented analyses of implementation

Element	The institutional (as organizational structure) perspectives	Process-oriented perspective
Definition of implementation	Narrow, the phase between central decision and operationalization	Wide, the whole political and administrative process; process as seamless weave without distinct phases and division of labour
Empirical point of departure	Authoritative decisions (legally based) made on public measures; No implementation without decision Structure determines process	Processes seen in relation to target groups and areas; decisions as part of surrounding environments. Decisions seen as less decisive; rather part of on-going political processes, and interpreted and modified continuously. Decisions alone do not necessarily create implementation.
Organisational frame	Stable structures, legal and authority relationships and formal organizational structures, How the organization and institutional structures frame the implementation	Informal structures and networks between equal partners. More emphasis on processes and action and interaction also between politicians and bureaucrats throughout the process.
Perception of governance elements	Command and direct control over sub-ordinated units and bodies	No particular clear command and control; more negotiations and compromises and focus on the implementation process itself- as arena and process.
Success criteria	Degree of consistency between means and ends; goal effectiveness	Degree of consistency between intended change in social situation and practical results of intervention. More pragmatic and interpretive- is the problem less than before? "Change and learning more important than goals and results"
Overall aim of approach	Try to assess what yields effective public governance	Try to assess what practical results of public interventions
References	Pressman and Wildavsky, 1973 van Meter and Van Horn 1975 Mazmanian and Sabatier 1983 Sabatier, 1986	Elmore, 1980 Hjern and Porter, 1981 Barret and Hill, 1984

(based on Kjellberg and Reitan, 1995)

2.3. COLLABORATIVE MANAGEMENT AND PARTICIPATION IN UGANDA

In most countries in Africa, participation and building collaboration efforts as durable social institutions has not come very far. In some ways, Uganda has been a pilot country in East Africa for national parks and for a broader CBM initiative (Barrow et al, 1999).

The National Parks Act of 1993 forms the present legislation for Uganda National Parks. The Act, however, formally bans local people's use of park resources. Collaborative management is not mentioned in the current Uganda Wildlife Authority Statute of 1996, and according to the statute it is illegal to *use* natural resources from a national park (Barrow et al., 2000). However, a report on collaborative management for UWA commissioned by the Ministry of Tourism, Wildlife and Antiquities in 1996 states that collaborative management *could* be

interpreted in the provision regulating the Executive Director's possibility to be part of collaborative arrangements in "management of a protected area or a portion of the protected area" (Hinchley et al, 2000). Further, there is a clause in the Statute of 1996 to permit "otherwise illegal activities", which also makes it possible for UWA to start collaborative management of a national park (Barrow et al, 2000).

According to the Wildlife Statute (1996), conservation shall involve local communities and benefit rural economies, there shall be held public meetings for management plans, 20% of areas entry fees shall go to local community development, and the Statute ensure user rights of wildlife on local communities land (Barrow et al, 2000).

In Uganda as elsewhere, the "fine and fence- policy" has proved to be difficult to operate, due to lack of legitimacy, costly court proceedings and poor management results. The absence of various institutional arrangements contributes to make conflicts harder to avoid or to solve. There are no conflict-handling mechanisms within the government structures, and furthermore the lack of proper communication channels between stakeholders accelerates the conflicts, in addition to erase possibilities for proper monitoring and evaluation. Moreover, civil wars and insecurity complicates the situation.

There are some institutional arrangements present, but these are either not utilized or have their weaknesses. The decentralized system of Local Councilors (LCs) could in theory take part in conflict management in resource-based conflicts, but protected natural resources are considered "national", and the LCs are thus denied the possibility to contribute in these kinds of conflicts. Other, more traditional local institutions that could play a role in conflict resolution are not recognized as stakeholders, partly due to the marginalization during colonialism, dictatorship and civil war, and some of these traditional institutions would also need a restoration. Authorities in Uganda now thus mainly use negotiations, both to solve and to prevent conflicts over forest resources (Gombya-Ssembajjwe et al. 2000). In the case of Mt. Elgon National Park, UWA and IUCN have cooperated in the development of strategic partnerships with the local people both as a means to reduce conflict and improve the protected area management by negotiations (Chetri et. al, 2003).

The conflicts that have evolved between local people and park authorities in Uganda have made UWA develop a conservation strategy with focus on cooperation with local people, district authorities and civil society with the following elements;

Allow local communities to harvest/manage selected park resources through agreements.

Develop and test deterrents to keep wild animals from entering crop fields.

Clearly delineate park boundaries and enter into agreements with neighbouring communities to utilize boundary trees in return for protection of the boundary.

Reduce pressure on the protected areas by collaborating with district authorities and NGOs in promoting environmentally sustainable development outside the protected areas.

Sensitise and raise awareness regarding the importance of conservation, with a particular emphasis on environment education for school children

(from Chetri et. al, 2003).

Through a case study from Mt. Elgon National Park in Uganda, this paper addresses three issues. First; how do the present institutional/organizational structures impact on participation? Second; to what extent is it possible to develop good political/administrative processes of participation and durable institutions that can combine rural development and poverty alleviation with sustainable biodiversity management? Lastly; what are potential pitfalls?

3. METHODOLOGY

Mt. Elgon National Park is situated in Mbale, Sironko and Kapchorwa districts in eastern Uganda (increased to 5 districts in 2008). The study was conducted in 6 villages within Kapkwai and Tangwen Parishes, in Kapchorwa District. In each of these two parishes, three villages were stratified sampled, two forest adjacent and one far away from the forest. The sample was gender balanced in order to have males and females equally represented, and the actual sampling of 80 respondents was randomly conducted.

The Mount Elgon region. (Map by Andreas Brodbeck, based on maps by authors)
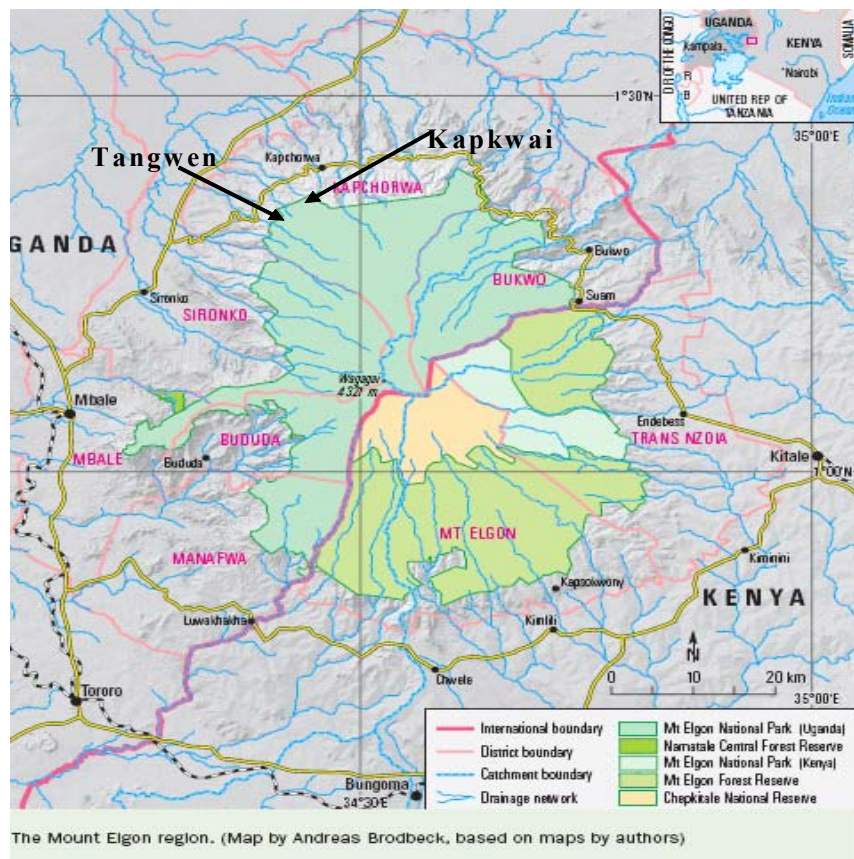
Figure 1. Mt. Elgon study area (Kapkwai and Tangwen), Uganda (from Soini, 2007)

The fieldwork was carried out from October to December 2002. Primary data were obtained through household and key informant interviews and informal discussions with local people, UWA park staff and IUCN personnel. We also got information through PRAs and by means of secondary data from various policy documents for Forest Department and UWA, Acts of Parliament, institutional and district reports and other relevant documents.

Quantitative data from semi-structured household interviews were handled by Microsoft Excel.

4. RESULTS AND DISCUSSIONS

4.1. THE PLANNING AND IMPLEMENTATION PROCESS

We analyse the planning and implementation process of the Collaborative Resource Management Agreements, and see how the process and the participation efforts may have had implications for the long-term success or failure of the collaborative management project.

4.1.1. UWA's authorized procedure

The project developed a formal procedure for how to establish collaborative management agreements (Barrow et. al, 1999) provided to the Community Conservation Rangers, in the park. This procedure was developed based on experiences from the construction of the three first Collaborative Resource Management Agreements (IUCN, 2002).

The procedure stresses the importance of gaining the confidence of local people and to enhance awareness about forest management and conservation in the initial phase. One should furthermore identify important local resources, resource users and collection areas, and then finally negotiate the types and amounts of resources to be included in the agreements.

The **information gathering process** is meant to form a fundament for the rules to be manifested in the agreements. The information is gathered by rangers using PRA-techniques like transect walks, Venn diagrams, ranking, time charts, and also participatory mapping and direct observation. The information includes identifying resources and boundaries, qualities and quantities of the resource base, types of resources and their present use and importance for different groups of users, economic and socio-cultural values, what organisations and institutions that are to be involved at different levels, norms and practices concerning resource use and generally preparing for an outline of elements in a future agreement. An important side effect of this undertaking is that the local rangers get first-hand information and a possibility to understand local people's livelihoods and the levels of dependence upon various forest resources. They will or may take this with them both in the process of the agreement establishment, but also later in the practical implementation and daily running of the CBM.

The negotiation process starts with a registration of users; identifying mechanisms for resource collection and control; the election of a local Resource Use Committee (RUC);

mapping resource users in collaboration with RUC, discussion of constraints (e.g. sustainability) of resources and on control mechanisms; and then the drafting of the agreement itself. Furthermore, each village is to be visited to discuss and get suggestions for changes in a template agreement. These comments are then brought back to both RUC and Park Authorities. UWA staff and RUC then together draw up the final agreement. Each village is given one draft for every user to sign. The finalization of the agreement is carried out by Mt. Elgon NP, UWA and the Resource Use Committee. After negotiation and signing, the agreement is implemented and the monitoring and evaluation by RUC and park staff is launched (MENP, 2002).

It took about two years to negotiate the agreements in Kapkwai and Tangwen. The process is now, for new communities, reduced to around six months, mostly due to the training and experiences of Community Conservation Rangers. The agreement is valid for two years before a possible renewal.

As we have seen, the process consists of a detailed set of issues that rangers are to follow. By doing this consciously one should also secure some type of participation.

4.1.2. Assessing the agreement formulation processes

In order to assess the participation in the formulation process, local people in each parish were interviewed to check if the described procedures were actually undertaken. The procedures are described on basis of household interviews and key informants. In the following, we present some experiences from the evolution and formulation of the agreement concentrating on Kapkwai parish, with some additional experiences from Tangwen parish.

In 1999, UWA visited Local Councillors (LCs) in Kapkwai in order to explain and discuss the issue of collaborative management. Later, a parish meeting was held to give information to the local people. A respondent stated that; *"people were told that they were going to sign an agreement."*

Who attended and how. Throughout the process, people from all over Kapkwai parish were present in parish meetings, even if the attendance in the parish meetings was generally low. People were treated equally, independent of whether they lived far away from or close to the

forest. Many participants did not attend all meetings, but showed up in only some few. Concerning gender, a 52 year old woman from Kapsirma said; *"In one instance there was no woman. In another there was only one woman in a meeting called upon"*. Rich men rarely attended, while poor and average wealthy people were more frequent. Younger people were also more involved than elders, and the Local Council members were always present.

The first meeting was organized at the parish level. People were taught about sustainable use of the forest, substitutes to forest resources, the importance of conserving the forest, and different conservation measures like soil conservation, tree planting etc.

UWA then carried out household visits and group discussions, to interview people about the resources people presently used. One of the respondent estimated that more than 50% of the households in the parish were visited. One purpose of the household visits was to make rangers known to people and give people time to express own views about the forest. Local people told about their resource use, e.g. species collection, area for collecting the resources, how much that were collected, what part of the plant that was used etc. In group discussions, people were divided into groups according to either resource collected or position in the community. People brought samples, and the park authorities and local people discussed those.

Drafting the Agreement. In a parish meeting one winded up the resource use survey and drafted the agreement, and specified which resources that could be used. People were allowed to collect firewood, (Vernonio, the most common firewood), stakes (supposed to be bamboo), and ropes (climbers, strippers), while e.g. fresh wood was not allowed. People and rangers further discussed the amount allowed for each resource and then finally agreed. Villagers stated that one bundle of firewood twice a week was insufficient for an average household, but UWA was not willing to increase this amount. Local people also identified the resource use areas to UWA via resource maps, specifying the trails, cultural sites etc.

Levels of fines were decided unilateral by UWA. Local people wanted no higher fines than 2000-5000 USH, but UWA feared that some people should plead to the local RUC to let collectors go twice and just pay the fine if caught, and demanded the fines to be 10 000 USH[4].

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[4] 1 USD = 1,800 USH. Exchange rate in December 2002.

Katto (2004) estimates the average yearly total income for the household residing MENP to be 2 461 547 USH, which means that one fine of 10 000 USH would represent some 5% of an average household monthly income.

The Resource Use Committee's workload and responsibilities were explained and decided upon unilaterally by UWA. People were not happy when informed that UWA would not pay salaries or remuneration at all to RUC members, from UWA's and IUCN's point of view, the community's access to forest resources ought to be sufficient remuneration to the committee.

Election of the Resource Use Committee. After the final resource use meeting, UWA called for a parish meeting to establish the Resource Use Committee, and each of the 9 villages in the parish selected one or two representative(s). The local people chose who should be in the committee, but UWA advised them to find non-corrupt persons with good relationships to both local people and the park authorities. Both genders should be represented, and they should moreover be able to carry out the required work, they should also be used to the forest and preferably have some education. A 47 year old man from Chepkutwo said *"RUC was elected in a parish meeting by the village people. Two members were recruited from each village near the forest, and one member from each village far from the forest. The election was based on the representative's character, like maybe a very responsible person or maybe a person not repeating bad things. The Park Authorities said local people should elect somebody that was not rude to women and respected by the local people"*. Although local people elected the members, the representatives were also to be *recognised* by UWA before the committee was formed. A 90 year old woman from Kamiro said; *"UWA checked if they were willing to and capable to work"*. And a 37 year old man from Kamiro said; *"UWA considered whether they could talk to people."*

The issue of no payment to RUC members made the election difficult. A 27 year old man from Kapsirma explains that "*finally 14 people were lining. It was not easy to mobilise people when UWA said that they had to be volunteers since there was no benefit. Also, there should be 'no corruption'. The park officials gave us limited time, but no one was pressed. This was before the agreement was signed. Earlier, the rangers had pinpointed participants to various bodies (e.g. environmental committee)."*

The parish people then selected the chairman from the elected group. In the case of Kapkwai the elected chairman was also the vice chairman secretary of defence. He was chosen in case RUC needed to arrest somebody.

Finalizing and signing the agreement. In a meeting at the Forest Exploration Centre at the NP gate, RUC and the rangers drafted the agreement. The draft was then presented in a parish meeting in Kapkwai, and changes were discussed. This meeting was seen as the most important part of the negotiations by many respondents.

After the draft was finalized, another couple of months passed while the agreement was brought to MENP headquarter in Mbale and to UWA headquarter in Kampala to be reviewed. The agreement was then signed in May 2002, more than two years after the initial work started. All people were invited to participate in a parish meeting, where the Resource Use Committee signed the agreement together with the park authorities. The agreement now exists in only one single copy, and was signed by only a few local people.

The same processes took place in Tangwen parish, with some exceptions. The Tangwen people were much more actively engaged in the construction of the RUC. Furthermore, in the signing ceremony, the Tangwen people brought proposals concerning the arrangement between the national park and the parish. Tangwen was also the only parish with a formal and rather substantial signing ceremony.

The conclusion is that the procedures given from UWA headquarter to the Community Conservation Rangers seemed to have been followed and implemented in the field. The aspects local people remember from the establishment of the agreements seem to be quite overlapping in the two parishes.

4.1.3. Participation and the construction of the Collaborative Agreements
Type of participation. Pretty's (1995) typology is used to define the level of involvement of local people in Mt. Elgon. Based on household interviews we have identified different groups of people in this context.

Non-participants and passive participation. As much as 33% of the respondents in Kapkwai and Tangwen said they were not present in any activity concerning the resource use

study or in the making of the agreement at all. These respondents did not attend for a variety of reasons; they had gone for a visit outside of the parish; they didn't bother; had other things to do; the husband went instead; they were sick; they were not informed about the activity or meeting; or they were afraid of the Park Authorities. These people did not receive much information, as their only source of information was other villagers present in the meetings.

Many thus only "participated" in the collaborative management of the forest by being told what had happened in the resource survey and negotiations by fellow villagers. UWA did not deliberately keep them away from accessing information or participating, but an important point to make is the way people were informed about the occurring meetings or other activities concerning collaborative management (by rumours, word-of-mouth, letting local people bring the news). For this kind of participation to be successful, a comprehensive information system about the activities that will be undertaken and who are invited to the activities seems crucial to implement.

These non-participants, however much unintended by UWA, constitute an interesting group because they were neither involved in the election of representatives nor in the signing of the agreement. Psychologically, it could make them feel as non-partners in the agreements resulting in irresponsible or opportunistic behaviour, in turn resulting in sabotaging and potentially closing of the agreement. This situation may increase tensions between different users of the forest.

This group of local people not present in the meetings and thus not accessing the information given by the park authorities reflect at most what Pretty calls passive participation.

Participants in Functional Participation. Who participates from the local communities? First of all, we found that 67% had participated in meetings in the processes. For the total sample, we find the average number of resources collected is 4.6 per household. Forest resource use is thus an activity that involves most households (see Table 4). We further find that the participants are reporting to be more active than non-participants in terms of utilizing forest resources.

Table 4. Participation and extent of forest resource use, Mt. Elgon, Uganda, 2002

Resources collected	Kapkwai			Tangwen		
	Participating	Non-participate	Total	Participating	Non-participate	Total
0 resources	2	2	4	5	0	5
1 – 5 resources	20	8	28	8	8	16
6 - 13 resources	6	2	8	13	6	19
Sum sample	28	12	40	26	14	40

N=80

Table 4 also indicates that more people are collecting a higher number of resources in Tangwen than in Kapkwai. This could be explained by that Bagisu people traditionally use more forest resources than Sabiny people, as most of the Tangwen population are Bagisu while the dominant group in Kapkwai are Sabiny (see also Sletten, 2004).

More than 10% of the people do not collect any forest resources themselves. Out of these, 7 people still attended and were active in the process of establishing the agreements. When checking their background against their participation, the LC2 chairman from Kapkwai attended 3 parish meetings, the LC3 clerk from Sipi sub-county situated in Tangwen who also is the chairman of LC1 security, attended 4 parish meetings and/or group discussions. The Vice chairperson LC1 from Kamorok, Tangwen attended meetings and group discussions more than 10 times. The Chairman of the committee of disabled people, Tangwen, who was later elected as RUC member, attended 5 meetings. Thus, key persons tending to be active in the processes, held positions in the community while at the same time did not collect resources themselves. It could be that they do not need the incomes from such activities, and can afford or even prefer to buy the forest products they need.

From Table 5 we see that the two groups participating in the construction of the two agreements from the two parishes have quite similar socio-economic characteristics, apart from ethnicity. We see that the Sabiny people participate more all in all, as 75% (33 persons) of the total sample population representing Sabiny people participate, compared to 58% (21 persons) of the total Bagisu sample population. The Bagisu thus have a broader spectre of resources they use, but they still reported to be less active in participating in the agreement process. We do also see a tendency that more men and people with more education report to participate.

Table 5. Parish participation by gender, tribe and education level, Mt. Elgon, Uganda, 2002

	Kapkwai			Tangwen			Total sample		
	Yes	**No**	**Total**	**Yes**	**No**	**Total**	**Yes**	**No**	**Total**
Male	16	4	20	15	6	21	31	10	41
Female	12	8	20	11	8	19	23	16	39
Sabiny	24	9	33	9	2	11	33	11	44
Bagisu	4	3	7	17	12	29	21	15	36
Education (years)	5.1	5.4	5.2	5.4	4.3	5.0	5.3	4.8	5.1

To what degree do people participate? A crude way to measure participation is to see how many meetings (of the more than 10) that different households reported to have participated in. In Figure 1, we see that 67% of all respondents stated to have been present in the process of establishing the agreement. 19% reported that they attended meetings only once. 71% of all the respondents in the study had been present at maximum 3 out of more than 10 meetings, while 16% reported to be present in more than four meetings. This indicates that most of the participants received not even half of the information about the collaborative management, about other conservation measures, nor did they bring any information to the park authorities. It also means that many people did not acquire a comprehensive or consistent view of the process to come and the agreement to be made.
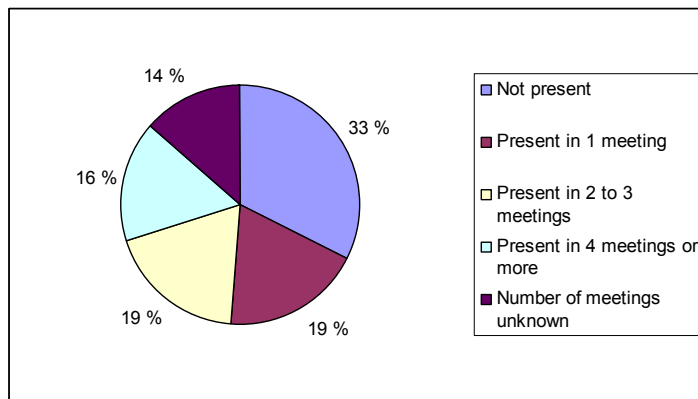
Figure 1. Attendance in meetings. Mt.Elgon, Uganda, 2002.

What are the roles of the participants? 29% of respondents present in one meeting reported that they had only been listening, and another 26% only answered questions on request from Park Authorities (Figure 2). Only 5% of all the respondents said they had a more active role in meetings. A 72 year old man from Chepcutwo stated; *"I attended meetings two times. I was listening to what local people were suggesting and what the Park authorities were*

answering." Other people taking a more active role in the meetings with Park Authorities seemed more excited. A 52 year old woman from Kapsirma said; *"I mobilized people for a meeting and even talked to the PAs".* Local people in Tangwen did come with further suggestions for their parish in relation to the national park at the signing ceremony, thus indicating more active participation by some local people.
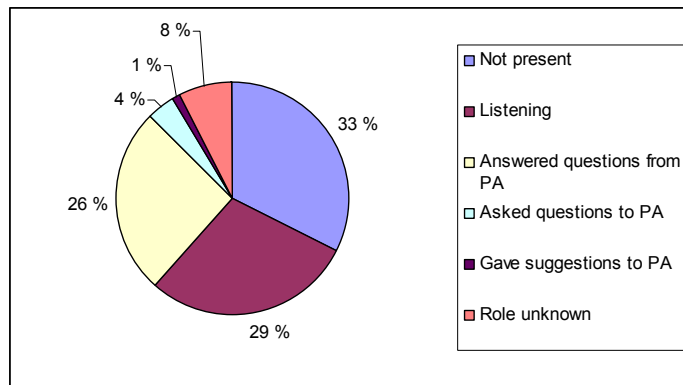

Figure 2. The respondents' roles in the meetings. Mt.Elgon, Uganda, 2002.

However, the roles played by local people in public meetings do not necessarily reflect any degree of "real" participation (Cooke and Kothari, 2001). Social norms and culture might prevent certain segments of local people to participate active in public meetings etc. and hence, participation has to be analyzed closer. We discuss other aspects of more active participation in relation to the agreements in the next section.

4.1.4 Assessing participation in the process

As apparent in the information package provided to the Community Conservation Rangers, the collaborative management policy processes and content were quite strongly determined before people were invited in as partners in the process of establishing the agreement. UWA then visited the communities to inform people about the Collaborative Management Resource Agreements.

In addition to the overall aim of bringing legitimacy to the process, the meetings and group discussions also represent tools used to complete the collaborative management regulation scheme made by UWA, as the data gathered in the parishes were used to finalize the agreement with detailed information adjusted to the parish in question.

The Resource Use Committees were externally initiated, and the members' roles were defined even before local people were aware of the concept of RUC.

The empowerment part of participation is often attempted achieved or implemented by constructing committees (Cooke and Kothari, 2001). By doing this, it is perceived that the authorities are able to compose a "proper" selection of people, and thereby "empower" different segments of the community. The Resource Use Committee is a body to deliver "proper management" and also includes persons with certain characteristics conducive to this.

Since UWA had made an outline of the collaborative agreement in advance, the real power evolved to local people throughout the process and in the parish meetings was very limited. The only field they were given **complete** authority was to decide which weekdays to be the legal collecting days. Several rangers also put this forward, as a proof of participation. All the material rules concerning remunerative regulations were discussed in parish meetings. A problem with the negotiations is that UWA has a number of non-negotiable rules and regulations to follow, e.g. illegality of hunting, timber harvest etc., so some very relevant resources and harvest methods were not issues at all for negotiation. The reality or genuinity of the negotiations can thus be questioned as several of the most important resources people wanted access to, were defined up-front non-negotiable not accessible. Moreover, UWA's perceived need for lowering off-take of resources made them negotiate resource amounts much below what local people wanted and originally consumed. This obviously lead to people's discontent with the agreements.

Information was furthermore clearly used normatively throughout the process to soften resistance against strict park and agreement rules. Also, RUC's role after implementation is to a high degree to sensitise and inform local collectors about how proper collection should be carried out, and to receive the local grievances and thus take some of the "local heat", pretty much through a "hostage like" position.

The Resource Use Committees were brought to the Forest Exploration Centre for detailed negotiations. Thus, the RUCs were much more actively involved in the creation of the final agreement than local people in general. A problem with this is that the people elected by the community to represent them will often be the ones most respected due to age, wealth, education and positions and not necessarily the most competent or devoted for the task in

question. The people negotiating with UWA do not necessarily have the best practical and relevant knowledge for the issues in question, as many of them do not even collect resources themselves. It could thus be that less than legitimate or at least not the most competent or proficient local people are invited to participate in the negotiation process. Moreover, the ordinary collectors tend to be less active in the process, as the once most heavily relying on the resource are the ones least empowered and often also the ones that believe that they are not important in the making of the agreement.

The process does involve local people, not only in rhetoric, but also through collecting information, meeting people, discussing with people and drawing up agreements allowing people some access to resources. However, the participation is contingent, highly planned for and clearly with a hidden agenda concerning the outcome of the process. As such, the participation efforts are manipulations and means to secure more collaboration and less sabotage in relation to the main objective for the national park; to achieve biodiversity conservation. The planning process of the collaborative management of Mt. Elgon thus represents what Pretty and Uphoff have termed functional participation.

Following the "Tyranny of participation" critique, one can talk about participation in this case as a means and that it does not possess much "transcending power" in relation to local people and their relationship to authorities. It does not reflect self-empowerment.

Two further concerns are overriding; to what extent will park staff be able to follow up and further develop and improve their social relations with local people? And secondly; to what extent will RUCs, local leaderships and the new order created by the project be able to handle the new rights and responsibilities accrued? We return to these two issues in section 4.3. First we look closer at the structures of the agreements themselves and implications for participation.

4.2. DESCRIPTION OF THE STRUCTURE OF THE COLLABORATION

Most of the present collaborative arrangements between people and the park circle around the Collaborative Resource Management Agreements, and in the following we look into the structure of the agreements, and discuss structures in relation to participation.

Box 1. Outline of a Resource Use Agreement - for Tangwen parish

Parties, Areas, Objectives, Legal Basis
The two parties are UWA, represented by the Executive Director and the Chief Warden, and the Resource Users, represented by the Community Protected Area Institution (CPI) and Chairman of the Resource Use Committee. There is a written permission from UWA for use and management of the Mt. Elgon National Park in Uganda Wildlife Statute Part III: 15-1: 22. The agreement does not conflict with general UWA by-laws.

The mentioned maps of 'community area' and 'resource use areas' in the National Park are not attached to the agreement, and a precise description of where to collect resources is thereby missing. Names of "legal trails" are mentioned, which are Bumwambu, Bimugibole, Gubayi, Bunamuzali, and Kabongoyi.

The objectives of the agreement are 1) to provide access to agreed resources, 2) to ensure sustainable use, 3) to improve relations between local people and park rangers, 4) to involve the local people in control and regulation of the resource use, and 5) to empower the community to contribute to a sustainable management.

Rights, Benefits, Roles, Responsibilities The agreement provide access of firewood, bamboo shoots and stems, fittos, honey, vegetables, mushrooms, ropes, salt licks, clay, crop stakes for tomatoes, beans and peas, medical plants, and water.

Access is limited by weekdays and time of the day, e.g. firewood can be collected Wednesdays and Saturdays between 8am and 5pm. The firewood amount is regulated, and is set to a maximum of one back bundle per household. Harvesting methods are defined, and for firewood only dead trees and twigs can be collected, and people are allowed to use pangas and axes for collection. Each parish has particular defined trails that inhabitants can use, while previous trails are illegal.

Additional benefits are described. For instance, local people have access to cultural sites, where they previously conducted circumcision and twin rituals. This does, however, require permission from the Chief Warden at NP headquarter in Mbale town.

Illegal activities include grazing by domestic animals, cutting of timber, game hunting and removal of eggs, charcoal burning, cultivation, and any other unauthorized activity.

The community is to control and regulate resource use through the Resource Use Committee (RUC). It is to monitor use by forest walks once a month and collect any other data required by the authorities. RUC is also to sanction rule breakers according to Mt.Elgon National Park by-laws.

For the first offence, the rule breaker is to be warned. For the second offence the rule breaker shall be fined 10 000 USH. Fines are decided by RUC, and the RUC treasurer shall receive the money. By the third offence, the rule breaker shall be handed over to park authorities for prosecution in the court of law. However, if the offence is on banned resources, the rule breaker shall be directly handed over to park authorities for prosecution, without warning or fine.

RUC chairman and park authorities shall jointly issue identification cards, and both parties shall keep a list of all resource users. RUC shall meet once a month, and submit a written report to the Community Conservation Ranger (CCR). RUC shall identify own members or other resource users to assist in a data sheet entry at every resource off-take.

Park Authorities shall monitor the forest to ensure sustainable off-take and achieved conservation goals, including ranger patrols, photography, remote sensing, Community Based Data Collection and participatory resource monitoring.

Other Provisions
The agreement will be reviewed and revised after 2 years.

UWA can revoke the agreement any time if the rules are broken or for any other 'justifiable reason', and the reason should be communicated to the CPI. The paragraph describing the procedure for this situation is however missing in the agreement. The community can also withdraw from the agreement at any time, and any access of resources in the park will then be prohibited. If the agreement is revoked, new negotiations may be required if a new Collaborative Resource Management Agreement should be established.

RUC will solve any conflict between the resource users. If there are conflicts between resource users and park authorities, UWA will arrange meetings for mutual solving.

All land and wildlife (flora and fauna) within Mt.Elgon National Park remains the property of UWA.

4.2.1 Outline of the agreement

Below we present the outcome of the planning process described above. We analyse the content and issues relating to governance, participation and legitimacy of the agreement.

4.2.2 Comments to the agreements

The agreements are unique to Uganda, and many other countries in Africa, and form interesting pilot and demonstration projects, from which important experiences can be drawn. Below we offer some comments to aspects of the agreement.

Content of processes and agreement: The agreement does assign particular rights of access to local people within a national park and people are, to some extent, involved both in the process, and in deciding content of their own rights. The agreement reduces tension and local conflicts, clarifies boundaries, memberships and rights and as such may provide for reduced levels of conflicts for the future. In addition, local people are involved in monitoring controlling and sanctioning activities. As such, it constitutes an innovative measure, especially in Uganda.

Formal issues. As a legal agreement document, several items are missing, however, and/or are not addressed or enclosed in the agreement itself. The Resource Use Committee is for example supposed to follow Mt. Elgon NP by-laws, which are neither included in the agreement nor given any reference in the agreement.

Moreover, it is stated that the third time a collector breaks a rule he or she shall be handed over to park authorities for prosecution. It is not stated in writing what the prosecution includes, only that this will be done according to UWAs by-laws. The Resource Use Committee is also given the responsibility to solve any conflict between different resource users, but the committee members are, however, not provided with any guidelines, forum or even resources for this task. There is no map over the resource use area defining the legal trails, and the description of UWA's procedures for revoking the agreement is missing.

Other issues are stated without further explanation, for instance the paragraph concerning the legality of the agreement itself. The written permission issued for collaborative management from UWA is not included or referred to. The agreement itself states its legality by referring to an article in the Statute, which is not included.

The duration period is unclear as the agreement only states that it will be reviewed and revised after two years. UWA interprets this to mean that there will be no valid agreement after two years, before it is reviewed and revised, while another interpretation is that the agreement will be valid till it is terminated, but that it can be modified through a review and revision process.

Thus, there are formal and technical weaknesses of the agreement as a legal document. To ensure its legitimacy for the future, it is important that facts are presented thoroughly and that rules and regulations forming the fundament for the collaborative management are included. To some extent there is a trade-off between formal proper procedures and finding a format for agreements that are practically applicable under the difficult field circumstances present in Mt. Elgon. Concretely, there is a trade-off between low-cost, short-term implementation type of document made by parties at low levels of governance, versus the security that a more formal, appropriate legal document provides for.

Legitimacy of power use. UWA controls a variety of measures to choose among in order to reach goals set in the management plans. The selected measures should both serve to give satisfactory outcomes and at the same time the measures should preferable be viewed as legitimate by local people. A terrible example from Mt. Elgon is the story reported to us about two brothers allegedly killed by Law Enforcement rangers while they tried to escape after being discovered grazing their cows inside the national park. Is it reasonable by UWA's Law Enforcement Rangers to shoot at intruders in order to guard the forest resources? And is this viewed as a legitimate use of power by local people?

In the second part of the agreement, the procedure for how to sanction rule-breakers is described. By the third offence the person shall be handed over to park authorities for prosecution. Furthermore, any rule-breaker shall be directly handed over to park authorities if the crime committed is related to an illegal resource, and in that case there will be no warning or fine first. Moreover, UWA can also terminate the agreement and withdraw user rights at any time relative to any "justifiable reason", the ultimate threat to make the resource users act according to the rules. This kind of potential **coercive** power use also reveals an asymmetric power relation manifested in the agreement, which severely constrains the agreement as an institution securing legitimacy in management.

In the first section of second part of the agreement, the permitted harvested resources are presented. Local people are given access to the resources under the condition that they are collected according to the described regulations. Hence access is limited by weekdays and time of the day; by restricted amount; by harvesting methods; by allowed tools; and by space. The controlled resource off-take is clearly the essence of the agreement, and the resources so valuable for local people are only legally accessible as long as all conditions are met. The conditions are put down to ensure sustainable use and conservation of the ecosystem, the primary objective of UWA. This relation reflects a **remunerative** trade-off; resources for control.

It took 2 years in both Kapkwai and Tangwen from the Community Conservation Rangers for the first time told the community about the planned collaborative management to the agreement was signed. During that period there were several community meetings, educating local people about the value of the forest and the need for conservation measures to be taken. The **normative** exertion of power through these meetings was a very important and instrumental management measure in the process of establishing the agreement. Sensitization was regarded as necessary to secure that rules are accepted and followed.

The CBM in Mt.Elgon reflect a package of rather top down and instrumentally designed economic, legal, administrative and pedagogic management measures and instruments, where people are given access to some resources, and informed about the need for conservation. If they still continue to use the resources illegally, their access to resources will be banned and the original Law Enforcement regulations will be restored. And as discussed before, this reflects an asymmetric power relationship. To improve legitimacy, a third party could be included in cases of conflicts between UWA and local people, so that none of the two parties unilaterally can close down the agreement, and UWA being the more powerful part, in particular.

Participation in the agreement? 2 out of 5 objectives in the agreement involve local participation. UWA wants to involve local people in control and regulation of the resource use in addition to empowering the community in contributing to a sustainable management.

The agreement trades rights against duties, e.g. the community is to manage the resources in return for access to the resources. This is done by enabling local communities to control and

regulate resource use. According to the agreement, the resource use committee, and only this, is given a clear responsibility in the management. The Chairman is mentioned in particular, as he is to issue identification cards and keep a list of all the resource users together with UWA. Participation is according to Cleaver, 2001, often "undertaken" via local committees. The forming of committees elected by local communities is assumed to effectively lead to both development and empowerment in a trickle-down effect, without any other input (Cooke & Kothari, 2001). Objectives concerning empowerment of a community without further strategy for empowerment is often a way to make "participation as means" to look like "participation as an end in itself". In the formulation of the agreement, nothing else is mentioned as empowerment strategy for the community at large. This probably indicates that empowerment of the people is not the main focus for UWA, and the participation displayed in the documents is participation as a means to achieve UWA's other management goals. This does also mean that the agreement as an institution becomes more fragile than necessary.

4.2.3 Assessing participation in the structure

The Collaborative Resource Management Agreements represents first of all a willingness by Park Authorities, in co-operation with donors and IUCN, to establish a formal agreement with local people. As we see, the process has not been an easy one, and the product has several challenges to be looked into. Its formal legal status as an agreement is at best weak; both given a number of formal flaws, but also because it reflects the present asymmetric power relationship. UWA can at any time, without any third part, define misuse of the agreement and cancel it. The incidences of excessive power use may also threaten not only the legal status of the agreement, but also its legitimacy in relation to local people.

4.3 WHAT CAN WE LEARN FROM THIS PLANNING PROCESS?

When studying these planning processes in detail, one cannot help thinking about how complex such processes are, and that respect is a prerequisite for the task at hand. In the following section we analyse the role and competence of the implementers and expectation of local actors both relative to the planning process and in relation to the agreements as they stand.

4.3.1 Prior to the process

The situation after 1993, when the forest reserve was re-gazetted into a national park with increasing deprivation of access was featured by anger and resentment. **Local people** had clear perceptions of their traditional rights of access to the forest. Reactions against the resource use ban were civil disobedience and widespread illegal use of the resources (see Norgrove and Hulme, 2006 for a detailed presentation of how local people in overt and covert ways try to "expand the realm of the possible and maintain claims over park resources".).

In addition, and more serious, was the process of park demarcation of boundaries and the resulting eviction of encroachers both living and staying inside the park, that has left deep wounds with local people. According to White 2002, some 25 000 haa was encroached by 1989, and Forest Department tried by quite stern measures to restore boundaries and evict people destruction of crops, confiscating livestock, burning of houses, beatings etc. After 2000, more participatory approaches, involving local leaders and communities were coupled also with the resource use agreements. However, as White 2002, stresses, "the evictions have caused deep resentment among local people who are acutely aware of the extent of the loss of agricultural production potential they have suffered". He estimates the annual loss to be in the range of USD 3.8. mill. for these 25 000 ha.

People in the area were - and still are extremely poor, with low income levels, low education levels and high dependence on the resource base. There were - and still is a substantial difference in general resource access; 50% of the people own less than 20% of the land.

There are also more important issues at stake! We asked people about their overall problems, and they do not, in most cases, refer to the forest resources at all. Lack of land, land disputes, conflicts over grazing animals, drunkenness and social problems and health, theft and general poverty are stated as more immediate and more substantial problems.

Losses of incomes have been estimated in the range of 20% from the ban (Katto, 2004), and livestock holdings alone were decimated by 50% due to lack of access to fodder and grazing areas after the ban. On the other hand, introducing the agreements have lead to increases in income for participants, roughly estimated to be in the range of 6 % of average household incomes (Gosamalang et al 2008).

The conflicts have been thus both material and value-oriented; in one way bringing people together, but still creating conflicts especially towards the newly arrived **National Park staff** that took over from the Forest Department Officers under the Forest Reserve regime. The new staff were placed in a very tense situation; and in addition they brought along a management culture featured by the old "stick and fence policy". The conflict levels escalated. It was rather quickly decided to introduce CBM.

The **destruction of the resource base** still continued, as people did not respect the new policy regime.

4.3.2 The process itself

The Park staff followed guidelines and went through training; but it still proved difficult to convert the staff from "cops" to community collaborative workers. As we have seen, in the process of training, people were involved in identifying some elements of the agreements, and met Park staff face to face. Getting to know them has improved their relations. Even if some of the local people did not dare to attend for fear of being trapped or fooled in some way.

Local people are clear in their expression of their initial reluctance and their gradual change both in attitudes and knowledge about the resource base, and also in their everyday meetings with park staff and express this in interviews (see Sletten, 2004).

We do however, also see that a substantial share of the population have not participated at all; almost 1/3. Of these meeting, many did not attend more than 2-3 out of more than 10 meetings.

It seems reasonable to assume that the type of encounter or participation chosen may not be conducive in relation to particular groups of people; but favoured people with capabilities to perform in such contexts; people with higher status and roles, higher education levels etc. Systematically, people with lower education levels, poorer people, women, disabled etc. could more easily fall out. Also; everyday decision-making and formulation of meaning within local communities finds place in a number of arenas and contexts beyond the particular participation process governed from outside and above.

It means that one cannot only look at the inputs and output of the process itself to assess levels of participation and compatibility with local values, norms and existing institutions.

The process and the guidelines would secure an increased knowledge base on biodiversity resources and on people's use of different resources. This is helpful in future work to secure sustainable harvest levels.

4.3.3. After the process

The agreement provides increased clarity over rights and duties and secures some possibilities for more long term planning for local people and their livelihood strategies. This is important. It also secures local people a right of access to resources without fear of the harassment, intimidation and violence experienced before the Agreement. People also express far more positive attitudes than before; both to the park, to its resources and towards the Park Staff. However; some elements are still problematic and requires attention.

The local heterogeneity is not well taken into account in the process and also in the execution of the agreement, in particular when we look at aspects such as the composition of the RUCs, relative to wealth and ethnicity. The focus is on the national park, not on the community. People within one parish are viewed as a homogenous group, sharing livelihood strategies and hence interests. As a consequence, local people were at times organised in resource groups based on what resource the individuals collect, instead of grouping people by other and more socially oriented criteria such as ethnicity, kinship, location, wealth etc.

Issuing rights to local people also implies the right for them to exclude others from access. We see emerging threats of increased local conflicts over this issue. Only villages physically bordering the Park have rights; contrary to what has been the traditional access to the forest. The "new outsiders" now have to pay the insiders for access, generating substantial conflicts. As much as 50% of the insiders, state in the survey that they think outsiders should have a right of access, and not pay more than insiders do. The present funds paid by outsiders are also used to remunerate the RUC, and not the whole village. This emerging situation may pose a threat to the future viability of the arrangement, if not handled carefully (see Sletten, 2004).

From a **Park staff** perspective, at least a myopic one, one could see an advantage of this scenario in the short run, as internal conflicts may reduce tensions towards themselves, and as such they may become more of a negotiator, than being the main target for local conflicts. The Park staff has up to now chosen not to intervene in this matter over fees for outsiders, but state that RUC is mandated to issue these fees.

This underscores another interesting point with CBM and the agreements; namely that they produce their own dynamics, also only partly under control of the external park staff. In one sense, it is important that local dynamics are allowed to be played out and that people shape the form of such structures. It is claimed that local rights traditionally often are less defined, less concise and more interpretative, negotiating and process-oriented than for example more formal western oriented rights are (Leach et al, 1999).

To the extent, however, that the new rights and duties are not compatible with local perceptions, they do pose a threat to the agreement's endurance. The local leadership here becomes important; to what extent are they involved; and to what extent has UWA's attempt to steer RUC compositions created "monsters" or institutions beyond social control? We believe that we observe differences between the two parishes, and that the leadership in Tangwen appears to be far more legitimate than in Kapkwai.

To handle such delicate matters, one must also assess if UWA staff has the adequate competence to handle the issues; not only in the planning phase, but even beyond IUCN and donor withdrawal? They need socio-cultural competence; how to understand, interpret and interact with local people in ways that addresses livelihoods, conflicts and challenges in competent ways.

Reports from the field are not reassuring, and issues of misuse and corruption was still reported quite common-place; between village leadership and park staff on issues such as illegal timber harvest activities.

It seems beyond doubt that the system in place improves control over influx of people and resource harvest levels in the park and as such an important goal is met for UWA and IUCN. It also seems that most local people support this trend and accepts needs for strict monitoring, controls and even sanctions against perpetrators.

4.3.4 Combined focus on structure and process

We have tried to show in this paper how one can utilize a combined structure and process oriented perspective on the implementation. Defining and clarifying the established structure, looking into organisational, formal and legal arrangements how they define membership, rights and duties structures, sanctions systems etc is crucial in order to understand outcomes, But also a process perspectives is important. Seeing the whole process in context, how actors try manoeuvre in the process leading up to the development of a structure and how utilize the new arrangements in their own livelihood agendas. We have also seen that the collaborative arrangements, however weak and young, still improve relations between the involved parties and that they actually do give some benefits to both parties in terms of biodiversity resource improvements, and some contributions to people's livelihoods.

5. CONCLUSION AND RECOMMENDATIONS

5.1. LOCAL PARTICIPATION AND THE PROCESS OF COLLABORATIVE MANAGEMENT PLANNING

The process has been analysed from its inception; information gathering, information dissemination, attendance and participation, the structuring of the process through establishing meeting grounds, arenas and electing a local Resource Use Committee (RUC) and the final rounds of the negotiation process leading up to signing the agreement.

We find that UWA's procedures secures that people are involved to some extent; they are informed and trained about the importance of the undertaking, they are invited to discuss content of an agreement in many meetings, they elect a RUC to represent them and to manage the agreement. The process also influences park staff and provides them deeper and broader knowledge about local people and their livelihood needs and situations. The process has thus several important merits relative to the future collaboration.

Using Pretty's typology, it is very clear that UWA comes with quite predetermined plans for the process and its expected outcome and has a quite limited offer to bring to local people, including rather low harvest levels. People were basically allowed to determine weekdays for resource harvest. UWA is also involved in the selection of the RUC, through giving advice and through concrete recommendations. RUC is still given a substantial local responsibility and holds a key function also in the process of signing the agreement.

The process does involve local people, not only in rhetoric, but also through collecting information, meeting people, discussing with people and drawing up agreements allowing people some access to resources. However, the participation is contingent, highly planned for and clearly with a hidden agenda concerning the outcome of the process. As such, the participation efforts are manipulations and means to secure more collaboration and less sabotage in relation to the main objective for the national park; to achieve biodiversity conservation. The planning process of the collaborative management of Mt. Elgon represents thus what Pretty and Uphoff have termed functional participation.

There is also a clearly demarcated two-pronged strategy behind as described by Norgrove and Hulme 2006; a continued reliance to stern law enforcement with a community conservation strategy.

5.2 THE COLLABORATIVE RESOURCE MANAGEMENT AGREEMENT ITSELF

The agreements are unique to Uganda, and not least to many other countries in Africa, and as such they form interesting pilot and demonstration projects, from which important experiences can be drawn. Below we offer some comments to aspects of the agreement.

Content of processes and agreement: The agreement assigns particular rights of access to local people within a national park context and people are, to some extent, involved both in the process, and in deciding content of their own rights. The agreement reduces some of the tension and local conflicts, clarifies boundaries, memberships and rights and as such may provide for fewer conflicts in the future. In addition, local people are involved in monitoring controlling and sanction activities. As such, it constitutes an innovative measure, especially in Uganda. However, we do point to several quite problematic issues of the agreement;

- The agreement has several flaws as a legal document; its physical mandate is not clearly stated in maps, several documents and references are missing and it leaves RUCs with substantial authority somewhat unclear relative to formal legal procedures.

- The agreement has some problematic issues relative to legitimacy; such as that UWA at any time can withdraw from the agreement, revealing substantial underlying asymmetric power relations. Furthermore, the vulnerable, but crucial role of RUC in monitoring, controlling and exerting sanctions can become a major problem through creating new and substantial conflicts within and between already conflict-ridden local communities.

- Objectives concerning empowerment of the community without a further informed and determined strategy for empowerment is often a way to make "participation as means" to look like "participation as an end in itself". In the agreement, nothing else is mentioned as empowerment strategy for the community at large. This indicates that empowerment of people is not the main focus for UWA, and the participation displayed in the documents is

participation as a means to achieve UWA's other management goals. This does also mean that the agreement as an institution becomes more fragile than necessary.

- In a wider context, the participation we encounter here does not have any transcending character and does not imply any major political force or intention for increased emphasis on citizenship or for self-empowerment.

- As such, it is quite possible to interpret people's entering the agreement strategies more instrumentally in line with Norgrove and Hulme, 2005; "These strategies have maintained access to park resources and, in certain areas around the park, legitimized the presence of park neighbours in the park and consolidated their hold over park resources, even if on an irregular and temporal basis…. Park management is an active battle site between park management authorities, who resist the preferred land use strategies of park neighbours, and park neighbours, who struggle against the preservationist thrust of the conservation agenda".

Our interpretation and our assessment is somewhat more pragmatic. There is no doubt a logic and material conflict between the interest of local people using land and UWA conserving the same land. But it still is possible to interpret the Collaborative Resource Management Agreements to represent first of all a willingness by Park Authorities, in co-operation with donors and IUCN, to establish a formal agreement with local people. However, the process is not an easy one, and the product has several challenges to be looked into.

A theoretical note of our analysis of participation is the constraints imposed by the use of **Pretty's categorization of participation and planning.** The categories can be criticised along similar lines as one line of critique against Ostrom's design principles. The categories do not reflect a social construction perspective (see Cleaver 1999). This means that crucial issues like local heterogeneity, local leadership, power relations, tensions and lack of social cohesion tend to disappear. What we have seen in the field, reveals important differences between leaders and ordinary villagers; rich and poor; different ethnic groups etc.; poor people are not able to pay even the symbolic internal fees; and "enjoy" an access based on charity or alimonies than on a real right to access. Furthermore, to apply the principles for natural resource management issues also requires a focus on the substantial local variations in physical properties of the natural resource base, different groups of people's relationship to nature and implications for management. One cannot assume participants as "one". This

means that Pretty's principles need a closer scrutiny than the frames for this paper has allowed for.

5.3 LESSONS LEARNED AND RECOMMENDATIONS

Participation is a challenge and requires first of all good competence, both theoretically and in the field by implementers. Training of UWA staff in socio-cultural approaches and practice is important in this context, maybe involving other field agencies with experience in this, such as the old Forest Department or the agricultural extension systems.

It also requires enhanced capacitating of local people, both at individual level and with a special focus on the role of RUC. The RUCs needs a careful scrutiny concerning composition, election system, mandate; role and status, resources etc. They also need more training in how to manage, monitor, sanction etc. One also needs to think about problems of representativity, and how to secure marginal and minority groups due influence. In general the local heterogeneity must be approached better; on gender, ethnicity, wealth, and on outsiders versus insiders. It could be that RUC alone is not a sufficient tool to handle such issues.

One could also consider introducing a monitoring system on the distribution of costs and benefits for different groups of people, in order to secure reasonable development to different local groups' livelihoods.

Another recommendation is to support networks of RUCs, so as to empower people through joint dialogue between themselves and develop systems so that local people can mobilize more negotiation power versus UWA.

A second recommendation related to this is to enhance a change in the power balance relations. The introduction of an arbitration function, either through the political system; or through a court based system of some kind could reduce the problem of asymmetric power relations between people and the state (represented by UWA).

Pilot and demonstration properties. In a pilot and demonstration project like this, it is important that the goals and objectives are well defined and developed and that planning and implementation is professionally executed, in order that one can learn from this and see in a

demonstration perspective, how and where experiences can be replicated, both within Uganda and more in general.

One problematic aspect relates to the very cumbersome and long agreement formulation process. It should be simplified and shortened down from the present two years. A second issue is the substantial costs and resources involved in the project. One should develop a more down-to-ground simplified model, less dependent upon external funds and competence.

The lack of socio-cultural and extension related competence within UWA should be looked into in order to take the project idea to other Protected Areas.

5.4. LAST WORDS

The lessons learnt from the local participation approach are, although difficult, not to discard it and revert to the "Fortress Approach". That latter approach was left precisely because it did not work. An improved or revised participatory model would encompass;

- An acceptance that local participation is about facilitating a long term process of social change; where actors with conflicting interests have to co-operate through existing local institutions and arenas
- Interventions must have explicit aims to increase incomes and reduce costs for involved actors
- Local institutions or principles for resource management, should preferably be built on or constructed from existing institutions, styles of thinking, sanctioned social relationship and experience based local knowledge
- Public bodies and officials need improved understanding and competence on institution building, local participation and how to work with complex processes of social change
- There must be a strong public acceptance to truly give up authority, resources and control to local level bodies and to civil society

Important values are at stake; both in terms of biodiversity resources, but also in terms of possible additional economic values generating from controlled grazing, hunting, forest produce, agricultural land use, tourism etc. Especially in economies under pressure, in systems with corruption and public and private power misuse and in areas with increasing

populations etc., pressures tend to aggregate to increase economical utilization of these valuable, but vulnerable resources. In a wider context, there are also national social values at stake, linked to the legitimacy of public governance in the relationship between state power and local communities.

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