



## Chapter 9

### *Conservancy Institutions and Governance: Implications for Livelihoods*

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#### **Introduction**

This chapter presents research materials relating to the ways in which a variety of institutional arrangements at the conservancy level have implications for livelihoods. In terms of local livelihoods, these factors are important because they are critical in determining who gains access to key livelihood resources. In relation to people's asset status, they also help define which livelihood strategies or activities are attractive, for example, by providing regulations or sanctions that restrict what people can do or by providing incentives for people to act in certain ways (as the current conservancy legislation does). They also have an effect in terms of equity of access to resources. This is because people are differently placed in terms of their relationship to institutional structures and agents of authority. Institutional rules originate at different scales (local, regional and national); they may be associated with traditional authority structures and customary (or unwritten) law, or they may relate to state and legally recognised institutional contexts. In many contexts these kinds of institutional arrangements exist simultaneously, creating a complex web of different kinds of rules that affect livelihoods.

From an institutional perspective, to achieve the objectives of CBNRM it is necessary to meet the following criteria. First, it is vital that there are effective and functioning local-level institutions that have the authority (both in terms of state legal sanctions and local acceptance) to make appropriate management decisions. Second, it is vital that there are appropriate linkages with other institutions (locally, regionally and nationally) and that there is enough synergy between these for them to work effectively together to meet common goals. Lastly, there must be adequate participation of local community members to ensure that the decisions taken by conservancies are not only meaningful locally, but also that they will not have an adverse effect on the livelihoods of residents in conservancies – both rich and poor.

This chapter discusses these issues in some detail. The chapter is organised in the following manner. First, the presentation of material relating to local perceptions regarding the positive and negative aspects of the conservancies, and what people consider their current strengths. Second, a description of the current set up of the conservancy institutions that were involved in this study and their relationship to other structures of local authority. Here the discussion also considers the extent to which there are overlapping, and in some cases competing, institutions of authority with responsibility for NRM. Within this multi-institutional complex people continue to pursue their livelihoods. The extent to which household livelihoods are affected by conservancy institutional arrangements is determined by the level of participation that households have in shaping the activities and decisions of the conservancy. The chapter therefore considers the extent to which people currently participate in resource management and the implications of a lack of participation. The conclusions provide an analysis of the implications of project findings. This is followed by a series of recommendations.

#### **Local Conservancy-level Institutions and Governance**

A conservancy derives formal legitimacy from the Government through enabling policy and legislation. This determines the legal institutional arrangements, rights and duties of conservancy committees and members. The conservancies, however, do not have full rights over their resources and those that they have received from the Government are conditional (see Chapter 3). Recognition of the fact that conservancies can only make limited decisions over the use of wildlife, for example, is important and highlights that with respect to these key resources conservancies are effectively acting on behalf of the State in terms of the implementation of rules and regulations. The criteria for establishing conservancies are based on an institutional model, which is quite different from traditional



systems of resource management and authority in communal areas. In general terms the conservancy model is one based on establishing strict boundaries, developing constitutions, electing representatives and having a defined membership. Traditional systems by contrast are based on customary law (unwritten), leadership succession often through lineage structures and inclusion based on social, ethnic and geographical criteria. These are not always very rigidly defined and social (sometimes economic), and geographical mobility is a feature of social and political life for communal area residents. Despite these critical differences, there are a number of practical reasons why the establishment of conservancies has been built on the boundaries, constitutions, elected representation, and membership model. The need for boundaries, constitutions, and committees is clear. Boundaries provide the basis for gazetting a specific geographic area and jurisdiction. They act in a similar way a fence would in a private property context. A constitution is required so that a conservancy gains legal status, making it easier to receive rights from the Government, handle community funds and enter into business contracts. Constitutions also describe the rights and obligations of conservancy members and describe the means to provide for accountability by the committee to members (for example AGMs). Membership defines who is willing to submit to the institutional arrangements of the conservancy in return for a share of any profits or benefits that may come. Membership is akin to an informal contractual arrangement between constituents and the institutional body of a conservancy. Establishing conservancy institutions has altered the institutional contexts within which a variety of local-level (community and household) resource management decisions are made.

The WILD/EEU socio-economic household survey (see Annex 3, Table 1, Section A.3.3.1) suggests that despite the changes that have come about as a result of new institutional

arrangements at local levels, many interviewees were not unduly concerned by such change. Survey material relating to the perceived advantages or disadvantages of the conservancies (both to individual households and to the community) indicates that there are a huge number of perceptions locally relating to the advantages and disadvantages of a conservancy. The most common responses to the open-ended question – what have been the advantages or disadvantages of the conservancy – were, however, that there were no advantages or disadvantages with the conservancy. Table 34 provides a breakdown of the survey response rates relating to the advantages and disadvantages of conservancies and the percentages of those interviewed that they represent (for further details see Suich 2003). There is tremendous interest by many communal area residents in the potential of conservancies. That 31 are currently registered, and with 50 or more involved to varying degrees in the process of registration is in itself an expression of keen interest.

Other survey materials collected by WILD aimed to assess individuals' satisfaction with their current livelihood circumstances and their conservancy institutions. This data reveals that one aspect that people were most satisfied with related to the institution of the conservancies themselves. Individuals were asked to rank on a scale of 1-10 how satisfied they were with various attributes of the conservancy. In the analysis of this data, the attributes were grouped or clustered to give overall values to key aspects of the conservancy on a scale of 1-100 (for example NRM or participation).<sup>1</sup> A preliminary analysis indicates that while there are some important differences between individual conservancies, respondents were generally satisfied with the conservancy institutions. Figures 39 and 40 provide the results of the analysis for conservancies in Kunene, Erongo and Caprivi.

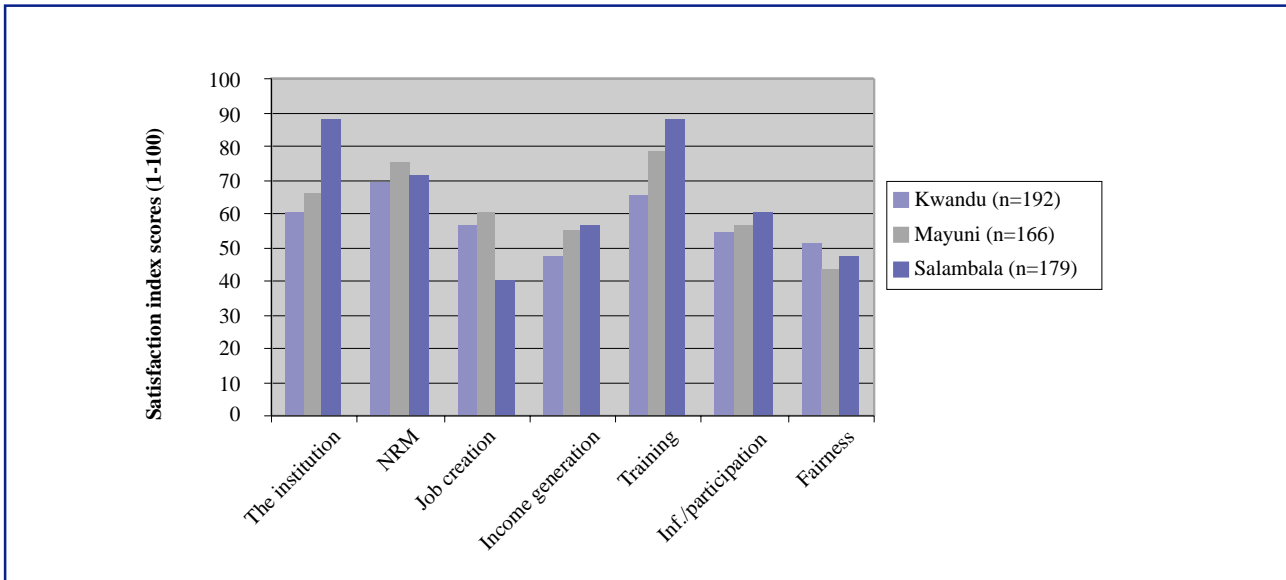
**Table 34: Conservancy advantages and disadvantages**

	Kunene (n=515)		Caprivi (n=461)		Totals	
	No.	%	No.	%	No.	%
<b>Household</b>						
No advantage	172	33.3	225	48.8	397	40.6
No disadvantage	236	45.8	221	47.9	457	46.8
<b>Community</b>						
No advantage	150	29.1	80	17.3	230	23.5
No disadvantage	226	43.8	129	27.9	355	36.3

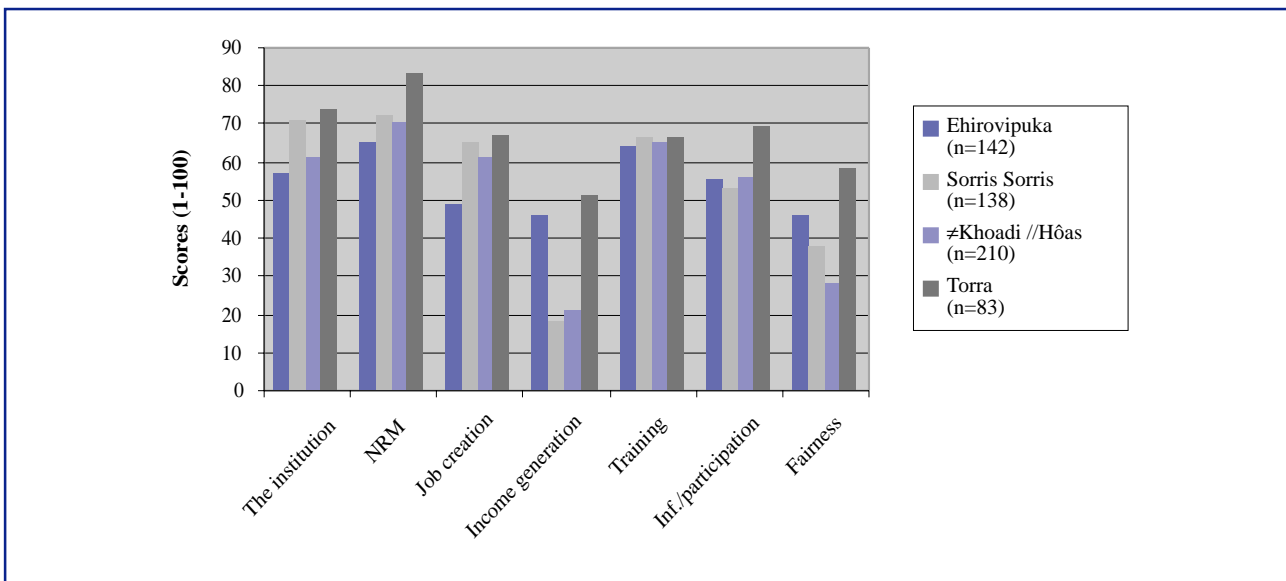
<sup>1</sup> The preliminary findings of this analysis are reproduced in full in Annex 4. The data used to produce the analysis is available through the DEA in Windhoek.



**Figure 39: Satisfaction results for Caprivi conservancies**



**Figure 40: Satisfaction results for Kunene and Erongo conservancies**



The analysis of this data needs to be treated with some caution, since assigning scores involved combining the responses to more than one survey question and then deriving a mean overall value. In the first column on the left in Figures 39 and 40, the scores represent the responses to the question related to the overall management of the conservancy and as such the results do indicate that it is likely there is overall satisfaction with the conservancy institution. Other questions included in the group ‘institution’, however, relate to the extent to which people were satisfied with the level of services to support the conservancies (specifically the services of the NGOs). This implies that the mean value assigned to the institution includes individual scores for satisfaction with the support services. To this extent although

‘the institution’ scores well, evidently satisfaction with support services also scores well masking the real value of satisfaction with the conservancy institution. In other parts of the data set, NRM scores well, for example, but in this case the responses combined all relate to NRM functions. This suggests that, at least in so far as people are satisfied with the conservancies, these institutions can be seen to be effective in terms of some of their essential NRM functions. The NRM function of the conservancy (second column on the left) scores highest overall. This indicates that people are more satisfied with this conservancy attribute than any of the others. If we also consider this particular result in relation to other data, wildlife numbers, for example, there is a strong indication that this function is being achieved.



A further aspect of this specific analysis included giving mean values to the impact of particular attributes on people's overall satisfaction. The attribute 'the institution' scored well here, indicating that both the overall management of the conservancy and various NGO support services were considered important to people (for full details of the preliminary analysis see Annex 4).

The data presented above also indicates that in terms of those attributes that have the biggest impact on livelihoods, people's perceptions are that the conservancies are less effective. Income generation, fairness and participation, for example, scored less well.

The following discussion describes internal conservancy governance (i.e. the internal structure of conservancies), and the relationship between the conservancies and various different local-level institutions within the community. The discussion also highlights some of the implications that these institutional arrangements have in terms of both the management of natural resources and household livelihoods. Caprivi and Kunene are treated separately; since they are

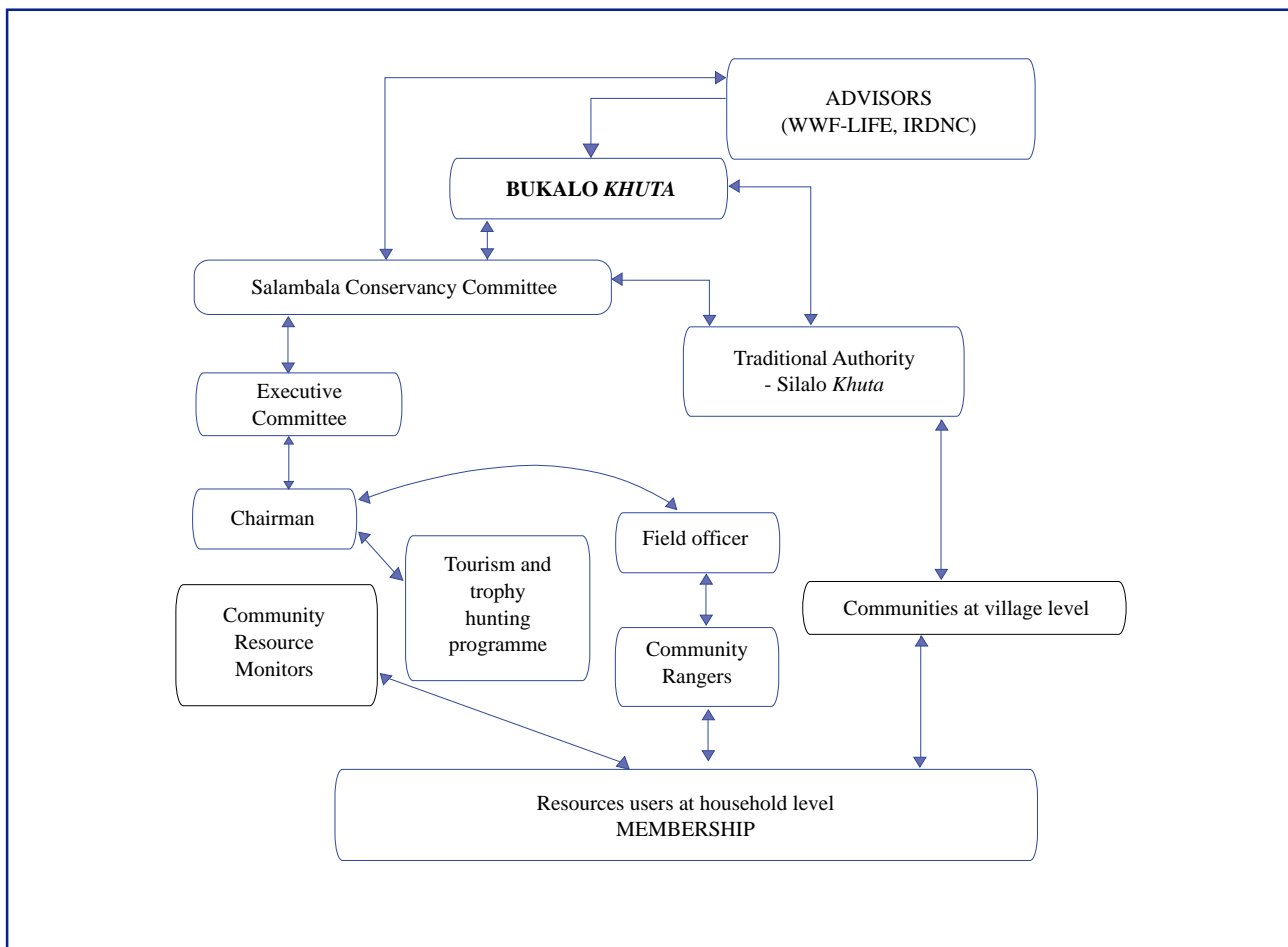
so different it is inappropriate to make direct comparisons between the two. More general implications are discussed below and in the conclusions.

## Conservancy Governance Structures in Caprivi and Kunene

### Caprivi

The Salambala Conservancy has a 41-member Management Committee, made up of representatives elected from each of the 19 main villages within the conservancy. The number of representatives per village depends on the size of the village. Some of the larger villages have four representatives, while the smallest ones have only one. The Bukalo *Khuta* has one representative on the committee. A nine-member executive committee was elected from within the management committee to carry out day-to-day management, for which the members receive a monthly salary. The executive committee is assisted by four advisors drawn from the management committee, one of whom is the *khuta* representative.

Figure 41: Organisational structure of Salambala Conservancy



Source: Adapted from Humphrey and Humphrey 2003