

## Facipulation and Elite Formation: Community Resource Management in Southwestern Ghana

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### Abstract

Despite their stated commitment to democratic processes, the Government of Ghana and international authorities presume the accountability and ability of NGOs to represent local interests in forest resource management. This article scrutinises elite formation and elite capture through the case of a Community Resource Management Area (CREMA) in western Ghana. NGOs and the forestry department promotes commercial tree planting on farmlands at this CREMA site. This article shows how institutional mandates, technical and managerial priorities are used by higher-level authorities to rationalise the omission of accountability and representation in CREMA activities. Disregard for democratic processes thus centralise decision making and render political processes apolitical at the cost of effective local participation and control over forest resources. Also, the legal and administrative framework of the CREMA tended to empower the traditional elites. In addition, the recognition of a local NGO by state authorities to oversee natural resource management infringed upon the CREMA's mandate and encouraged the formation of new elites. Further, the higher-level authorities' promotion of tree-tenure privatisation reduced public engagement by enclosing and thus discounting the public forest domain. The combination of these factors compromise the accountability and equitable sharing of benefits in CREMAs. Nevertheless, the CREMAs have been endorsed by the government as an innovative institutional structure for implementing REDD+ projects in Ghana.

**Keywords:** CREMA, forest governance, recognition, NGOs, accountability, representation, tree tenure, Ghana, decentralisation

### INTRODUCTION

Natural resource management often entails collaboration between government and NGOs as part of the broader initiatives implemented under the guise of decentralisation reforms in developing countries (Chhatre 2008; Ribot et al. 2008). In theory, decentralisation is a transfer of powers to lower levels within the political-administrative hierarchy of the State that creates avenues for representation and allows

better integration of local needs and aspirations into public decisions. However, decentralisation can be compromised when donors and state authorities choose to recognise local institutions that are unaccountable to local people despite their 'democratic,' 'traditional,' 'indigenous' or 'NGO' designations (Crook and Manor 1998; Agrawal and Ribot 1999; Ribot 2003; Ribot et al.2008).

While recognition of local institutions other than elected authorities can undermine representation and exacerbate or replicate existing patterns of inequality (Ribot et al. 2006; Li 2007), decentralisation is often executed as transfers to non-elected bodies. It is often misleadingly understood and executed as the privatisation and marketisation of government functions (Bennett 1994; Litvack et al.1998). NGOs are commonly empowered in this process, becoming the key agents in the privatisation and marketisation functions of the government. They have been widely perceived and depicted as if they were democratically representative; a claim that

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Kamat (2004) and Ribot (2004) argue needs to be challenged. Persha and Andersson (2014), however, argue that while there is a risk of elite capture of benefits, the presence of external organisations such as international NGOs significantly dampens the likelihood of their occurrence. The collaboration between NGOs, interest-based local elites, and government bodies can become a means of appropriating and privatising common public resources (Platteau and Gaspart 2003; Ito 2007). Further and often overlooked, the local NGOs, recognised by international donors and international NGOs can play a significant role in the emergence of new elites, who also act as agents of privatisation. This article explores the effect of donor institutional choices and recognition of local NGOs on local elite formation and capture.

During the 1990s, the Ghanaian state initiated a series of policies and programmes to involve the local population in forest management and give them a greater share of benefits accruing in the forestry sector. These measures were collectively known as Collaborative Resource Management Programmes (CRMP). The Community Resource Management Areas (CREMA) approach is a CRMP that was initially developed by the Wildlife Division (WD) of the Ghanaian Forestry Commission (FC)<sup>1</sup> to address wildlife management outside protected areas and forest reserves. Over time, the CREMA approach became a model for decentralised forest management in Ghana, to promote natural resource conservation and livelihood diversification outside of the protected areas. Through CREMAs, the government claimed to 'devolve' authority to manage forest resources to local people and empower them to make decisions about these resources. By 2012 there were over thirty CREMAs at various phases of the establishment process<sup>2</sup>.

While initially, CREMAs established by the Wildlife Division targeted the co-management of wildlife, the CREMAs that focus on forests and trees on farmlands rely on the expertise of the District Forestry Services Divisions for implementation. Furthermore, the policy documents state that the Wildlife Division requires the involvement of NGOs and civil society (FC 2004a; FC 2008) for the establishment of CREMAs. Thus, local, national and international non-governmental organisations often act as implementing agencies and provide funds, technical support, and assistance in the establishment of CREMAs (FC 2004a: 14)<sup>3</sup>. Yet, the specific functions and responsibilities of the NGOs participating in the creation of CREMAs remain ill-defined in CREMA policy documents. Therefore, when resources and decision-making powers are given to such unaccountable bodies, it is tantamount to privatisation – the transfer of what were public powers to effectively private bodies, and a formula for resource capture by local NGO leaders (Ribot 2004: 68).

Elite<sup>4</sup> 'control' of decision-making and elite 'capture' of benefits is a common aspect of development and decentralisation projects (Dasgupta and Beard 2007; Fritzen 2007). Local NGOs engaged in the implementation of development projects, claim to be the representatives by developing a beneficiary base but are often dominated by

elites who capture the resources due to lack of accountability. Empirical evidence suggests that decision-making processes, even in projects implemented in the name of decentralisation, are controlled and dominated by the elites (Pritchett and Woolcock 2004; Fritzen 2007). Elite capture can be redressed in communities where both non-elites and elites participate in democratic self-governance (Dasgupta and Beard 2007). Yet, redressing elite capture may be difficult in conditions where elite formation is enabled and encouraged both by the government and local and donor NGOs.

Elite 'control' can be particularly problematic in societies like Ghana, where since the colonial period, chiefs had substantial decision-making powers over natural resource and land management (Logan 2011) and were given the role of representing local interests. In many decentralised forestry projects, despite their 'community-based' character, decisions taken in public meetings through traditional discussion- and dialogue-based procedures, rarely override the existing social hierarchies (Crook 2003). Although traditional authorities can be responsive and accountable, this aspect cannot be taken for granted, especially when external implementing agencies recognise them to maintain the status quo. Such recognition may create opportunities for traditional leaders to capture project benefits (Pritchett and Woolcock 2004). Nevertheless, elite capture is not simply led by a supposedly insulated 'traditional elite.' In developing countries, elites such as educated individuals, politicians or state employees often create and use NGOs to access international aid funds meant for building local capacity and instead use these funds to serve their own strategic purposes (Porter and Young 1998; Platteau and Gaspart 2003).

This article focuses on how a specific CREMA in Ghana became a site for traditional elite influence and led to the emergence of a new elite, who played a central role in the privatisation of trees in farms in the Western Region of Ghana. It analyses the case of Bontori CREMA<sup>5</sup> (Map 1) in southwestern Ghana, which is one of the three main Akan Chieftaincies in Ghana. Bontori CREMA was established by an Accra-based local NGO called Agroforestry and Rural Development (ARD) in 2004 with a three-year grant from the Small Grants Programme of the Global Environment Facility (GEF), a multilateral agency that serves as the financial mechanism for several key international conventions including the Convention on Biological Diversity (CBD)<sup>6</sup>. Securing tree tenure was one of the main objectives of the project. The International Union for the Conservation of Nature (IUCN), an international environmental NGO that has been supporting REDD+ and other forestry projects, played a substantial role in its development and formalisation and provided technical and financial support to the CREMA, although it did not directly fund the CREMA establishment. IUCN's support for this CREMA aimed first at integrating some of its Livelihood and Landscape (LLS) project activities that were launched in early 2007, coinciding with the period when GEF funding for the CREMA ended. IUCN later adopted CREMAs as an important component of its REDD+ pilot project development (Nyame et al. 2012).

In the case of Bontori CREMA, the implementing NGO integrated Chiefs into the CREMA administrative structure. The state legal and administrative guidelines that frame the collaborative resource management programmes, such as the CREMAs, enable this integration despite the fact that chiefs are, as this case will show, not systematically accountable to local populations. The donors, despite their emphasis on participation and representation, continue to support these policies. At the same time, the local NGO, Agroforestry and Rural Development, that intervening agencies chose to establish the CREMA, depends on the approval of the traditional elites (the chiefs), since their benediction provides the NGO a legitimate claim of autochthony. In return the NGO recognise chiefs as the de facto community leaders ideally positioned to represent local needs. This way, both traditional and new elites (via NGOs) enter into a strategic alliance and legitimise their roles in the creation of the CREMA.

Also, as the Bontori case illustrates, the international NGOs' and donors' choices of local NGOs to implement the CREMA can lead to the emergence of a new local elite. This new elite has good connections not only with the 'traditional' elite but also with state administrators and international organisations which allow them to acquire funding for projects. And importantly this new elite plays a role in promoting privatisation. In Bontori

CREMA, privatisation was actively pursued and put in practice by ARD, which spent its time persuading the farmers of the advantages of private ownership of trees on individual farms and the ownership of revenues derived from them.

Section two of this article, below, discusses the place of CREMA within espoused decentralisation and collaborative forestry in Ghana. The third section describes the methods. The fourth shows how NGOs and forestry officials through claims of technical assistance encourage privatisation and 'effective' management of trees in farms and off-reserve areas, with the underlying agenda to sustain the commercial timber sector. The fifth section discusses popular representation and the role of traditional elites in the CREMA. Section six discusses how the recognition of ARD enabled the formation and strengthening of a new elite and elaborates how this led to issues of representation and a crisis of accountability within the CREMA. The final section summarises the insights drawn from this empirical case and how these observations can be used to improve collaborative forest management practices.

## DECENTRALISATION AND COLLABORATIVE FORESTRY IN GHANA

Ghana's Forestry Commission (FC) has overall responsibility for the management and utilisation of forestry resources. The FC is independent of the local democratic authorities in both legislative and operational terms (Amanor and Brown 2003). The FC<sup>7</sup> is a central government agency whose policy and approach reflect the tendency of post-independent Government –centralisation of authority over natural resources. At the time of independence, the Ghanaian State, like many other African states, sought to consolidate political authority ostensibly to drive modernisation processes; they used centralised power over resources to cultivate patronage networks (Boone 2003; Austin 2005).

Following the austerity measures imposed by the International Monetary Fund and the World Bank's structural adjustment programmes along with mounting pressures from these and other lenders, the Ghanaian government promoted decentralisation through political and administrative reforms in the name of 'good governance'. Ghana also suffered a rapid loss of forest cover due to agricultural expansion and wood exports in the wake of structural adjustment (Owusu 1998; Benhin and Barbier 2004; Codjoe and Dzanku 2009). In 1992, Ghana adopted a new constitution emphasising decentralisation (Constitution of Ghana 1992; Kpessa 2011). Subsequently, in 1993 a new Local Government Act (Act 462) was adopted. The Local Government Act recognised the elected District Assemblies (DAs)<sup>8</sup> as decentralised authorities at the district level, with powers to adopt bylaws and to raise revenues through local taxes. Unit Committees are the smallest scale of elected authority – they are a sub division of the Districts. However, decentralisation efforts in Ghana did not reach sub-district elected authorities or empowered the unit committees. Rather, the committees act mostly as implementing agents for District Assemblies. Only half of the



**Map 1**

*Wassu Amenfi West district, highlighted in orange, was divided into Wassu Amenfi West and Wassu Amenfi Central, in December 2012, around the time the fieldwork for this article was concluded. (Source: Author's illustration)*

unit committees in Ghana are operational, and the existing unit committees' elections are long overdue (ILGS and FES 2010). The 1993 Local Government Act also recognised traditional authorities (chiefs). Unlike elected authorities, chiefs continue to hold power at regional, 'Wassa area', district and village scales. They have a consultative role in the appointment of the thirty percent of the members of the District Assemblies, and at the regional level, the Regional House of Chiefs elects two chiefs to the regional councils (LGA 1993).

Decentralisation reforms in the forestry sector in post-independence Ghana were initiated with the 1994 Forest and Wildlife Policy<sup>9</sup>. The Act required all line agencies of the central government, including the deconcentrated District Forest Services (FSD)<sup>10</sup> of the Forestry Commission (FC), to report to District Assemblies. With the passing of the 1994 Forest and Wildlife Policy, Collaborative Resource Management Programmes (CRMP) were introduced which also include a number of programmes on benefit sharing and management of resources with local communities. These included plantation development programmes, such as the Modified Taungya System<sup>11</sup>, and benefit sharing schemes such as the Social Responsibility Agreements (SRAs). In the Modified Taungya System, the FC grants degraded portions of protected forest lands to farmers to plant and maintain priority timber species while growing food crops until it no longer becomes viable to grow food crops. The participating farmers also have a share of the benefits from the plantation. Social Responsibility Agreements (SRAs) allow logging companies to enter into a contract with forest-fringe communities, obliging the timber contractors to observe a set of guidelines including contributing to the community development projects in their operational area. The adoption of CRMPs was largely a response to the problem of regulating farmland timber, and aiming at converting off-reserve and degraded areas into the principal source of timber (Amanor 2004, 2005). As part of CRMP, the Ghanaian government started to promote CREMAs as a more collaborative form of natural resource governance. The CREMAs' ultimate advantage was presented as incentivising local communities to manage their natural resources while supporting three ideals: conservation, development and democracy. The Wildlife Division argued that the establishment of CREMAs would result in poverty alleviation by diversifying income at the community and household levels (through reliance on self-sustaining, profitable markets for bush meat, non-timber forest products), while simultaneously securing habitats, protecting endangered species and enhancing the security of Protected Areas. The Ghana Wildlife Policy 2012 and Ghana's REDD Readiness Preparation Proposal (R-PP) support the CREMA approach as a means for implementing REDD demonstration projects and pilots. The government policies also endorse and promote CREMAs as an 'innovative' and 'promising' community-based structure and tool for REDD+ in Africa (Asare et al. 2013).

Decentralisation in the forestry sector in Ghana remained limited (Teye 2011). The central state administrative agencies, particularly the Forestry Commission, continued

to be reluctant to devolve decisions in forestry due to substantial revenue generating potential of off-reserve forests (Sasu 2004; Amanor 2005). District Assemblies were not given any management or utilisation functions of forest reserves, which remained the exclusive domain of the FC (Kotey et al. 1998). In the forest reserves, FC through FSD manages the protection of forests and the sharing of proceeds<sup>12</sup>. The powers of FC in off-reserve areas are also extensive. In off-reserve areas, FSD administers the protection of valuable timber and the profit sharing. While timber companies use their private security guards and patrolling teams to protect their concession areas, many farmers reported that the FSD does not even allow them to use seized logs for community use such as for repairing or building community property. FSDs select local farmers as voluntary forest guards to report any illegal logging activity. They also learn of illegal activities through tip-offs from aggrieved farmers. They sometimes arrest illegal loggers. However, farmers indicated that the cooperation between illegal loggers and FSDs for economic gains is common.

This situation of illegality is partly the result of recentralisation of commercial exploitation of trees. In 1996, against the espoused decentralisation process, the government of Ghana transferred the responsibility for managing off-reserve timber from the District Assemblies back to the control of the FC through District line offices (Sasu 2004) arguing that timber as a national resource needed effective management. The District Assemblies lost their decision-making powers concerning the commercial use of trees outside protected areas and forest reserves (Amanor 2004). This also transformed the collaborative forest management programmes (CRMPs) into a 'centralised' form of forest governance.

As custodians of stool lands, the chiefs also have powers over trees in off-reserve areas. The chiefs had important powers over the management of forests since the colonial period, and the colonial government made the paramount chiefs responsible for the creation of forest reserves (Amanor 2004). The colonial forestry policies gave the chiefs, as the 'owners' of the land, rights to royalties from forest and land resources (Amanor 2005). After independence, the government claimed ownership of all economically valuable trees on farms and in secondary forests 'in trust for the stools'. The chiefs retained the authority to give approval for cutting off both natural and planted trees in off-reserve areas. Besides FSD, the landowners also have to seek permission from the chief and inform the FSD to cut down trees for commercial purpose. However, the powers of the chiefs over forest resources have diminished over the years (Sasu 2004). Currently, with the reversal of decentralisation, the FSD and timber companies wield considerable influence over the chiefs. For instance, even though the laws require that the chief be informed if any concession is granted in his traditional area, the FC has the ultimate authority to grant timber concessions. Increasingly, the chiefs have become the key negotiators between the communities and the logging companies, in exchange for allowing access to stool lands (Ayine 2008.)

Together with District Assemblies, the traditional leaders receive a substantial share of timber royalties from the

commercial exploitation of the trees in off-reserve areas<sup>13</sup>. Thus, both District Assemblies and Chiefs have considerable interests in proceeds from stumping and other economic rents from forests. The FC and FSDs on the other hand, obtain benefits from sanctioning or carrying out illegal timber production and from timber concessions in off-reserve areas. The timber-revenue potential of off-reserve areas is also important in the context of the movement towards privatisation of tree tenure and the role of Collaborative Resource Management Programmes and CREMAs in commercialisation and privatisation of trees in Ghana.

One of the important changes brought by devolution in forestry was the attempt to clarify the ownership rights of planted trees<sup>14</sup>. Although before the 1962 Concessions Act, farmers had rights to trees growing on their lands, the Concessions Act vested all trees in Ghana in the President to manage on behalf of the chiefs. Farmers are custodians but have no rights to naturally regenerated trees growing on their farms, and their management and utilisation rights belong to the state, which assumes this role in trust for the chiefs. To be able to cut down or utilise the planted trees on their farms, the farmers have to obtain permits from FSDs, who have the sole discretionary power to determine whether the permission should be granted.

Backed by the advocacy of international NGOs, the Ghanaian government took necessary steps towards the privatisation of tree tenure by allowing the FC to issue a certificate to farmers to register the ownership rights of planted trees. Although still not backed by the legislation, CREMAs, such as Bontori CREMA in western Ghana, promise the farmers to obtain benefits through tree planting and individual titles to the trees they planted. Ownership of planted trees and the associated benefits are important for farmers because, unlike previous tree planting activities carried out under the watchful eyes of FC, through a CREMA 'project' they can also claim ownership of the trees and the benefits derived from them. This was also an important argument that the local NGO used to recruit farmers to establish the Bontori CREMA.

## METHODS

Data collection involved a review of policy documents and published literature, semi-structured interviews, and informal observations made by the author while residing in the Bontori CREMA area. For the first method, published literature, news articles, and relevant policy documents were examined to understand the historical, political and economic basis of the power and functions of the major institutions that were essential for forest governance in Ghana. Semi-structured interviews were conducted to look at the heterogeneity of meanings in the construction of issues around the CREMA and forestry decentralisation. The interviews were conducted between May to December 2012. The cohort was divided into two:

a.) Community members – Thirty seven respondents were purposively sampled from two settlement clusters with the

CREMA area to understand farmers' participation in the project activities, land and tree tenure, and access to natural resources. CREMA executive members and district forest department staff helped select the first couple of respondents, and this may have introduced some biased perspectives from individuals who were stakeholders in the project. However, this was mitigated when the author independently selected the respondents while residing in the area for an extended period.

b.) Fourteen high level actors consisting of government officials and staff of NGOs - Following the interviews with the community members, between November to December 2012, fourteen respondents from different government and non governmental agencies were interviewed by the author in various parts of Ghana. These respondents were involved with the inception of the CREMA concept, its implementation, and the oversight of CREMA performance across Ghana.

The author is aware that the majority of the interviews were with people who were knowledgeable about the CREMA and therefore had a stake in the successful implementation of the project. Therefore, after the completion of the first set of interviews, sixteen people (both men and women) who had not planted any trees and did not have a direct interest in the CREMA were interviewed, and their perceptions on CREMA and planting trees were also included. Day to day interactions and observations at the CREMA site, interview data, and published reports helped understand the issues surrounding natural resource use and management in this particular CREMA. The interpretation of data and conclusion of the research were also discussed with the Ghana research team members who were not directly involved with research on CREMA. Feedback and insights were also sought from the actual participants by sharing the findings.

## TECHNICAL ASSISTANCE AND PRIVATISATION THROUGH CREMA

Policy documents state that CREMAs will create the 'right conditions' for democratic participation, and opportunities and financial incentives for local communities. Beyond this win-win discourse of conservation for development, there are also other underlying reasons for the Forestry Commission to push for the CREMA model. The Wildlife Division, responsible for national parks and wildlife management, support the CREMA model as it will 'save money spent on patrol staff' by improving the security of PAs (FC 2008:20). The CREMA model is also used outside the PAs in the context of off-reserve forest management, especially in Ghana's commercially lucrative high forest zone. In the high forested zone of southwestern Ghana, where Bontori is located, the FSD is assuming the primary role in implementing the CREMA model.

In contrast to the Wildlife Division, in CREMAs the Forestry officials advocate for the exploitation of the trees. District Forestry officials view CREMAs as an opportunity for promoting commercial tree planting, and for maintaining the trees on farms in response to Ghana's dwindling timber resources and international requirements of sustainably

sourced timber (Teye 2011). For forestry officials, timber production is the most important national target, which needs to be encouraged through privatisation and ‘effective’ and ‘sustainable’ management of the trees.

As explained in the previous section, the District Assemblies have limited powers in forest management and utilisation. This limits the powers of District Assemblies in CREMAs as well. Although with decentralisation, the District Assemblies obtained the powers to issue licenses for Non-Timber Forest Products (NTFP) and to register chain-saws, the FSDs and the Traditional chiefs (the Divisional chief of the traditional area) continue to regulate the forest resource utilisation, policing functions and resolution of forestry related conflicts. At the village level, the forest guards – selected by the FSDs – keep the forest reserve boundaries clear and patrol the reserve to prevent illegal activities. The villagers are expected to report the illegal activities to FSDs through forest guards. The CREMA managers approach the district FSD and not the District Assembly to enforce its bylaws regarding illegal logging or collection of NTFPs. Therefore, local elected officials are perceived as having no power in matters of forestry as all decision-making powers are vested in the FC.

The District Assemblies are supposed to provide ‘technical assistance such as infrastructure development’ to CREMAs (CREMA Guidelines 2004). Instead, District Assemblies’ role in the CREMA is reduced to drafting and deliberating on the CREMA constitutions and approving the CREMA by-laws. FSD officials argue that the District Assemblies lack the technical capacity and expertise to manage forest resources and that resource management is not the primary objective of District Assemblies (Amanor and Brown 2003). A senior official of the Collaborative Resource Management Division explained the role of the District Assemblies in CREMAs and emphasised the priorities of District Assemblies as follows:

“The CREMA management plans should fit into the development plan of the District Assembly but natural resource management is not prioritised in their plans because there are other aspects like infrastructure and education with immediate tangible results rather than long-term impacts of resource management, which people cannot see.” (Senior Official 3, Resource Management Support Centre, FC, Kumasi, face to face interview, 2012)

The FSDs consider that District Assemblies have different ‘priorities’ than natural resource management and that their capacity to provide technical assistance in this field is insufficient. In the case of Bontori CREMA, the district FSD played a major role in the establishment of CREMA, due to its expertise in ‘tree-planting and forest management’<sup>15</sup>.

District Assemblies do not have enough financial resources or technical expertise<sup>16</sup> to provide technical assistance. They are, therefore, led to seek help from international NGOs. IUCN provided the technical support for the establishment of the CREMA and its by-laws. IUCN sees CREMAs as an ‘institutional innovation’ that could effectively engage local people and facilitate equitable benefit sharing, and as a pilot

case for examining tree tenure reforms (IUCN 2010: 48—). IUCN has been organising REDD+ Readiness and awareness programmes in the area since 2011, and the tree-tenure reform is central to the implementation of carbon forestry and the distribution of carbon benefits. IUCN’s support for CREMAs and its alignment with the FC in the privatisation of tree tenure is, therefore, partly related to its engagement with implementing REDD+ in Ghana. As the IUCN’s the West African Protected Areas Newsletter, IUCN, 2011 states, ‘CREMAs and other provisions designed to support dedicated community forests could be key mechanisms for engendering local control and participation in REDD+ initiatives especially in the off-reserve areas since they are an effective means of local self-mobilisation and have delivered tangible results from activities that would qualify for REDD-plus, such as tree-planting, forest restoration and on-farm, tree based diversification’ (The West African Protected Areas Newsletter, IUCN, No.47, November 2011).

In sum, through claims of collaborative management the state attempts to privatise tenure for planted trees and manage timber in off-reserve areas through CREMAs. However, in CREMAs establishment and management the District Assemblies are effectively sidelined, owing to the reversal of decentralisation and the prominent role attributed to the FSDs and traditional authorities in controlling the exploitation of off-reserve forests. Also, the FSDs play a central role in the establishment of CREMAs claiming technical expertise and support tree-tenure privatisation. The NGOs, such as IUCN are also supportive of private tree ownership through CREMAs as they fit into their broader forest management approach and policy oriented towards REDD+.

## REPRESENTATION AND TRADITIONAL ELITES IN CREMAs

The establishment of a CREMA area involves a series of administrative procedures. It is a six-step process of a) defining governance structures, b) developing and approving the Constitution, c) boundary demarcation, d) Bylaw preparation and approval by the DA, e) Recognition by the WD, and f) Devolution of Management authority by Minister of Lands and Forestry. The guidelines for CREMAs lay out a governance structure that would manage the CREMA area. This structure involves institutions that operate at different scales. First, at the base village level, a Community Resource Management Committee (CRMC) is elected by the villagers. The CRMCs handle the management of the CREMA in their community. Then, a representative from each CRMC is elected as a member of the Executive Committee (CEC). CEC is the highest decision-making body within the CREMA, and it includes the Divisional Chief of the Wassa Traditional area (FC 2004b: 7). Even though in its discourse, the CREMA approach promotes the idea that the villagers should organise ‘themselves’ to form their governance structures, traditional authorities have important decision-making powers regarding the selection and appointment of the members at base-village level (CRMCs) as

well as at Wassa area level (CECs). In two of the six CREMA communities studied, chiefs, through discussion with the council of elders and sometimes in the presence of actors from FSD or the implementing agencies, nominated the members of the Community Resource Management Committees (CRMCs). Even though the majority of the inhabitants were Ghanaian migrants from other parts of the country, the appointed representatives of CRMCs were from among the educated or traditional village elites, which belonged to the founding family of the village, and served as caretaker chiefs<sup>17</sup>. Chiefs and village elders were recognised as *de facto* 'representatives' of their communities giving a semblance of broad-based participation (see Kotey et al. 1998).

In all six communities, the village chiefs were members of the CECs. In Bontori CREMA, CEC consists of representatives from twenty communities, along with the Divisional Chief of the area. All the 10 CEC members were chiefs, sub-chiefs or elders, i.e. the traditional elites in their respective communities. Although elections are provided for in the constitution of CREMA, no elections have been held since the first term of CRMC and CEC expired a couple of years ago<sup>18</sup>. The CREMA members and the intervening agents cited lack of resources and unresolved financial dispute as the main reasons for neglecting the elections. Even though the CRMC members are supposed to be elected by the villagers, in Bontori, members of the CRMC said that they were nominated by traditional authorities and village elders. Also, during my stay in the CREMA area, all CRMC members reported that they work as 'honorary forest guards', and support the district FSD appointed forest guards by reporting any illegal logging or NTFP collection activities in the nearby forest reserves. This 'free labour' and collaboration allowed the 'honorary forest guards' to maintain a good relationship with the forestry officials and gain 'favours' instead of 'benefits' (Ribot and Oyono 2006). This pattern indicates that most CRMC and CEC members represent traditional authorities and are accountable to chiefs and the FSD.

The CREMA bylaws are supposed to be including inputs from community members and then approved by the DA. At the same time, the Constitution and bylaws are often supported by local and international NGOs. For instance, the Constitution of Bontori CREMA and its bylaws (written in English) were drafted by the local NGO and IUCN. However, the CREMA executives appeared to be ignorant of the existence of its Constitution or bylaws. For many CREMA members, these concepts were inaccessible, in the sense they mentioned looking up to the FSD or the implementing agencies such as IUCN for 'guidance,' 'support,' 'facilitation' and assistance in cash and kind.

The CREMA guidelines indicate that the membership to CREMAs should not be discriminatory. Thus, the CREMA Constitutions state that all individuals residing within the area and having land-based livelihood interests can become members when they pay registration and membership fees. All the interviewees admitted they had never paid any fees, but their membership is based on their tree planting activities

on their cocoa farms, active interest in the environment, and attending 'forestry' related meetings. The limited membership based on interest is often a characteristic of private groups and NGOs, where belonging is narrow, based on interest such as class or project objectives (Ribot et al. 2008). People who had not planted trees were unaware of what CREMA was, and some (sixteen interviewees) had vaguely heard about it and associated it with planting trees. This implies that the CREMA was not as inclusive as the CREMA officials claimed. The information about the project was not well disseminated to all villagers, and only a select number of people were included in CREMA village-level activities. This situation is in direct contradiction with the CREMA's declared democratic claims. It shows that membership is an exclusive one despite the fact that CREMA and donor guidelines insist on elections and inclusiveness. People whose interests or activities did not align were not part of the CREMA and were excluded from accessing any benefits derived from it (including the distribution of material by the NGO).

When interviewed, one IUCN staff expressed that they would prefer to have "stakeholder representatives who are upwardly and downwardly accountable, but the process of identifying such representatives consumes time" (NGO Official, Western Region, face to face interview, 2012). Ensuring adequate democratic representation in institutions like CREMA, with multiple user groups and traditional authorities, was cited as resource intensive and complex. Therefore, the responsibility of selecting representatives was left to the discretion of communities or sometimes by invitation. The established practice is to give a list of stakeholder categories to community liaisons for representation in meetings and forums. Though not indicative of the general attitude of all actors from intervening agencies, one person said:

"We have to maintain continuity and ensure the same people attend to build upon existing knowledge.... Good representation is important, but ...we are often concerned about whether the representatives have the capacity to participate in the dialogue, whether they can relay the messages to their communities. Representatives also bring their biases, sometimes comes without any preparation on the agendas ..., so most often the process of stakeholder identification just becomes a formality. It is too time-consuming to follow procedure, we have to stick to deadlines and goals." (NGO Official 1, Wassa Amenfi West district, Ghana, face to face interview, 2012).

Even though the donor GEF and implementing NGOs like IUCN are aware of the undemocratic process through which the committee members are selected, they choose not to interfere with community decision-making processes. Their position is justified by the necessity to adhere to project 'timelines and objectives'. This suggests that implementing agencies supporting the establishment of CREMAs, prioritised technical and project management aspects over issues of transparency in participation and decision-making processes. The state forestry officials share a similar vision. A district forestry official said,

“We leave it to the community. Participants are either elected or named, but they also have the duty to report back to the people. There is a need for checks and balances and institutionalised and regularised feedback mechanism. However, there are costs related to keeping a check” (Government Official 6, Forestry Services Division, Wassa Amenfi West district, Ghana, face to face interview, 2012). In this statement, the Forestry Department is putting the responsibility of ‘accountability’ and responsiveness on the people, in a context where they do not have a choice to select their representatives.

When the same NGO staff was asked about the ‘continuity of existing representatives’ and its implications for few people monopolising the process, the response was that “there is not much perceived value among the population on attending meetings on forests or environment related issues, so it is the interested ones who participate in these meetings”. This perspective clearly sidelines the issue that many of the CREMA residents are unaware of the project and worse that they are never included in the local CREMA decision-making process. Also, since many of the consultative meetings become an avenue for technical advice, the interviewee was more concerned about a ‘receptive representative’ who was ‘exposed’ to the priorities and goals of the project and ‘speaks’ the language of the initiative. This summarised the rationale behind the NGOs choices at the local level. Whether they had the resources to respond to the needs of their constituents or they represented their constituents’ interests was secondary.

These forms of interventions by the state, guided by the divisional mandate of the FC and through recognition of donor-funded NGOs enabled certain local actors to engage and capture the new opportunities that the CREMA initiative presented. The exhaustive administrative procedures associated with the establishment and management of a CREMA require an in-depth understanding of the Ghanaian legal system, and relevant legislations, a situation that educated elites, private interested parties and NGOs can capitalise.

### **DONOR CHOICES AND ACCOUNTABILITY**

The primary focus of Bontori CREMA is the planting and maintenance of trees in privately managed cocoa farms. The Forest Department, as well as the timber companies, encourage tree planting in Bontori area – by distributing free seedlings and technical support to farmers. They encourage farmers to intercrop with cocoa, claiming that tree planting will increase the productivity of ‘shade-loving variety’ of cocoa crops<sup>19</sup>. In this area, the Forestry Department used to source timber from forest reserves, off-reserves or people’s farms after obtaining access rights from chiefs. The Forestry Department and timber companies initially encouraged teak production in the Bontori area through a government plantation development project. The founder of ARD and his family were the pioneers in planting teak trees on a commercial basis. The founder had an eclectic professional life and considered himself an ‘expert’ both in Ghanaian administrative affairs and in agroforestry. He established the local NGO in 1995, became its director

and resigned from his government job in 2000. To establish the Bontori CREMA, he applied for the Global Environment Facility (GEF) funds and received a grant of 33,770 USD from the GEF.

The local NGO, ARD started mobilising individual farmers to join the CREMA started in the early 2000s. Initially, people did not want to plant timber trees on their farms since trees took years to mature. However, after the establishment of Bontori CREMA, under the guidance of the founder, farmers were actively encouraged and trained in tree planting. The founder expressed that farmers need direction and training for planting trees and started to campaign for encouraging local farmers to grow trees for commercial purposes in the CREMA. The interviewed farmers who had planted trees on their farms told that they were motivated to plant trees for a variety of reasons: additional income, project incentives such as distribution of small farm tools, free seedling and per diems for attending trainings. They also anticipated benefits from selling carbon offsets and ‘good air’ through the implementation of REDD+, which had generated much enthusiasm among the tree planters at the CREMA site.

The local NGO does not simply encourage the tree planting; it also situates itself as an advocacy organisation that helps carry the farmers’ needs and requests to the government. As its founder puts it:

“... the most challenging issue here is the complete ownership of the whole process. How do we increase our income and fulfill our aims? Our aim is that natural resources are our concern and our livelihood, and therefore at all costs, we should do something about it, even to the point of taking the policy and make sure that the policy responds to what we are trying to do. Our Constitution denies the people who own the resources, the access to those resources [other forest resources, and naturally occurring trees on their farms]” (ARD founder, Accra, face to face interview, 2012).

The founder’s emphasis on local community ‘ownership’ of CREMAs refers on the one hand to the decision-making power of communities in the CREMA management process, and on the other hand, to private ownership of trees and revenues derived from them. He is critical towards the present situation where the villagers are prevented from using the trees that ‘belong’ to them, as they have planted these trees themselves. Thus, he puts emphasis on economic (commercial) value of trees on farms. His perspective is that of a Ghanaian entrepreneur, who sees himself as the representative of ‘his’ people, and believes in private ownership of the trees for commercial benefits.

Even though the NGO founder presents tree tenure ownership as a benefit of the CREMA, such an outcome is not guaranteed because the existing land and tree tenure systems in Ghana may compromise the intended benefits from tree tenure privatisation. The legislative framework of Ghana offers tenure security for planted trees, but the individual farmer has to negotiate the benefit-sharing arrangements with the

landowner. The presence of legal provisions for planted trees does not resolve uncertainty in tree tenure because land tenure itself is complex and insecure (see Marfo et al. 2012) as land is governed by both statutory and customary laws. Also, the presence of the traditional hierarchical chieftaincy leads to multiple claims of ownership and rights over land resources based on lineage, levels of authority, use and occupancy (Kasanga and Kotey 2001; Unruh 2008). Also, others have argued that the inability of markets and payments for ecosystem services to consider context-related factors, such as access and property rights limit the economic impact while minimally addressing equity issues in decision-making processes and outcomes of such interventions (Corbera et al. 2007a).

Initially, CREMA members manufactured the success and impact of the CREMA. However, later on, the accusations of project fund misappropriation emerged. These accusations focused on the founder of the local NGO. From different accounts of the same incident<sup>20</sup>, the conflict started when the CREMA executives – some of whom were chiefs – and some members, refused to repay loans that were part of a revolving credit system. The founder reported the defaulters to the police. Members justified their behaviour by accusing the founder of corruption. IUCN, the Forestry, and the Wildlife Division intervened, and members of the CREMA, who defaulted on loan repayment were not prosecuted.

The donor responses to the incident were different. The project liaison of GEF- Small Grants Ghana labeled the incident as miscommunication and misunderstanding between the implementers and CREMA members. According to the programme manager, the community misunderstood what the different budget headings in the project documents meant and that they were under the impression that all the funds were for activities on the ground. He mentioned his visits to the project site to clear up the confusion. The subsequent GEF report stated that the project was satisfactorily completed<sup>21</sup> (ARD Founder, Accra, face to face interview, Accra, 2012). The attitude of the GEF country focal point suggests a concern with keeping the appearances of the project as a ‘successful one’, while ignoring the importance of the donor’s choices in selecting local interlocutors. As opposed to the GEF project liaison, an IUCN representative cited that the lack of accountability on the part of the local NGO had led to trust issues with the community (Senior IUCN Official, Wassa Amenfi West, Ghana, face to face interview, 2012).

A senior official of the Regional Wildlife Division expressed that ARD serving as the Secretariat of the CREMA was great because of the support it gives to the community. The official also mentioned how the emerging new elite ‘facipulated’ (facilitate and manipulate) the CREMA process and created a sub-organisation, an unintended consequence of choosing the NGO as a local interlocutor, which the government authorities did not foresee (Senior Wildlife Division Official, Takoradi, Western Region, face to face interview, 2012).

This demonstrates that the recognition by higher-level authorities helped solidify the legitimacy of the local NGO on their operational turf/project areas. Once the Certificate

of Devolution (COD) was granted, and funds exhausted, the communities were left entirely to their own devices. CREMA executives expressed their dissatisfaction with the government’s response and role in resolving the conflict. These leaders continue to play their traditional role in dispute resolution and land allocation, but have not asserted an active leadership role in the CREMA, often referring to their responsibilities as ‘sacrificial work.’ All respondents expressed their dissent by condemning the NGO director’s behaviour and not welcoming him in the CREMA area, often gossiping about what he did and criticising him. To further malign his character, they would also regularly mention that he used to be a Catholic priest but has turned to a ‘traditionalist.’ A majority of the respondents allege that he has not visited the area<sup>22</sup> since the conflict but continues making claims on behalf of the CREMA and secures funding for other projects highlighting the NGOs role in establishing the CREMA. When asked to explain the position of the local NGO, the founder blamed the CREMA members and the Chairman and that farmers are habitual loan defaulters. He did not mention the police case. He defended his position by arguing that all members be ‘accountable’ to themselves and the CREMA constitution but refused to comment on the accountability of his local NGO. Instead, he continued to emphasize on how the local NGO continues to serve as the CREMA Secretariat despite the limited funds. As a key member of the community, he articulated his position (e.g. connections, national networks) as a leader and developed his constituency convincing them of the achievements that were possible through his leadership and due to lack of accountability requirements and political scrutiny in current policy arrangements emerged as a new elite in the local arena. As of December 2014, the CREMA continues to operate outside of the local NGO, even though it is stated as the ‘Secretariat’ in the CREMA constitution.

Presently, there are no revenues generated through CREMA activities. However, interviews suggest that benefits from the GEF grant were distributed among the executives, their friends, and relatives. CREMA executives reported receiving consistent per diems, invitations to training workshops and access to high-level authorities associated with project implementation. The CREMA leaders explicitly stated that they attended the majority of the meetings, training and later were linked to other projects or initiatives related to forestry in the district. After being accused of embezzling project funds and socially boycotted by the participating communities, the founder of the local NGO became the lead in the dedicated grant mechanism for indigenous people and local communities for a major multilateral organisation.

## CONCLUSION

The case study of Bontori CREMA demonstrates how the state and the international NGOs perpetuate existing inequalities by reinforcing the role of traditional authorities and legitimising private actors in local forest resource management. Despite the stated commitment to more inclusive policies and reforms

to decentralise natural resource management, traditional elites and an individual-driven unaccountable local NGO were empowered in the name of collaborative forestry. The article also shows how the donor agency and the Forest Department rationalise their non-engagement with representation and accountability issues in the CREMA process by prioritising institutional mandates, technical and managerial goals. Intervening agencies rationalised working with only a select group of interested stakeholders because they perceived that a broad-based interest in forest resource management lacked in the area. Information regarding the CREMA and the benefits from participating in its activities were hastily explained to this group of primary stakeholders who also had prior organisational and social affiliations with the actors and organisations involved in the project implementation (also see Corbera et al. 2007b). As a consequence, only those who could react quickly or were there at the time, such as chiefs and private actors, were empowered without broad-based participation contradicting democratic decentralisation process in two ways. The process put decisions in the hands of non-representative authorities thus effectively privatising decision making to chiefs and NGOs, and it diminished the public domain by transferring public resources that should be under public decision into private hands.

Further, by circumventing elected local government, the CREMA establishment process in this case also delegitimised local democracy. Funds, resources and discretionary powers over forestry resources were rarely transferred to the local government reflecting the symbolic nature of forest decentralisation in Ghana. The existing legal provisions also limited the ability of the elected government to respond to people's needs in the forestry sector. While involving local political bodies such as District Assemblies and village-level unit committees does not guarantee accountability in outcomes, including those interventions in the forestry sector (Marfo et al. 2012), local government can provide the institutional infrastructure and political space for public engagement with local forestry issues (Ribot 2007). Recent evidence from tropical Latin America suggests that decentralisation in forest resource management leads to better environmental outcomes when user groups engage with local government officials and politicians (Wright et al. 2016). Also, the vague and opaque language in policy documents is often misleading regarding the specific roles of the collaborating institutions, for instance, the role of the NGOs in the CREMA. This article illustrates that in CREMAs the authorities who are chosen to manage 'community-based forestry' initiatives do not necessarily represent local interests and needs. Furthermore, when these authorities are not accountable to local people but donors and traditional authorities, ensuring accountability in outcomes can be a challenging pursuit.

This study adds to the growing body of literature on elite capture risks associated with initiatives implemented in the name of decentralisation in collaborative resource management. It illustrates that the donors' choices of NGOs may not only lead to the appropriation of local initiatives by

the traditional elites but also result in the formation of new elites. NGO involvement may lessen elite capture, result in better local governance structures and equitable benefit sharing in participatory forest management (see Khatun et al. 2015 regarding NGOs role in Participatory Forest Management in Tanzania). However until contrasting evidence emerges from similar initiatives in Ghana, this case suggests that collaboration between the state and private institutions such as NGOs, allowed elites to dominate the decision-making processes under the guise of achieving broad-based interest in forest management and promoting economic development.

In the current socio-political context, tenure insecurity, and opacity regarding the specific role of non-state private actors and institutions in collaborative forest governance in Ghana, this particular case suggests that initiatives such as the CREMA, which may have the potential to strengthen forest governance, needs to be promoted and implemented with caution. Otherwise, these interventions are likely to perpetuate existing inequalities in decision-making processes regarding access to forest and land resources and hinder pro-poor outcomes. Further, although the accountability of elected authorities in general and in forest benefit sharing in Ghana is also problematic (Opoku 2006; Marfo et al. 2012), the process of democratic decentralisation and the establishment of institutionalised and thus sustainable forms of representation should develop strategies to improve these institutions rather than to circumvent them.

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## NOTES

1. Article 269(1) of the Ghanaian Constitution provides for the creation of the FC, established by the FC Act, 1999 (ACT 571). Under Act 571, amended by the Timber Resources Management (Amendment) Act, 2002 (Act 617).
2. Personal Communication and list of CREMAs from a senior government official, WD, FC Accra, 2012.
3. CREMA briefing document (2004) and my interviews with CREMA policy makers and implementers indicate that the Ghanaian CREMA programme identifies technical support and funding as essential for its success.

4. For detailed theoretical discussions on definition of elites see Fritzen (2007).
5. This article uses pseudonyms for the specific CREMA site where the research was conducted, name of the local NGO as well as respondents' identities.
6. Through its Small Grants Programme the GEF has made more than 20,000 grants to community-based organisations for a total of \$1 billion. Source: [www.thegef.org](http://www.thegef.org)
7. The FC consists of three divisions: the Forest Services Division (FSD), the Wildlife Division (WD) and the Timber Industry Development Division (TIDD). It also has two research and training centres.
8. Currently, the DAs are made up of 67 % elected representative from electoral areas and 33 percent government appointees. The Chief Executive of the DA is appointed by the President and supported by a team of technocrats.
9. 1994 Forest and Wildlife Policy was revised in 2012.
10. The FSD is under the supervision of District Forest Manager and the team made up of assistant managers, range supervisors, cartographers and customer service officers (not present in all districts).
11. The Taungya System is an agroforestry system that involves interplanting agricultural food crops with trees in early years of a plantation. While the Taungya System (TS) in Ghana dates back to the 1960s, the Modified Taungya System was introduced in the early 1990s as part of governance reforms in forestry.
12. See note 15.
13. Section 267(Sub-section 6) of the constitution of the Republic of Ghana provides arrangement for revenue sharing from Stumpage/Rent among District Administrations (55%), stools (25%) and traditional councils (20%) after providing for FC's management fees (50%) and 10% to the Office of the Administrator of Stool Lands (OASL). FC's share is 50% of the forest proceeds both from on-reserve and off-reserve areas. Ten percent goes to OASL and the remaining 40% divided among DA, stools and Traditional Council according to the above formula. (OASL 2010.)
14. As per FC's directive dated 3 /08/ 2006 on Registration of Private Plantations Located outside Reserves, trees planted by farmers on their land belong to them, but need to be registered. Lack of evidence of ownership made farmers reluctant to plant. LLS initiative designed a registration form, which included a copy of registration details for the farmers. The 2006 directive does not apply to naturally regenerating trees on private land (Nyame et al. 2012).
15. The FSD recognised the important advisory role played by the Regional Wildlife Division and followed the Wildlife Division's policy regarding CREMAs. However, they assumed the primary role in the establishment and policies of the Bontori CREMA.
16. DA members are not professionals or have any technical expertise, they are often teachers, farmers, shops or business owners.
17. Chiefs who are from migrant groups are referred to as caretaker chiefs, since they work on behalf of the traditional autochthon chief of the area.
18. No office holder followed the tenure term, which is three years.
19. Southwestern Ghana became a cocoa frontier in the 1950s.

20. CREMA members, FD, IUCN were more or less on the same page about this account.
21. Report on the GEF website.
22. He was leading a leading multilateral's dedicated grant mechanism for indigenous peoples and local communities in Ghana, and that is a very slow process and hence he was not able to visit Bontori for the past few years.

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