

Theorising Derecognition of Local Government Authorities as Political Injustice: The Effects of Technical Claims in Senegal's Forestry

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Abstract

Most developing-country governments have 'recognised' elected local governments (ELGs) by transferring to them the authority (e.g. rights and resources) over the forests within their jurisdiction. In practice, however, Forest Services are 'derecognising' ELGs – taking back these decentralised powers. This article shows that 'derecognition' is effectively a new 'recognition' dynamic in decentralised forest management in Senegal, in which Forestry officials and agents derecognise ELGs drawing upon technical claims. It also theorises derecognition as political injustice by demonstrating how the technical claims, although used in support of sustainable forest governance, cause political injustice through the following observed derecognition outcomes: 1) circumvention of ELGs that deprives them of the means to be responsive to local people (and thus disables them as democratic institutions); 2) subordination of the new participatory organisations created to receive the powers taken from ELGs to instrumental objectives of central forestry authorities; and 3) progressive privatisation of the forests that diminishes the democratic public domain.

Keywords: decentralisation, ELG (elected local government), recognition, political injustice, participatory forestry, representation, subordination, and privatisation

INTRODUCTION

'Institutional choice', in this article, is the act by which external intervening agencies such as projects, NGOs, state entities, and similar actors opt to partner with one or another institution during their interventions (Ribot et al. 2008). When an institution is chosen, it is 'recognised' through the delegation of powers and resources by intervening actors (Ribot et al. 2008). Herein, I use 'recognition' in Ribot's institutional sense, which is different from the recognition of groups or identities as discussed by Taylor (1994), Fraser (1996), and Honneth (1996). When intervening actors recognise

non-elected local actors to manage public resources rather than the democratically elected local governments (ELGs), the result is administrative decentralisation (also called deconcentration) or privatisation, both of which weaken the ELGs without necessarily empowering the non-elected actors (Ribot et al. 2006).

Important to us here, the "choice and recognition" model, which refers to 'recognition' as the distribution of powers and resources to chosen actors, provides no conceptual tools for characterising the *withdrawal* of recognition from a previously recognised authority. In critical and social theories, 'misrecognition,' or 'non-recognition' in the sense of Taylor (1994) or Honneth (1996), is simply either the absence of recognition or an inappropriately made recognition, not its withdrawal. I suggest that the term 'derecognition' will best characterise the act of withdrawing public powers and resources once allocated to an institution. It is usually done by withdrawing powers that confer recognition and the re-allocating of these powers and resources to other new fabricated authorities. I conceive of derecognition as being in stark contrast to recognition and as likewise different

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from misrecognition, which describes either the absence of recognition or inappropriate recognition. Moreover, when derecognised an institution loses its previous recognition, which had granted it respect, legitimacy, and power. Derecognition, therefore, causes political injustice. It damages the institution that is derecognised – in this case it damages institutions of democracy.

The term ‘derecognition’ is used to characterise the withdrawals of public powers and resources that have occurred and are occurring in the Sustainable and Participatory Energy Management Program in Senegal - a post-decentralisation forest management intervention known as PROGEDE¹ and led by Senegal’s Forest Service. Indeed, Senegal’s 1996 decentralisation law legally ‘recognised’ ELGs when it devolved to them the power to manage the forests within their jurisdiction. Thus, the state recognised ELGs, as far as forest management is concerned, at least through law.

However, the Forest Service, through PROGEDE, has been derecognising ELGs by working with local participatory organisations known previously as committees and now called associations. Forestry officials and agents rationalise derecognition through mobilisation of *technical claims*.

By ‘technical claims’ I mean any regulations and other actions (including the production of narratives about forestry) used during project implementation in the name of technical necessity or rigor as a condition for sustainable forest management and exploitation. ‘Technical claims’ involve the whole ensemble of technical rules inscribed in the Forest Management Plans (FMPs) by forestry agents and experts to shape forest conservation; including production (of charcoal in particular) and management of the revenues that flow from decentralised forestry under PROGEDE.

In this respect, technical claims are a set of actions, norms, and narratives tucked away in the strategies of domination (Poteete and Ribot 2011); especially in contexts where the ecological ‘additionalities’ of the FMPs that support them are challenged. The FMPs are tools of domination, which derive more from an “imagination of deforestation” than science (Fairhead and Leach 1996; Ribot 1999b, 2001a), and they have no ecological function as managed forests and non-managed forests are ecologically identical in Senegal (see Wurster 2010). Because FMPs aim at gaining formal and material backing (including finance) from PROGEDE, the technical claims are powerful instruments which tend to take priority, obtruding the possibility of diverse viewpoints regarding norms and regulations and also regarding voice, thought, and action (Landwehr 2006 cited by Winkel 2011: 2).

By recognising, fabricating, and dismantling the structures of authority, forestry projects shape representation and power distribution. For example, the projects’ acts of recognition often circumvent ELGs and allocate powers over public resources to multiple parallel institutions such as private actors, committees, NGOs or chiefs, thus fragmenting local authority (Ribot 2003, 2004a, 2004b, 2007, 2011; Larson and Ribot 2004; Manor 2004; Faye 2006; Lund 2006). The ability of non-elected actors to deliver services more effectively than elected actors

can discredit ELGs (who via election have a formal obligation to be responsive and accountable to their constituents’ needs). Although ELGs are not automatically responsive when they are recognised (Ribot 2004a, 2004b), being derecognised deprives them of the material resources required for an authority to be responsive. PROGEDE produced new financial flows through the taxation of charcoal production and trade, and the redistribution of those tax revenues. However, as this article shows, redistribution by PROGEDE disfavours ELGs in many ways. In this respect, derecognition of ELGs by the Forest Service constrains democratic representation, perpetrating political injustice on ELGs and their constituencies.

Using the case of PROGEDE, this article illustrates the game of recognition of ELGs by the state through law and derecognition of ELGs by Forestry officials and agents in practice and operational regulations, emphasising the key role of technical claims and the FMPs in which they are inscribed. Section 2 of this article presents the research sites and methods, while Section 3 presents an overview of forest decentralisation in Senegal and delineates the case study. Section 4 analyses the imposition of technical claims that underwrote the derecognition of ELGs in the project’s first phase (PROGEDE-1). Section 5 describes how ELGs attempted to re-establish their recognition during the temporary absence of PROGEDE, between PROGEDE-1 and PROGEDE-2. Section 6 describes derecognition of ELGs by the Forest Service through PROGEDE-2 by the means of privatisation of participatory forestry. Finally, Section 7 discusses the results and draws out the ecological and practical implications of this game of ‘recognition’ for theories of democracy and justice.

SITES AND METHODS

The empirical work for this article was mainly conducted in a rural jurisdiction referred to as *Wulli*, in the Eastern administrative region of Tambacounda, at a distance of around 500 kilometres from the Senegal’s capital, Dakar. Tambacounda is one of the administrative regions of Senegal in which charcoal has long been produced; this region was therefore of particular interest to PROGEDE,² since their goal was to encourage local production and marketing of charcoal, to: 1) enhance rural people’s contribution to the national energy supply and; 2) alleviate rural poverty. In order to gain a more robust understanding of certain issues, the research extended to three other rural jurisdictions: *Uul*, *Gumbee* and *Nieriko*, where the project also intervened. These jurisdictions are home to a majority of Fula and Mandinka (mostly Jakhanke and Soninke) people. In commercial forestry, as this article will show; the charcoal sector in particular, is highly politicised. Therefore, to protect my informants and host communities, I use pseudonyms (in italics) when referring to both actors and locations.

The research took place over a total of approximately 15 months over 2012-2014. These more intensive fieldwork periods were facilitated by 10 months of previous fieldwork in 2004 and 2005, and several weeks in 2008 and 2011. The methods used

for this particular article were mainly qualitative, using open and semi-structured interviews as well as informal discussions and the collection of biographies. Participant observation took place as I became involved in charcoal activities, project events, and daily village life. Where interviewees agreed, discussions were recorded; if not, notes were only written down on paper. To put the informants at ease, I did not record if the subject was sensitive or if I observed that an informant was fearful of speaking, especially during informal discussions in the villages where he was residing for participant observation.

I adopted the technique of ‘studying through’ (Wright and Reinhold, 2011), which entails Nader’s (1969) ‘studying up’ - interviewing high-level authorities at the national level – and ‘studying down’ – interviewing local-level actors. Interviewing back and forth between national and local actors served to unveil the discursive consonances and contradictions in the ways in which interviewees rationalised both policy and practice. To explain the underlying ideologies, I draw from the New Institutionalism approach in social anthropology (see Ensminger 1992; extended in Haller, 2010) to analyse how concepts like ‘sustainability,’ ‘regular charcoal supply’ and similar ideological terms in forestry have: 1) enabled the recourse to technical claims, and 2) consequently legitimised the practice of technical derecognition.

OVERVIEW OF FOREST DECENTRALISATION AND CASE STUDY

This section presents an overview of decentralisation and its application in the forest sector, and also a description of the case study.

Forest Decentralisation overview

In Senegal, since 1996, important public powers have been legally transferred from the State to three scales of local political entities, the Rural Community³ being the lowest or most-local ELGs. In this article, Rural Council refers to the governing body that governs the jurisdiction called the Rural Community. Senegalese legislature (through Law No. 96-27) assigned the Rural Councils the twofold objective of promoting (1) local democracy and (2) local development.

With donors’ support, the government of Senegal designed forest management projects to help the newly created Rural Communities oversee decentralisation in the forest sector. Non-gazetted forests within the jurisdiction of each Rural Community are designated as “community forests” (law No. 98-03). Although the legal transfer of powers was made through the General Code of Decentralisation in 1996 (laws No. 96-27 and No. 96-1134), the Forest Code of 1998 states that the 1996 Code is only effective when a FMP is established.

The FMP requires technical knowledge, over which Forestry agents claim a monopoly. However, the government of Senegal says that it cannot afford a FPM (whose minimal cost is at least USD 40,000) for each rural jurisdiction according to

Forestry officials. The need for such a plan, combined with the lack of resources on the part of the central government, opened up a space for donors to save the day; funding the forest management projects that would expand FMPs throughout the country, and particularly in charcoal-producing regions as a priority – the Regions of Tambacounda, Kolda, and Sedhiou.

Case study

Officially launched in 1997 but effectively starting in 1998 with multiple donor funding led by the World Bank, PROGEDE was devised by the Forest Service and the Energy Directorate. PROGEDE seeks to promote participation in sustainable forest management by encouraging local communities to produce charcoal for use by urban populations; Dakar in particular. PROGEDE had two official phases: PROGEDE-1, which ran from 1998 to 2008 (with an extension to 2008 approved in 2005), and PROGEDE-2, which ran from 2010 to 2016 (PROGEDE-2 started with a two-year delay). There were widespread calls for the elaboration and implementation of FMPs during PROGEDE-1 and PROGEDE-2. PROGEDE-1 and PROGEDE-2 were, however, separated by what I call an intermediary period, or ‘inter-phase,’ from 2009 to 2010, when project activity temporarily ceased.

Crafted with the technical knowledge of Senegal’s National Forest Service, each FMP is composed of documents listing identified resource uses in space and time; technical prescriptions about resource access, especially for charcoal production; distributional rules on power and benefits; and plans for the expenditure of funds. These regulations are called the ‘Technical Prescriptions’ of the FMP. The reference to ‘technical claims’ throughout this article includes these regulations.

After almost twenty years of intervention, this study seeks to assess the outcomes of PROGEDE, highlighting the politics of recognition and viewed against triumphant claims of successful decentralisation in Senegal as compared to other West African Francophone countries.

PROGEDE-I: RECOGNISING COMMITTEES WHILE DERECOGNISING ELGS THROUGH TECHNICAL CLAIMS

This section demonstrates the Forest Service’s mobilisation of technical claims as it went about crafting and recognising new authorities in Phase I. The Forest Service made community leaders accountable and subordinate to itself – thus, despite forest decentralisation laws, laying the groundwork for competition with the derecognised (circumvented) ELGs.

The year 1998 marked the effective beginning of PROGEDE-1, which was headquartered at the National Forest Service and put under the leadership of Forestry officials from the national and the regional offices. PROGEDE was, in others words, a state actor, different in name only from the Forest Service Directorate; in practice, PROGEDE was a project of the Forest Service. The project

initiated the development of FMPs, outlining a series of technical prescriptions to guarantee sustainable and 'rational' exploitation of charcoal while maintaining supply to the cities. Among these prescriptions is the rule of 50% which imposes the cutting of no more than half of the potential tree population in a given parcel. Another technical measure is the zoning of the forest into 'forest blocks', which are further zoned into parcels or plots and the decision that charcoal production would now be based on an eight-year parcel rotation to favour natural regeneration. Another rule makes only *combretum* trees (bush willows) with a minimal diameter of 10 cm exploitable. Further, the project called for the substitution of the former method of charcoal burning by migrant woodcutters with the 'Casamance kiln', and the creation of firebreaks in order to combat forest fires.

Through these technical prescriptions, Forestry agents legitimised the imposition of new institutional arrangements and the fabrication of new forest authorities, village-based organisations. For example, the then Director of Forest Management and Production defended the idea that none of the Rural Council members and Forest Service staff would be available to implement the FMPs' technical prescriptions. For that job, he reasoned, village organisations were needed. This argument - that locally elected institutions were incapable of implementing FMPs - was a leitmotif in interviews with high-ranking officials and experts.

The Forest official who claims to be the initiator of the first set of village-based committees in the forest sector affirmed that the idea was to create organisations that could transfer the power to manage land from Rural Councils to villagers, making that management directly profitable to the village people.

...In fact, the State has transferred the management power to the Rural Council but we [the project and Forestry agents] wanted villages to profit from that transfer directly. ... You can see that projects have developed what I have initiated [he said proudly]. I am the one who invented the committees. We called them Village Development Committees. If somebody has told you another story, he lied (Interview with *Lebu Gui*, 6 July 2012).

The research outlined here highlights the stigmatisation of ELGs authorities by project staff and Forestry agents. The ELGs were said to work not on behalf of their constituents but in their own interests, and those of the political parties that support them. The interview excerpt above also shows that the project's promoters, mainly Forestry agents like the one who was heading the division of forest management at that time, used the stigmatisation of ELGs, by calling them 'political players' rather than 'development actors', to convince villagers that the project aimed to benefit them in ways ELGs could not - in that political actors work for their parties. This was particularly important in sites like *Wulli*, where villagers disliked charcoal production (and any form of greenwood cutting), and frequently opposed the migrant woodcutters - Guineans - employed by Senegalese licensed urban private merchants (see Faye 2006).

After the completion of PROGEDE's forest inventory, community forests in the jurisdictions of *Wulli*, *Nieriko*, and *Uul* were delimited. Then, the project carried out the zoning, and took up the creation of committees to manage the forests. Village Committees were created and each of them delegated two representatives (the president and other member) to form an Inter-Village Committee.⁴ The staff of PROGEDE-1 drew a list of functions and roles for each type of committee and made it clear that membership in the Village Committee was free and voluntary. But later, a number of incentives were offered in order to encourage participation including the announcement that only members of Village Committees who participated effectively in project-promoted activities were eligible to benefit from the alternative revenue-generation activities (for example, animal fattening, truck farming, aviculture, and apiculture), and from food assistance during hard times in the rainy season as agreed between PROGEDE-1 and the World Food Organisation's Senegal office.⁵ These material incentives managed to boost the interest of villagers in the project activities and membership in the Village Committees.

Continuing the derecognition of ELGs, the Forest Service through PROGEDE recognised the Inter-Village Committee as a substitute for ELGs in decision-making processes related to forests and forest benefits management. According to Forest Service officials, once the PCRs had signed the FMPs established under PROGEDE intervention, the PCRs would have legally delegated their authority over the forests to the villagers via the project village-based committees. However, none of the PCRs were aware of this implication, as it was neither their intention nor was it inscribed in the regulatory part of FMPs. Thus, PCRs continued to claim power over the management of the forests within their political jurisdiction. The withholding of forest-management power from PCRs was publicly announced only in the Forest Service's circular (note) No. 000209 on 29 January 2009, which was said to complement the 2008 annual decree.⁶

Based on their assumption that PROGEDE procedures ensured the transfer of powers to the villagers, the Inter-Village Committee began signing annual protocols with the National Union of Private Forest Merchants (known as UNCEFS) for charcoal production within the managed Forests. These protocols allow, under specified duties and obligations for private merchants - selected at the discretion of Forestry agents - to send their charcoal producers into the managed Forest, and allocated a quota to the merchants. However, drawing on technical claims, the Regional Forest Office retained the authority to amend the protocols, arguing that both the villagers' and private urban merchants' annual charcoal production quotas should be based on Regional Forest Offices' assessment of production performances during the preceding campaign and on their estimates of the forest parcels' potential production capacity.

The four PCRs who were interviewed confided that, none of them nor any of the Inter-Village Committee leaders, ever saw the draft protocols in 2011 and 2012 before being called to the meetings at which these were to be signed. Merchants and cooperatives, however, had received the draft before

the meeting and had been given the power to negotiate its terms. The treasurer of a cooperative in Tambacounda, also president of the regional private merchants' union, asserted that each cooperative had initially got a quota of 550 quintals in 2010 and, 500 quintals in 2011. But after bargaining with the Regional Forest staff, each got 800 quintals in 2012. This is another illustration of the capacity of charcoal merchants to exert pressure on Forest officials and agents (see Ribot 1990; Boutinot and Diouf 2007; Ribot and Faye 2007, 2010) at the expense of the needs and demands of the villagers below them. While external private merchants allied with UNCEFS were given ample opportunity to comment on and propose amendments to the protocols, villagers were expected to simply accept the quotas allocated to them by the Forest Service (i.e. villagers remain in a position of "take it or leave it!"). None of the committee leaders or the members of the ELGs could change the proportions proposed by the Forest Service and PROGEDE.

The Inter-Village Committee also gained decision-making power over the distribution of permits (certificates delivered by field Forestry agents to sell charcoal in cities) to villagers; the collection of charcoal taxes; and their redistribution among local beneficiaries, including the Rural Community. A local charcoal tax of USD 0.40 was levied on each sack of charcoal produced within the community forest, equivalent to USD 160 per truckload. The tax revenue was redistributed as follows: 40 percent (USD 64) for the Rural Community; 40 percent for the village committee of the village to which the truck loaded was closest; and 20 percent (USD 32) for the Inter-Village committee.

The Forest Service, through PROGEDE, also intruded into the management of the forestry cash benefits, ruling that the Inter-Village Committee's share could only be spent on 'environmental activities' and identifying the locations and procedures governing expenditure of that share. In PROGEDE-1, the fund served to support expenses during the annual delineation of parcels and firebreak clearance: costs for fuel, food, and per diems for Forestry agents, paint, and installments of forest-side village nurseries.

PROGEDE-1 provided Inter-Village Committees with other privileges. Inter-Village Committees received and distributed to Village Committees labour materials such as carts, axes, wheelbarrows, and other various tools. Furthermore, Inter-Village Committee members benefitted from non-material privileges: leaders participated in meetings and in training sessions; therefore linking up with high-level Forestry officials and PROGEDE's higher staffs, and so on. This increase in social capital boosted the material benefits committee members received from the charcoal industry, gaining annually about USD 2442 against USD 488 for normal villagers (Faye 2013: 9-10).

This list of privileges is not exhaustive, but it shows that the Inter-Village Committee became a strong institution; their leaders gained important authority over commercial access to community forests, charcoal in particular. Because of the powers and resources and the favouritism they received

in PROGEDE-1, Inter-Village Committee leaders became subordinated to the Forest officials and agents and PROGEDE staff. To maintain their unmerited privileges, they remained upwardly accountable to the Forest Service and PROGEDE rather than being downwardly accountable to the villagers whom they were meant to represent or to ELGs from which their authority over the forests is said to emanate.

When asked to describe their position in forest management, committee leaders responded in Wolof: *Prose moo nu fi tekk wante foore yi lanuy ligeyal*, saying, literally, "We come from project but we are working for Forest agents." This ambiguous position is also reflected in Boutinot and Diouf (2006:1) who entitled their paper "When certain participatory approaches engender ambiguous forms of mobilisation of civil society organisations in Senegal".⁷

The phrasing of Boutinot and Diouf's title is very instructive, as it highlights another reason for committee leaders' subordination and upward accountability to Forest agents. Whoever bestows authority determines also the form of accountability. And the way an institutional actor perceives the source of its authority also shapes to whom it is accountable. The leaders of Inter-Village committees systematically behaved accountably to PROGEDE staff and field Forestry agents, whom they credited with creating and maintaining their present position.

Committee leaders' subordination to Forestry agents and project promoters led them to plot with the latter – Forestry agents in particular – to combat anyone whom they perceived to hold an opposing position. The first of their enemies were PCRs, because the PCRs had become aware of their exclusion from decisions regarding the management and use of the managed forests. Indeed, there was no institutional linkage between committees and the ELGs. Thus, the Inter-Village committees entered into competition with ELGs, challenging their authority over forests and keeping for themselves the material resources required for responsiveness. Therefore, PROGEDE-1's politics of recognition enabled; 1) the derecognition of ELGs through the imposition and ascendance of technical claims and justifications (Ribot 2004a, 2004b); 2) and engendered the fragmentation of local authority via the creation of parallel organisations (Manor 2004).

PROGEDE'S TEMPORARY RETREAT AND THE RE-ESTABLISHMENT OF RECOGNITION OF ELGS

This section depicts the extent to which, during the two-year temporary cessation of project activity between 2009 and 2011, the ELGs were able to recover the recognition that decentralisation reform gave them prior to PROGEDE intervention; using legal and political arguments. It also shows the political significance of their actions, especially their attempts to be responsive and legitimate in the eyes of their constituents.

The first phase of the project, PROGEDE-1, ended with dysfunctional committees operating in isolation from ELGs as funding was no longer available to sustain the presence

of either project personnel or Forestry agents for the ground monitoring of activities. Worse, committee leaders had been capturing benefits from PROGEDE-1. Almost all of the 24 leaders of the *Wulli* community forest, for example, had misused the funds collected through the imposition of the local charcoal tax, and retained the equipment PROGEDE had given to villagers. Those who could prove that they had made investments in their own villages were very rare. Some said they bought a few sacks of cement for the building or renovation of a village mosque, or school classrooms. Most declared that villagers had borrowed the money and had not paid it back. Interviews could not bring villagers to discuss the topic but during my stay in one of the *Wulli* villages, one of my key informants told the story of how he had informed the villagers who had ‘eaten’ their money. Despite the opposition of the Village Chief, he convened a general assembly. He described this meeting in following terms:

When the people came, the village chief was surprised, and I first apologised for calling a general assembly on his behalf without his approval. Then, I said, ‘I have heard rumours that I have embezzled village cash, in complicity with M.C.’ I turned to M.C. and asked him if he had ever given me a penny or if I had ever borrowed a single CFA Franc from him. He replied, ‘Never!’ I told the audience, ‘If you want to know about your money, ask M.C. If you are afraid to ask, please hush up!’ The next time I hear someone gossiping behind my back, I will take him to the police. (Ndaraan⁸, March 12, 2012).

This quote shows the lack of transparency through embezzlement or misuse of money in the management of forestry benefits by the village committee leaders. Similar acts were noted in their management of the equipment provided during PROGEDE-1 as presidents just seized for their own use the materials allocated to their villages.

Inter-Village Committee leaders did the same. They continued to exercise the powers they had been granted during PROGEDE-1: tax collection; the signing of protocols with private merchants; the allocation of permits; and redistribution of these to villagers, even if committees were no longer functioning. Villagers involved in charcoal making and ELGs in *Wulli*, *Uul*, and *Gumbee* started accusing the Inter-Village Committee presidents of illegally selling to licensed or informal urban merchants permits that had been officially allocated to villagers, and of doing so in collusion with some field forestry agents.

PCRs also contested the allocation and reallocation by Inter-Village Committee leaders of charcoal taxes and the related Forest Management Fund. The Forest Service and PROGEDE wrote in the FMP that the fund must only benefit the villages near the forest, thus excluding the majority within the political jurisdiction, which is composed of far-off villages.

In 2010, pointing to the problems caused by the project-made committees; presidents of ELGs and presidents of ELG’s Commission for Environment and Natural Resources in particular, invoked decentralisation laws as they dissolved the Inter-Village Committees and replaced them with ad hoc

committees. Ad hoc committee members were granted some powers, roles, and responsibilities by the PCR. Any decision concerning resource use and charcoal production was to be made in the presence of the PCR. Hence, the PCR signed the protocol between private merchants and villagers about quota distribution. The presidents of forest blocs, previously managed under PROGEDE-1 by Block Management Committees, were held responsible for the collection of taxes on charcoal production within their area, as well as for local compliance with technical prescriptions.

To ensure transparency, PCRs required from all private merchants or villagers involved in the charcoal activity the delivery of a production report – *constat de production* – that would show that the charcoal to be sold was coming from the community forest, as prescribed by the management plan. Each beneficiary had to bring that production report to the local credit union (*credit mutuel*), and pay the charcoal tax. An account was opened for that purpose. Afterwards, the payment receipt of USD 0.40 per sack had to be attached to the production report, and both were to be submitted to the PCR for signature and to the Local Forest Brigade Officer for counter signature. Only after that could the beneficiary get a permit at the Regional Forestry Office, where he paid the state tax.

The rationale underlying the PCRs’ decision to gather in one bank account the funds collected from the local tax on charcoal was as follows:

- There is and should be only one institution responsible for development in the Rural Community, and if it fails to carry out its responsibilities, that institution can be sanctioned through elections;
- Local development will be achieved based on villagers’ priorities, as inscribed in the annual budget of the Rural Council, which represents politically all the villages within the Rural Community; and
- For the above two reasons, a single account – *unicité de caisse* – should be maintained, in accordance with Senegal’s public management law.

All the PCRs interviewed defended the idea that the Rural Community consisted of “one” territory and it must be considered as such. In their view, no matter the argument, there could be no discrimination between villages. Moreover, problems must be addressed based on Rural Community priorities and *not* on the geographical location of villages or on the basis of their participation in a particular project. PCRs also argued that it was contradictory for FMPs to state that taxes derived from charcoal production might be reinvested only in environmental concerns, since the ELGs had been funding village nurseries and fighting forest-fires (using funds derived from a variety of activities and sources) before PROGEDE intervened.

Through the ad hoc committee, the ELGs decided to reinvest the amount generated in the common good. As the president of the ad hoc committee argued:

Some of the Village Committee presidents used to say that they had reinvested the collected monies in the renovation

of the village mosque. For the Rural Council, it would be unjust to use public monies to fund a private good. It is 'private' because when you build or renovate a mosque, no matter its size and beauty, [the mosque] will belong to that village; other villages won't go there to pray. However, if [the investment] is in a main road or a bridge, everyone could use it one day... (*Njobor*, Tambacounda, March 23, 2012).

The *Wulli* Rural Council spent USD 2400 in 2010 and in 2011 for the renovation of two main roads and bridges. Forty truckloads of laterite were purchased, and manual labourers were paid. In *Uul*, the PCR also formed an ad-hoc committee in 2010, proceeding with village representation. The president of the Environment and Natural Resources' Commission of the Rural Community was made president of the ad-hoc committee. In *Uul*, *Wulli*, and *Nieriko*, the 'single-account' principle was also applied. The PCR of *Uul* gave a grant to the former local facilitators of PROGEDE-1 and tasked them with the monitoring of technical prescriptions and forest surveillance. The case of *Uul* shows that the PCRs were not necessarily against the technical prescriptions in themselves, but against the use of technical claims to derecognise them. Supporting the facilitators also shifted the pattern of accountability; former project staff and Forestry agents become employees of the ELG; and, as such, came to be accountable to the ad-hoc committee and the PCR. They were given a total of USD 800 to cover fuel costs. The ELG could gain USD 1400 from charcoal taxes. The PCR said that overseeing and controlling forest revenues increased their public revenues while enabling them to create new infrastructures; actions they could not do before and during PROGEDE-1.

The Rural Community of *Nieriko* was the only community within PROGEDE-1's Tambacounda intervention area where the Inter-Village Committee survived as an administrative unit with power over forests. But here, too, the committee was renewed and the regulations changed completely, following the recommendation of the general decentralisation law (the so-called Code des collectivités locales) that the ELGs could set up committees to watch over, and by expansion, to manage the forests within their jurisdictions. Its president was, above all, a member of the Rural Council. The *Nieriko* PCR devised a procedure for the collection and expenditure of the local tax on charcoal that was organised as follows:

- The Inter-Village Committee President delivers a receipt upon completion of any transaction;
- The receipt is valid only when the Administrative Assistant of the ELG countersigns it;
- Three copies of the receipt are required: one remains with the Inter-Village Committee president, one with the Assistant, and one with PCR;
- The Assistant collects the cash and deposits it in one common account (established at the local credit union); and
- Each year, at the end of every forestry-related operation, both parties report to the ELG with receipts of taxes and expenditures, while a representative of the Regional Forest Service is invited to witness the report.

In *Nieriko* at the end of the first year an amount of around USD 20,000 (10 million FCFA) served to purchase fifty bikes and two motorcycles for forest guards, wheelbarrows and other labour materials needed for fire intervention, and seedlings for the village nursery. To justify why the money was reinvested only in environmental and forest issues, the PCR argued:

If we spent the money elsewhere, Forestry agents would have accused us of misuse. The argument that the money generated by the managed forest has to be reinvested in it or other forestry concerns is wrong... But my purpose was to show them that the committee we have created has done a better job than the one they had. That's why I have personally invited the Regional Forest Officer and the Local Forest Brigade Officer to attend the accounting meeting. They were amazed by our results and congratulated us publicly. We showed them the receipts of every expense we made; there was nothing they could say (*Ngeew*, PCR of *Nieriko*, December 27, 2012).

Through the new committees, the PCRs in particular, recovered their power over the forests as given by decentralisation laws. While PROGEDE-1 and Forestry agents had installed upwardly accountable organisations, PCRs set new ones that were downwardly accountable to ELGs as political representatives of villagers.

Majority of village people acknowledged that PCRs had done better than the former project committees, except the former committees' leaders and many field forestry agents who accused the PCRs of simply shifting the procedures to ensure control of the cash benefits from the forest. Whatever argument is true, the reality is that the cash generated from forest uses had increased ELGs' budgets and had in some ways contributed to the financing of public investments as prioritised by all council members in their annual work plan. Beyond the blame game, the PCRs had also tried, as described above, to create transparency mechanisms, which were part of social demand at the time. The PCRs' fight to control forest-management organisations, decisions about forest access and money is a legitimate one. This is because control over institutions, resources, and money are the real means for an elected local authority to work toward responsiveness so as to become a locally legitimate institution.

PROGEDE-2: INTRODUCING ASSOCIATIONS OR PRIVATISATION AS A MEANS TO DERECOGNISE ELGS

This section shows why and how the Forest Service introduced privatisation during the second phase of the project (PROGEDE-2) to prevent ELGs from being able to dissolve participatory organisations as was the case for the committees during the temporary cease of activity after PROGEDE-1 and before PROGEDE-2 started. It also demonstrates how donor funding supports Forestry officials and agents to derecognise ELGs, damage them as institutions, and undermine representation – generating political injustice through RLGs.

During the ongoing PROGEDE-2, the Forest Service through the PROGEDE project, has changed the forms of local participatory organisations. Even at the national level, Forestry officials are excluded from presence in the project structures, except the National Coordinator – a Forest Service official selected by the government and the World Bank. Now the Regional project officers have no background in forestry: they are geographers, pastoralists, sociologists, and development specialists. However, PROGEDE-2 is still headquartered in the Forest Service. The fact that PROGEDE-2 National Coordinator is compelled by the hierarchical authority structure to obey the Forest Service's General Director also puts regional project officers under the Forest Service Director. PROGEDE-2, despite requiring independent action on the ground is still a project of the Forest Service, which continues to assert control over project activities.

On the ground, the impartiality of the regional officers of PROGEDE-II has also been challenged by the PRCs, who view them as promoting the withdrawal of the authority of PCR over forest governance. As one of the PCRs said:

The ladies [two of the three project officials were females, at Tambacounda]...do not have a chance of succeeding. They are completely controlled by the Regional Forest Service [IREF]..., the ladies behave as followers. You know, a project in the forest sector requires a leader who has the same weight as the Regional Forest Officers. Otherwise, they will only implement the methods and objectives of the Forestry agents who everybody knows to not like the decentralisation reform (*Ngeew*, PCR of *Nieriko*, December 27, 2012).

Another PCR was complaining against how PROGEDE has increased the Forest Service's authority over the forests, despite decentralisation laws:

The ladies are working for the Forestry agents. I told one of them several days ago that once their job is finished, they will replace us with Forestry agents, so that they can lead our Rural Communities (PCR of *Gumbee*, 27 December 2012).

On the ground, PROGEDE-II began in 2012 with an organisational assessment of PROGEDE-I area interventions. In mid-May, a workshop took place at Tambacounda to share the results of the consultancy. Participants were PRCs, members of both the national and local Forest Services, as well as regional and local administrative authorities. Other forestry project representatives were also invited to share their experiences. We attended the workshop.⁹

The consultant's report on the assessment concluded that PROGEDE-I's organisational scheme was not sustainable as ELGs had dissolved and had created new forms of organisations which they had been leading; that village committees had also ceased to function. The consultant did not address the achievements of PCR-driven committees during the intermediary period. The report stated only that, due to the empowerment of Inter-Village Committee leaders, PCRs had lost influence and annulled the Inter-Village Committees

to recover authority over the forests (see Ndiaye 2012). The consultant recommended three alternative models including the creation of associations at the inter-village level and of contact groups at the village level rather than committees as in PROGEDE-1. For him, associations should be led by an Executive Board whose members should manage decisions and operating activities, to distinguish between management and control; the ELGs' function should be limited to controlling and auditing the Executive Board.

In the end, the proposal brought back many of the features of PROGEDE-I, except that, as I show below, privatisation has now been adopted. The newly created organisation is called the Association of the Inter-Village Forest Management Committee; it was established according to the following procedure:

- In each village, a 'contact group' of two men and two women is nominated by the villagers upon request and under the guidance and supervision of the project ground facilitators;
- In each of the five forest blocks, village 'contact group' members will choose five delegates;
- All 'contact groups' will form the General Assembly of the community forest of Wulli/Gumbee; and
- The 25 delegates of forest block (5 for each forest block; they are designated or elected from the village contact group members) elect members of the executive board of the association. The Executive Board is the operational body and will make decisions about forest use and management. The board is composed of six members: a president and a vice-president, a general secretary and an assistant general secretary, and a general treasurer and an assistant general treasurer.

By nature, an association is a private non-lucrative corporation recognised by state administrative bodies. As constituted under PROGEDE-2, the association legally excludes members of ELGs. More concretely, the power to manage the community forests is a public power which, with the creation and empowerment of the association, has been now moved to the private realm. One of the justifications for the creation of the association is that it would ostensibly enable a more efficient implementation of the FMPs, that is, of the technical prescriptions that would (the Forest Service claimed) guarantee sustainable forest management. As shown further, the real explanation was, however, more political: the forest agents said committees were private entities, thus ELGs would not be able to dissolve them at end of the project as they did before.

Project promoters then asked the ELGs to appoint two government auditors. Project staff and forestry agents thought that PRCs would be happy to audit the association. However, the PCRs said they preferred the organisational structure of USAID-Wula Nafaa (another management project in Senegal), which recognises the authority of ELGs over forests. The Directorate of the Forest Management and Production Division at the Forest Service responded by saying:

Donors are just accompanying us, but at the end, the Forest Service is responsible for choosing which of the projects is better, or for finding a [organisational] model that mixes the strengths of each. To arrive at that decision, we need to test many models. Let's try this one and see (*Ndeymbili*, Niji Hotel, May 2012).

During the validation process of the new model, forestry officials were intimidating villagers and their representatives. For example, during the November event, the then Director of the National Forest Service began his opening speech by castigating the PCRs for their oppositional behaviour: "we will no longer accept, from anyone, no matter his position, the dissolution of a committee or the exercise of any form of sabotage on the activities of the project."

Unfair practices also happened on the front-line of project implementation. For example, in *Uul*, the project experts and the PCR agreed to implement "contact groups" and appoint the forest blocks' delegates on 17 December, 2012. Then the PCR created a working group to collaborate with project staff and forestry agents in the formation of village contact groups. On 17 December, project experts and forestry agents went to the scheduled meeting without informing the PCR and his working group, who were awaiting their signal. The PCR and his colleagues only found out that project staff and forestry agents were going ahead with the contact group formation without the PCR's input when the village chief called him to say that project staffs were already in the village. The PCR rushed to the village and stopped them. He said:

It was intended that we work together. Why are you acting alone? You stop! The Rural Council has the right to create committees without you [project and forestry agents], but you [project and Forestry agents] cannot do that without us [the Rural Council]. (Wacc Bubees, PCR of *Uul*, 25 December 2012).

On 21 December 2012, after the project experts and forestry agents had apologised to the PCR, the meeting for appointing the forest blocks' delegates finally took place.

In sum, technical derecognition through the implementation and enforcement of technical prescriptions was not as easy to achieve in PROGEDE-2 as it had been in PROGEDE-1; the project's attempt to again derecognise the PCRs (who had successfully reasserted their authority over forest management during the inter-phase) was challenged by ELGs on the ground through politico-legal acts and argumentation. The stakes involved in the control of access rights and the institutions that enforce them had become very clear to ELGs. Indeed, PCRs understood that in order to respond effectively to local needs and to secure political visibility for themselves, they needed access to resources and the ability to exercise authority. Therefore, they began resisting the technical argument that serves to exclude them as much as they could, mobilising political arguments that are deeply rooted in decentralisation laws, and working to control the revenues flowing from forest-related activities.

DISCUSSIONS AND CONCLUSION

This article theorised derecognition as a new category of recognition. Derecognition in Senegal is causing political injustice in decentralised and participatory forest management, while undermining the project of sustainable forest governance. The forms of political injustice derived from the observed derecognition are: 1) circumvention of ELGs; and 2) instrumental subordination of the new participatory organisations to central government and project objectives; and 3) progressive privatisation of the forests that is diminishing the public domain of democracy.

Decentralisation laws, their implementation and their use in project interventions shape the power relations among the actors involved in natural resources management. Project interventions are negotiated at the level of central government (e.g. the forestry Service). Negotiating the terms of project interventions at this higher level fosters the allocation of decision-making powers to higher-level actors, consequently granting them the ability to craft institutions and create authorities that run parallel to (and compete with) ELGs. Therefore, environmental projects that prioritise technical claims or 'technical prescriptions' (requiring the use of outside 'experts') end up giving the Forest Service the resources it needs to derecognise ELGs.

However, by steering the interest of local actors toward forest governance, and favouring the payment of local forestry taxes that accrue partly to the Rural Councils, these projects indirectly increase ELGs' attention to the decision-making processes that shape access to commercial resources. This increased attention to forest governance renders processes of (de)recognition more complex. When the Forest Service oversees or manages project interventions, forest management becomes so overly technical that ELGs are excluded simply on the basis of their supposed lack of technical knowledge and skills. In this sense, I perceive the derecognition of ELGs by the Forest Service as a mechanism of administrative resistance to decentralisation and a means for recentralisation.

In Senegal, and especially in the cases studied in this article, the struggle occurs on the basis of a confrontation between *technical claims* and *politico-legal justifications*. During the temporary closure of PROGEDE between the two PROGEDE phases, one can see the ELGs were searching for the means to be responsive to local demands and to fulfill the legal and political obligations that decentralisation reforms assigned them to. Likewise, any attempt to derecognise ELGs and to deprive them of the means to be responsive, including money, should be seen as a search to exercise and perpetrate a political injustice on these elected institutions. Like accountability, responsiveness is a key component of local democracy (Ribot 2003, 2004a); it is the first step toward democratisation. One can only be democratically accountable when one holds public powers and resources – when one has something with which to respond and something for which to be held to account.

The article has shown the role of PROGEDE in the introduction and reinforcement of power asymmetries between

the Forest Service (officials and agents) and the ELGs. However, the inter-phase of PROGEDE which was marked by less presence of forestry officials and agents on the ground suggested that the technical claims lose their strength when the project that gives material and financial resources to their promoters, retreats. In this case, donor-dependent temporary projects created space for the derecognition of ELGs by the Forest Service; hence, constraining any attempt toward democratic local representation.

State actors impose institutional choices that aim to strengthen technical claims, using very sophisticated instruments such as Forest Management Plans and the related organisational structure. Derecognition of ELGs by the Forest Service diminishes the power of ELGs, inflicting political damage on them. Unfortunately, the likelihood of having more projects that favour political derecognition is high since technical claims resonate well with the current staging of development programs in the context of global warming in the Anthropocene. This state of affairs is opening up a new era in which Forestry officials and agents will be able to use technical arguments to reassert themselves into the management of (community) forests despite political decentralisation reforms in forestry.

In Senegal, Forestry agents' 'recentralisation impulse,' is rooted in their desire to maintain their ability to receive and extort bribes (Ribot and Faye 2010) and affirm their exclusive professional legitimacy with regard to forest issues. Because of these factors, certain field forestry agents have no interest in seeing the ELGs become representative. If ELGs are responsive and accountable, there is a high probability that villagers will support them; this would compromise Forest Services' ability to successfully impose technically framed forest governance through forest management projects' structures. That is one of the reasons why Forestry agents act like neo-dictators, following a 'divide and rule' strategy that pits ELGs against the leaders of project participatory organisations within the jurisdiction the ELGs are legally in charge of. This 'divide and rule' strategy is the new institutional pluralism; it is a modern form of 'indirect rule' as committee leaders are subordinated to the Forest Service.

Instead of promoting participatory democracy – a "broad participation of the public in environmental and other forms of public decision making" (Overdevest 2000: 686) – subordinate authorities, accounting upwardly, have been fabricated under the guise of participatory project management and in virtue of forest sustainability. The village-based committees, later shifted associations, by the Forest Service and its projects are merely symbolic; they are tools that enable derecognition of ELGs to reassert technical domination (Faye 2015). As Benjaminsen (1997) notes, there are no guarantees that participatory organisations will profit from the project's 'participatory' approach (Moore et al. 2000).

Substantially, there is no difference between upward accountability and subordination as understood by Ribot (2013). Both constitute the over-rule of local authorities by central actors through administrative or technical bodies. Both have a deleterious effect on democratic local politics,

which could be fostered by democratic decentralisation. In addition, both are made possible by external funding simply because the Forest Service says it cannot be effectively present in the field due to insufficient and underequipped forestry employees who are overloaded with administrative tasks. Consequently, Forest Services mobilise narratives of participation, sustainability, and public service delivery to argue for funds to enact forestry projects like PROGEDE to implement their 'hidden agenda' (Scott 1985). Thus, external funding provides an opportunity for these government bodies to restrain decentralisation by imposing technical claims.

Forestry officials and agents use forestry projects like PROGEDE to engage in a showcase or an 'on-stage' (Goffman 1959) performance of success (while hiding patent failures) that entice donors, while through 'off-stage' practices they subordinate villagers and derecognise ELGs. The first, the performance of success, is exhibited and idealised in official reports, workshops, documentaries, and press releases. The second, the subordination of villagers, is smoothly hidden by local forestry agents on the ground and justified by the Forest Service through technical claims. Hence, the sporadic visits of donors to project areas cannot provide insights into off-stage activities: they are happy to perceive what they are shown. This being said, I am not arguing against the funding of forest management projects by donors. I am just fleshing out the political uses and effects of these projects on decentralised democracy and political (in)justice; emphasising the importance of promoting, rather than hindering, the responsiveness and legitimacy of elected local authorities for the long-term sustainability of forest governance and local development.

Democratic decentralisation reforms are critical for the "safeguard of essential ecological functions, the protection of essential livelihood activities, and the economic value of forests at all scales of society" (Ribot *et al.* 2010: 35). After decentralisation reform, there is no way to guarantee institutional sustainability and consistency without putting ELGs at the head of any forestry project's participatory organisations – which also means articulating participation with decentralisation and thus democracy (Ribot 2001b). Other reasons for intentionally (and as a matter of policy) engaging ELGs in the implementation and benefit structure of natural resource interventions include the ephemerality of projects and the lack of means or state motivation to sustainably uphold pro-rural public services. The derecognition of ELGs and subordination of project participatory organisations by Forestry officials and agents do not support forest sustainability. In the interest of democracy and political justice, projects like PROGEDE should work and invest their funds to set the conditions that would favour institutionalised relations of accountability between ELGs and participatory organisations – such that the participatory processes support democracy.

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NOTES

1. PROGEDE: Programme de gestion durable et participative des énergies traditionnelles et de substitution.
2. The second phase spanned almost all the East, South, Southeast, and Centre of Senegal as activities on food security and alternative energy were expanded.
3. A Rural Community/Council is not a state-appointed body; it is led by a Council (known as the Rural Council) composed of at least 27 democratically elected members whose job it is to politically represent the villagers. A President (known as PCR) and two vice-presidents (the PCRs) lead the Rural Council, constituting its executive body. Since the latest local elections of June 2014, Rural Communities are referred to as communes, following the spirit of the integral communalization law No.2013-10 of 28 December 2013. Throughout this article I will be using the former naming (or just elected local governments, ELGs) by which those political entities were named during my fieldwork.
4. Managed forests were divided into forest block and committees were to be formed around them but villagers complained against the inappropriate delineation by forestry experts. The massif of Wulli/Gumbee has five forest blocks, with two in the territory of the Rural Community of Wulli and three in the former Rural Community of Gumbee.
5. Food assistance would profit in priority to those engaged in market gardening as part of the promoted project activities.
6. The regulatory note that is publicized each year by the Ministry of the Environment and Natural Resources through the Forest Service to set the rules for commercial forest activities, including charcoal production and trade.
7. "Quand certaines approches participatives engendrent des formes ambiguës de mobilisation de la société civile".
8. *Ndaraan* means 'bulldozer.' It is the nickname which participants in village mutual assistance works (*kille* in Fula) used to tease one of their members who, while a kiln was being made, easily moved very heavy pieces of wood.
9. Forestry officials and the PROGEDE Coordinator decided to send internships and researchers out the meeting room when it came to defining the rules of the election of the association.

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