Conservation and Society 15(4): 439-450, 2017

Article

Representation through Privatisation: Regionalisation of Forest Governance in Tambacounda, Senegal

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Abstract

Government officials, development agents and scholars showcase Senegal's 1996 regionalization reforms as a step towards the deepening of decentralisation. Yet this article shows that the reforms narrowed down local democracy via neoliberal processes. The reforms defined the regional councils as development intermediaries, to serve as a space for the negotiation of public-private partnership contracts between local governments and business interests. Focusing on Tambacounda Region of Senegal, the article analyses the effects of the reforms on forest governance at regional and rural-community scales. First, using two project case studies, it illustrates the use of forest management plans and project-based environmental committees in enabling privatisation of rural community forest governance at the expense of democratic processes. Second, it examines how the intermediary role of the regional council compromised its ability to represent the substantive interests of base-level rural communities and helped instrumentalise the council to promote different privatisation alternatives offered by 'community-based' projects. This role was facilitated by a public-private development agency of the council. The discursive analysis of a regional council meeting illustrates that rather than offering a deliberative and participatory forum, council meetings were used to make representation claims about the 'local people' and to push a market-based neoliberal rationality.

Keywords: Decentralisation, regionalisation, community-based projects, privatisation, representation

INTRODUCTION

Since its rise as a hub of trade and a transit point for peanuts at the beginning of the twentieth century, the city of Tambacounda, capital of the Tambacounda Region, has been divided by the railroad. On one side there are buildings occupied by development projects, the regional court and governmental offices. Townspeople live on the other side. The weekly market and development projects are set on the side where the administrative affairs are conducted. This rapprochement of development projects, centers of commerce and government offices is particularly convenient for – or perhaps related to – the 'development industry' in Tambacounda. The Regional Council of Tambacounda, a product of 1996 decentralisation reforms in Senegal, was also located on that side of the railway. This location suited perfectly the special role assigned to the Regional Council, as the new 'intermediary of development.' State officials, scholars and donors alike celebrated the 1996 reforms and its re-institution of elected regional councils as a step towards the deepening of 'democratic' decentralisation in Senegal (Diouf 1998). Regional councils, while sub-national, are hardly local.[1] Nonetheless, the 1996 reforms quickly subsumed them under the category of 'local authority,' which putatively conferred on them both legitimacy and representativeness (Snook et al. 2013).

In October of 2004, the United States Agency for International Development's (USAID's) Agriculture-Natural Resource Management Program initiated a public meeting at the Regional

Access this article online	
Quick Response Code:	Website: www.conservationandsociety.org
	DOI: 10.4103/cs.cs_16_104

Council to discuss the implementation of decentralisation reforms in the field of natural resource management. The participants included high-level representatives from the Forestry, National Parks and Agricultural Departments, and from 'community-based' forestry projects in Tambacounda. The USAID program, which went by its adopted 'local' name, Wula Nafaa ('the benefit of the forest')[2] was launched in Tambacounda in 2003. Until then, the Sustainable and Participatory Energy Management Project (PROGEDE by its French acronym), funded by the World Bank, was the dominant actor in decentralised natural resource management in Senegal via its 'community-based' initiatives. Wula Nafaa chose to hold the meeting under the aegis of the regional council.

The topic of the meeting, decentralisation of natural resource management, concerned all elected authorities in Tambacounda. Thus, one would have expected a high level of attendance from thirty-five base-level elected councils (the rural community councils or local governments) that represented the inhabitants of the region. Yet, only the presidents of two elected rural community councils were present. None of them spoke during the debate, the terms of which, as I will explain, were set by Wula Nafaa, PROGEDE and the Forestry Department. This low attendance contradicted the regional council's role as a deliberative democratic forum (MSI-USAID 2007), where the base-level rural councils could express their interests, needs and demands. Only at the very end of the meeting, the President of the Regional Association of Rural Community Councils took the floor to make the following comment on behalf of the rural community councils. He said:

> The management of the environment is a power transferred to rural communities. However, what the State gives with its right hand, it takes back with its left hand. The management of natural resources generates financial resources. How will the state allow these resources to be devolved to local populations? Wula Nafaa program is a very good initiative for this.

The President conveyed a general sense of disappointment about decentralisation prevalent among the rural councils. The new decentralisation reforms and Forestry laws had transferred a number of powers to the elected councils concerning the conservation and management of forests in *terroir* zones[3] (RdS 1996a; RdS 1996b). These powers focused primarily on the commercial exploitation of forests and production of forest-based commodities (charcoal, timber, non-timber forest products)[4] (RdS 1998). They allowed the rural councils to plan for and authorise commercial tree cutting and to claim a share from commercial forest revenues. However, the President's comment indicated that despite decentralisation, the elected councils were unable to exercise these powers, which, he complained, were taken away by other means. His comment was primarily directed to centralised conservation institutions (National Parks and Forestry Departments), whose image as coercive extensions of the 'state' had been cemented through exclusionary conservation practices (Ece 2009, 2012). The President implied that these institutions were able to take the power to manage forests on *terroir* zones back from the hands of the rural councils. At the same time, he also suggested that decentralisation presented a 'choice' for the rural councils. This choice came down to choosing among different community-based projects and different options they offered for the devolution of financial resources derived from the commercial exploitation of *terroir* forests. Thus, they opted for Wula Nafaa.

As the President pointed out and as it will later be elaborated, contrary to donor and state discourses, the transfer of powers in natural resource governance did not grant more 'freedom' to rural councils in the management of forests under their jurisdiction. However, I argue that decentralisation also constrained and framed these powers (and their autonomy) in ways that would facilitate the commodification of *terroir* forests and enable their privatisation through different 'community-based' forestry projects. In this context, the regional councils had an important role to play. Reinstituted as 'local authorities' by 1996 decentralisation reforms,[5] they were also given the mandate to act as 'intermediaries of development' to facilitate 'cooperation' among various community-based projects, base-level rural councils and the state institutions (RdS 1996a). This article argues that the mediating role assigned to regional councils by decentralisation reforms contributed to: (i) their instrumentalisation for commodification of forests and increased forest exploitation, and (ii) transformation of their role into the 'filtering' of development demands from base-level rural communities, running counter to and undermining their ability to represent the 'local' needs and aspirations. Further, their capacity to serve as a forum for rural community councils to voice their needs and aspirations, and hold the state conservation institutions (e.g. the Forestry Department) accountable was also compromised. Although in theory, regional councils were expected to offer a deliberative democratic space for rural councils, the donor-funded community-based forestry projects and the state conservation and forestry institutions dominated and set the terms of debates. These actors claimed not only to 'represent' local interests, but also, presented their priorities – the commodification and privatisation of *terroir* forests – as the most preferable, if not the only available choices for the rural community councils.

The community-based forestry and conservation projects proliferated in Tambacounda following the 1996 decentralisation reforms. Throughout Africa, this was the time when community-based natural resource management became an established environmental policy goal with the context of ongoing decentralisation reforms (Murombedzi 1999; Shivji 2002). The 1990s' wave of decentralisations were a key component of the process of 'reregulation' and 'roll out' of the state, infusing neoliberal forms of governance within public institutions as well as local governments (Harrison 2005; McCarthy 2005; Ayers 2006). The critical scholarship on conservation sought to understand how these processes of neoliberalisation, which took varying forms depending on different social, political and institutional contexts, furthered the commodification and privatisation of nature (West 2006; Igoe and Brockington 2007; Castree 2008; Büscher and Dressler 2012). At the same time, these debates have also underlined the controversial role that the community-based forestry and conservation projects played in furthering the neoliberalisation of nature (McCarthy 2005; Dressler et al. 2010; Büscher and Dressler 2012). As it is the case in Senegal, elsewhere in the developing world, the community-based projects funded by donors and implemented by different NGOs, contributed to the integration of peoples and resources into commodity-based systems of production – including eco-tourism and the forest-based commodity chains (Walley 2004; West 2004; Brosius et al. 2005; Blaikie 2006). These practices were also accompanied by discourses promoting market-based relations, by defining local forest users ('communities') as rational economic decision-makers, 'free' to enter into contractual relationships and, by seeking their 'consent' through financial benefits (McCarthy 2005; Doane 2014; Peterson and Isenhour 2014). Still, how elected local governments' control and authority over public resources had been transformed through formal decentralisations and, how community-based forestry projects were inserted in this landscape of power relations, enabling market-based governance and privatisation of these resources, had not been sufficiently studied.

In this regard, critical analyses of natural resource decentralisations offer important insights about the assumed association between the devolution of state powers to local authorities and democratisation (Agrawal & Ribot 1999; Ribot 2003, Ribot 2004; Larson & Ribot 2005). Re-thinking concepts like 'accountability' and 'responsiveness' – central in donor policy discourses – this work emphasises that without significant decision-making powers, financial resources and technical means, elected authorities cannot respond to the demands and needs of their constituents; hence, their ability to represent local interests would be undermined. This is the case, when decentralisations transfer powers to elected authorities but limit those powers with state legislative or administrative oversight. Also, if the powers to manage natural resources are held by institutions other than elected representatives, these former would not be downwardly accountable to people affected by their actions.[6] This later situation would also account for the privatisation of public powers (Ribot and Agrawal 1999; Ribot and Chatree 2008). This is the case, when the means and powers to manage public forests are transferred to new institutions recognised and empowered by donor-funded projects, which work in parallel to elected authorities (Ribot 2013). Thus, the creation and authorisation of local institutions accountable to and recognised as representative of private interests by community-based projects amounts to the privatisation resource governance.

This article is organised in three sections. The first examines the legal and administrative aspects of 1996 decentralisation reforms. I show that the mechanisms of displaced oversight limiting the autonomy of elected councils provide also an 'enabling environment' for new market-based forms of development cooperation. I also draw attention to the role of cooperation agreements and private-public partnerships introduced by decentralisation, including the forest management plans. While they impose limitations on how forests should be commercially exploited on *terroir* zones, these plans are also treated as *de facto* local cooperation agreements between community-based projects and rural community councils.

The second section focuses on community forests and biodiversity reserves established by PROGEDE and Wula Nafaa. Analysis of these two projects shows that while they initially differed in their relationship with the Forestry Department, they share a similar goal: the commodification of forests under the jurisdiction of the rural councils and privatisation of their governance through commercial peasant organisations. Their strategies and methods for establishing different kinds of protected areas at the periphery of the Niokolo-Koba National Park were also similar. Both projects relied on local groups and committees, accountable to them for the implementation of forest management plans, and bypassed elected rural councils in the process.

The third section discusses regional councils and how their role as intermediaries of development helped their instrumentalisation to further the neoliberal vision of the Forestry Department and environmental projects. I also argue that through a public-private development agency, inserted into their midst, regional councils became sites for negotiating contractual agreements, including forest management plans. Finally, I return to the meeting held in Tambacounda's Regional Council and look at the discourses and positions of the actors represented in this meeting. I suggest that, far from offering a 'participatory and deliberative' forum, this meeting constituted a re-enactment of unequal authority relations that exists 'outside' of the meeting room, and it was used to establish the market-based rationality as a dominant discursive framework.

This article is based on 12 months of field research carried out in Tambacounda, Senegal between 2004 and 2005. A number of different social science methods were used to collect qualitative data. For the analysis of decentralisation reforms, forestry and conservation policies, I consulted governmental documents, legal and administrative texts and interviewed academics from the University of Cheikh Anta Diop's *Centre de Recherches, d'Etudes et de Documentations sur les Institutions et les Legislations* (CREDILA). For the analysis of and the community-based forestry projects in Tambacounda, I consulted project documents and the archives of Forestry and National Park Services. In addition, I carried out over 60 semi-structured and in-depth interviews and participant observation involving the staff and directors of Forestry and National Parks Departments, the conservation and development projects in areas surrounding the Niokolo-Koba National Park, the Regional ARD Secretariat, rural community council of Dialakoto, and villages evicted from the National Park.

THE NEW DECENTRALISATION: A REFORM OF FREEDOM, PROXIMITY AND CONTRACTUAL AGREEMENT

The year 1996 has often been described as the year marking the 'great decentralisation movement' in Senegal[7] (Toure 2012). This was a culmination of a long process of 'disengagement of the state' initiated through Structural Adjustment Programmes under Abou Diouf, who summarised them with his well-known slogan: "less State, better State" (*moins d'Etat, mieux d'Etat*) (Blundo 1998; Ka and Van de Walle 1994; van de Walle 2003). At the beginning of the 1990s, the economic failure of the structural adjustment, the popular unrest that it generated (Mbodj 1992; Thioub et al. 1995; Sy 1998; O'Bannon 2006) and, the passage to multiparty system helped to propel decentralisation reforms up in the government's political agenda (Dickovick 2005).

The official discourse supporting the reform claimed that elected local governments had reached 'maturity' (*majeures*) and it was time to grant them more 'autonomy' and 'freedom' by lifting the administrative oversight over their decisions (RdS 1996a). The Local Government Law emphasised 'freedom' and 'proximity' as the guiding concepts of the reform (ibid, 1996a). 'Proximity,' aimed at bringing the decision making 'closer' to local level. This term evoked both political decentralisation, involving the transfer of authority to elected councils, and the process of de-concentration.[8] The basis of the claims of granting more autonomy to local authorities lay in the removal of the pre-approval check of the Ministry of Interior over the elected councils' decisions (Fall 2004). The Local Government laws adopted in 1996, replaced this type of centralised administrative oversight with a posteriori and 'closer' legality check in the hands of de-concentrated territorial administrators (governors, prefects, and sub-prefects) (RdS 1996a). This tension between de-concentration and political decentralisation became the center of debates in Senegal. The reform's democratic claims through the idioms of 'freedom' and 'autonomy' led some scholars to hastily qualify it as a sign of the deepening of political decentralisation. But others worried that the proposed changes would amount to the reinstitution oversight in new guises, as legality checks of de-concentrated territorial administrators (Diouf 1998; Sy 1998; Cisse 2004; Fall 2004; Dickovick 2005; Toure 2012).

The second most debated aspect of the 1996 reforms, was the re-organisation of regions as new 'local' authorities (*collectivités locales*)[9] (RdS 1996a). The constitution of elected regional councils, presumably on equal footing as base-level rural community councils, was an important justification of 'democratic' claims of the reform. The regional councils were expected to be democratic, deliberative institutions, like the rural councils. Yet, unlike rural councils, they were given a strategic task of mediating and coordinating development efforts. For this purpose, 'semi-autonomous' Agencies for Regional Development (ARDs) were created to provide 'free technical assistance' to rural councils in development and environmental planning. This was related to a less well-explored, yet key element of the 1996 decentralisations: initiating a (controlled) transformation of administrative relations linking centralised state institutions to local elected authorities, through a model of 'cooperation agreements.'

The 1996 Local Government Law allowed cooperation agreements among the elected councils (at the scale of region, urban commune and rural community), and between elected councils and de-concentrated state institutions (e.g. Forestry Department).[10] The purpose of these agreements was to promote 'common interests' of local collectivities in economic, social and cultural development, education, and environmental management. The regions, communes and rural communities were encouraged to put in place a deliberative framework for cooperation agreements (*cadre de concertation*)[11]. However, what this framework could or should be was left open to interpretation,[12] opening the space for business-like contractual relationships (Granier 2006). An example of this is the forest management plans allowing the exploitation of *terroir* forests. The forest management plans are often interpreted by donors, and the 'community' based forestry and conservation projects, as a form of cooperation agreement in natural resource management (Seegers 2005; Granier 2006).

Decentralisation laws did not prevent the rural councils from drafting their own management plans. However, the laws pointed rural councils towards '*competent*'[13] technical services (the regional Forestry Department) for assistance (RdS 1998)[14]. This provided the Forestry Department an opportunity to claim back their authority by setting the rules on forest management plans, assuming or using the pretext that rural councils lack 'technical capacity' to do so. These plans became political instruments for Forestry Department and sub-prefects to exercise administrative and technical oversight over elected councils. For this reason, forest management plans are often considered as an important limitation to the powers devolved to rural councils. While this is certainly the case, these are also strategic tools for international environmental projects. While international organisations are not allowed to be 'official' parties for cooperation agreements, in practice, all forest management plans are drafted through the assistance of international development organisations, financial institutions and externally funded projects (Potteete & Ribot 2011). Hence, they are also used by forestry-projects to claim 'technical' expertise and justify their influence and control of commercial production in *terroir* forests (Faye 2014).

PRIVATISATION OF RESOURCE GOVERNANCE THROUGH COMMUNITY FORESTS AND BIODIVERSITY RESERVES

Tambacounda is one of the most forested regions of Senegal. It produces majority of charcoal for urban areas and has the largest number of protected areas – including the Niokolo-Koba National Park (RdS 2005). Even though the region had been the target of conservation interventions since the French colonial period, the recent wave of commodification of its forests owes largely to the entry of 'community-based' forestry projects after the 1996 decentralisation reforms.

PROGEDE, whose main funding source is the World Bank, started its activities in Tambacounda in 1997, a year after the adoption of decentralisation laws (GEF 2004). Its main goal was to provision charcoal to urban areas' charcoal trade liberalisation and to increase the 'sustainable' production of charcoal while conserving biodiversity in rural areas (WB 2005, p.15). However, rather than trying to eliminate the charcoal quota system[15] (Ribot 2006, 2009), PROGEDE directed its efforts towards providing 'institutional' assistance to transform the Forestry Department, seen as an inefficient 'paramilitary law enforcer agency,' into an efficient 'service provider' armed with technical tools of scientific forestry (WB 2005, p. 5, 11). PROGEDE placed its offices within the Forestry Department and employed appointed foresters (Faye 2006, Bandiaky 2008).

Unlike PROGEDE, USAID-supported Wula Nafaa was not administered through the Forestry Department, but by a US-based consultancy firm (IRG) - subcontracted by the USAID.[16] Wula Nafaa started its activities in Tambacounda in 2003 and adopted a different approach to sustainable' charcoal production, which was only one of the 'potentially marketable' forest-based commodities that the project targeted on village *terroir*s (Weidemann Associates 2006).[17]

Despite these important differences, PROGEDE and Wula Nafaa converged on their economic rationality justifying their interventions. PROGEDE adopted a logic and discourse borrowed from neo-classical economics: liberalising the charcoal trade would maximise producer's revenues, which then would provide 'right incentives' for the producers for exploiting the forests in more sustainable way (WB 2005, p.13). Like PROGEDE, Wula Nafaa promoted the merger of 'economic interest' with conservation. It argued that revenues from forest-based commodities would stimulate better resource management and conservation. Another important commonality was that both projects supported local producer groups organised as Economic Interest Groups (GIE), as locomotives for local entrepreneurial spirit and development (USAID-Senegal 2013; WB 2005; Weidemann Associates 2006). The GIEs are for-profit commercial peasant organisations that emerged after the dissolution of state-owned agricultural cooperatives[18] (Blundo 1994; Bierschenk et al. 2000). As I will explain next, by supporting existing GIEs or setting up local environmental committees that they treated as GIEs, both projects contributed to privatisation of governance of *terroir* forests.

To supply urban areas with charcoal while preserving the biodiversity, PROGEDE planned to establish a series of 'community' forests and biodiversity reserves around the Niokolo-Koba National Park (PROGEDE 2008). Although the National Park already had a buffer zone,[19] PROGEDE's community reserves were geared to extend the concept of a 'buffer zone,' providing a supplemental layer of protection for the 'core' protected area (PROGEDE 2009). The Malidino reserve, situated in the rural community of Dialakoto, next to the Niokolo-Koba National Park, illustrates well the PROGEDE's concept of 'participation'. The 'community' reserve included a section of the gazetted Diambour forest and part of *terroir* areas. The majority (98%) of the villagers in the center-village next to the reserve had land inside the proposed reserve area and was against the land appropriation for biodiversity conservation (Bandiaky 2008). A Memorandum of Understanding between the Forestry Department and the rural council[20] was required for the establishment of the reserve (Seegers 2005). However, PROGEDE did not engage with the rural council members to discuss this memorandum. Instead, it proceeded with the drafting of a reserve management plan and by-laws and started to set up local management committees (Bandiaky 2008, p.115, 116). The forest management plan drafted under the watchful eye of PROGEDE did not consider the objections of villagers, and did not foresee any compensation mechanism for those who would be dispossessed of their farmland (Bandiaky 2008, p.129-150). Neither the management plan nor the by-laws were submitted for deliberation and approval of the rural council, but only to the rural council president and the Forestry Department in 2002 (Bandiaky 2008, p. 150). A request for land allocation for the reserve was submitted to the rural council in 2003, after the 'acceptance' of the forest management plan and by-laws (Ece 2008). Despite 'loud objections' of the rural councilors[21] against it, the Forestry department's representative and the sub-prefect who attended the meeting pressured the council to approve the decision, as the creation of the reserve was already *a fait accompli.*

The PROGEDE followed a similar model of 'participation' in its 'community' forests. As the villagers resisted giving up productive farmland for 'community' biodiversity reserves, they were also resistant to charcoal production (Faye 2006; Bandiaky 2008; Ribot 2009). The PROGEDE's forestry agents promised increased revenues, used deceptive tactics, and managed to orient the inhabitants towards increasing charcoal production (Faye 2006). The presidents of the rural councils were pressured to sign the management plans and by-laws drafted by the project without consultation with the rural councils – as it was the case for biodiversity reserves (Ribot 2009). The local management committees set up by PROGEDE did not report to the rural council, but were accountable only to the project and to the Forestry Department (Faye 2006, 2014).

In contrast to PROGEDE, Wula Nafaa aimed to work directly with local producers and rural communities to promote market-based production and sale of forest-based and agricultural products. The project was also involved in the preparation of management plans and by-laws for charcoal producing community forests. While there is no detailed information on how these plans and by-laws were adopted, the project claimed that it consulted with the rural councils, placed management committees under the oversight of rural councils, and directed the village chiefs to obtain rural council's approval (USDA 2004; Weidemann Associates 2006; Faye 2014). However, this does not necessarily make Wula Nafaa an inherently more 'democratic' project. Wula Nafaa had been supporting some of the village management committees that were already set up by the Forestry Department (Faye 2014). Like PROGEDE, the project approached the management plans as 'technical prescriptions,' geared to increase charcoal production, despite local resistance against it (Faye, 2014).

Another important commonality between the two projects was their approach towards the environmental committees that they helped to create as commercial GIEs, responsible for carrying out the project goals. The PROGEDE treated these committees as *de facto* GIEs acting as contractual parties in charcoal sales to urban merchants (Faye 2006). Wula Nafaa seemed to present a 'better option' compared to PROGEDE, since foresters did not manage it and it offered a more varied range of outlets and merchants for the sale of forest-based products. Yet, similar to PROGEDE, it invested great efforts to fuel forest-based commodity production (including charcoal) through GIEs as private for-profit organisations. Thus, what Wula Nafaa offered was merely a variation in the terms of privatisation in charcoal production.

In the next section, I return to the regional council's meeting held in 2004 in Tambacounda to illustrate two points. First, regional councils are also subject to similar pressures as the rural councils by the Forestry Department. Second, the relations that I described so far between the projects and the elected councils were also played out in the regional council's meeting.

PERFORMING DEMOCRACY: REGIONAL COUNCIL AS THE MEDIATOR OF DEVELOPMENT COOPERATION

The 1996 Local Government Code did not establish a hierarchical distinction between the local collectivities (rural communities, communes and regions) and forbade administrative oversight[22] of one council over another. The Regional Council's President was elected among the presidents of the rural community councils (see Faye in this issue). However, in its role of 'promoting' and 'coordinating' development-related investments and actions, the regional council had the ability to constrain and shape rural community council's decisions (Ly & Diedhiou 1997; Toure 2012).[23] To carry out this important function of coordination and planning, a special agency was created in the midst of the regional council: the Agency for Regional Development (ARD).

ARDs are mandated to provide 'free technical assistance' to rural councils in all activities related to development, including the follow up on the agreements passed with international donors.[24] Donors – which also include the French elected regional assemblies – consider them as important interlocutors and facilitators of 'private-public' partnerships and provide them funding under 'capacity building' (Keshishian et al. 2010).[25] However, state administrators have an important influence over the technical commission of ARDs, composed of appointed regional representatives of different state departments, including the regional director of the Forestry Department.[26] This makes the ARDs 'hybrid' institutions (Ndiaye 2013), where both donors and state departments' demands and interests are negotiated. In fact, in Tambacounda, the 'local agreements' about charcoal producing community forests signed between the Forestry Department, sub-prefects and the rural council presidents were hosted by the ARD.

As shown earlier, the forest management plans financed and carried out by community-based projects and the Forestry Department were drafted and implemented without taking into account the demands of rural councils and despite their opposition. This was an indicator that the regional council, especially through ARDs, was led to prioritise the demands and expectations of the donors and the Forestry Department over those of the rural councils. The regional councils were not able to respond to such demands, and hold the Forestry Department accountable. In fact, they were used to 'filter' development demands from below. This was also the case for the distribution of charcoal quotas in Tambacounda. Even though the regional council had the authority to distribute the charcoal quotas,[27] it was unable to exercise this authority. When the regional council called a meeting to deliberate on regional charcoal quota allocations in 2004, despite the request of some rural councils to be consulted on the matter, the Forestry Department used the meeting to simply announce pre-set charcoal quotas (Ribot 2009). This incident, which took place the same year as the meeting that I analyse next, illuminated how regional councils can be sites for the Forestry Department to continue to coerce and silence the demands of rural councils.

The Meeting of the Regional Council

The Regional Council's meeting, held in October of 2004 under the aegis of Wula Nafaa, attracted both the attention and discontent of the Forestry Department and PROGEDE. Although the meeting was convened to discuss decentralisation of natural resource management, its main purpose was to introduce Wula Nafaa. The time allocated to Wula Nafaa's presentation was considerably longer than the time reserved for the comments of other participants. The second part of the meeting, much shorter than the first, was reserved for the comments of other participants. As indicated earlier on, during the meeting the representatives of the rural councils remained largely silent. This lack of engagement and absenteeism[28] can be viewed as form of sanction. However, another important reason why rural councils refuse to engage in such meetings is that the terms and results of the debates are perceived as being pre-determined. It has been shown that in 'participatory' meetings like the one held at the Regional Council, the selection of topics or themes and, the framing of key issues can be important strategies through which powerful actors can further their points of view and exclude alternative options (Peterson et al. 2010). Hence, these meetings constitute another instance of enactment of unequal power relations that exists among the 'participants' within the wider social context.

At the beginning of the meeting, the Vice- President of the regional council made an opening statement, where he presented the Wula Nafaa as a "program of the Government of Senegal supported by the United States of America to fight poverty and development in Senegal." As the 'host,' he reminded the assembly that the Senegalese government had two important goals: decentralisation and privatisation. He continued:

> Today, nature is a wealth (*richesse*) that populations are claiming. These claims are based on common functions of any human society: to carry out agricultural production and cultural reproduction. If these functions are not carried out sustainably, we will face environmental problems. This is why Wula Nafaa is an important development project.

The Vice-President's presentation emphasised that the 'legitimacy' of Wula Nafaa for the government, and for Regional Council derived from its role in decentralisation and privatisation. By stressing the market value (wealth), the use-value (agriculture) and the cultural value (cultural reproduction) of nature, the Vice-President claimed also to represent the rural people and their point of view. Yet, his emphasis on subsistence and cultural valuing of nature would become submerged under the dominance of the discourses that single-handedly focused on market value.

Next, the Director of the Wula Nafaa program in Dakar made sure that he stressed one important issue: the project was focusing on 'sustainable use' and 'valorisation' of natural resources in *terroir* areas. This strategically underlined the rural councils' authority over *terroir* forests. Following this, the Regional Director explained the project's view of nature as follows: "…. in poor countries, within the total capital available to the country, the natural capital has a much larger share. This means that it is best to focus on natural capital to eradicate poverty…." Nature, for him, was the most marketable commodity of the poor countries. It was the commodification and marketing of nature that would help countries like Senegal to create 'wealth' and help eradicate poverty.

Wula Nafaa's economist elaborated this idea by arguing that population increase would lead to an increase in demand for natural resources, more economic 'dynamism' and more 'market opportunities.' He explained Wula Nafaa's approach to nature as capital. "This meant that like any economic good, nature could bring economic benefits over the long run," and hence, there was a need "to look at natural capital to overcome poverty." By turning the Malthusian population argument on its head, the economist argued that when population increases, so would the profit derived from natural resources. Once nature had become a commodity everywhere, its 'economic benefits' would, 'in the long run,' trickle down to rural people. He elaborated on why commodification of nature mattered for 'populations' as follows: "If the management of natural resources doesn't have an economic interest for people, they will not do it. Our purpose is to create a *framework* for people to make best decisions possible in line with their *own interests* [my emphasis]." By claiming to adopt the 'local point of view' the economist argued that to protect nature, people needed to have an 'economic interest.' This reasoning, underpinning also the project's discourse in its documents (Anderson 2004), privileged the market value of natural resources and assumed that 'local people' were acting uniquely according to the tenets of neo-classical rational-choice theory, comparing economic costs and benefits based on market value. It also echoed the neoliberal discourses that dominate the current 'green development' pushed by the World Bank and international development institutions. It highlighted the market value of nature as capital, the importance of commodification of nature and, extrapolated the neoclassical economic rationality of 'cost-benefit' analysis to 'local people.' In the project's perspective, the main 'interest' of the 'populations' was economic and the project was answering this interest by creating a 'framework' to allow people to follow their *own* economic interests and make 'best decisions.'

Another important theme in Wula Nafaa's presentation was private property. The Project Director in Dakar explained:

"The power component of our program focuses on natural resources as a means to consolidate democracy and to reform governance. We need to clarify the rights of the local populations over resources.... To whom do trees belong? Who makes decisions about their exploitation? We need to make sure that the power to manage natural resources is given to institutions which are better placed to exercise those rights."

The Director argued that the project aimed at 'consolidation of democracy' by 'clarifying the rights of the local populations over resources.' He left open the question of what kinds of rights he was advocating for and this ambiguity relayed the idea that he equated property to democratic rights. He also emphasised that the project wanted to give the (property and democratic) rights to 'right' institutions, without specifying if these were elected rural councils, the GIEs or the individuals. The economist clarified this point further by pressing on the need for a new land tenure reform – which was indeed proposed in 1996:

> The assumption that nature belongs to the State is not valid any more... We need to make sure that the managers of the natural resources have secure access to natural resources and that they have the knowledge of this access. By this I mean, we need a new system of land tenure, other than the traditional land tenure, which is not sufficient for development. It is necessary that populations have the feeling that by investing in natural resources that they will derive benefit from it.

The economist stressed that neither the current land laws that considered the 'State' as the owner of natural resources, nor the 'traditional' land tenure was fit for 'secure access' to resources. Underlying this reasoning was the idea that neither state ownership nor 'traditional' property regimes could propel enough development. Development could be achieved only if 'populations' as 'managers' of natural resources held property rights.

These presentations set the terms of the debate as commodification and privatisation of natural resources and their governance. The responses to these presentations were also framed to discuss these issues and showed the positions of the actors present in the meeting vis-à-vis the project and its goals.

Responses to Wula Nafaa

At the time when this meeting was convened, considerable tensions existed between the Forestry Department and Wula Nafaa over community forests (USDA 2004).[29] More than any other activity, Wula Nafaa's intention to engage in charcoal production was not welcomed by PROGEDE, nor by Forestry Department, which saw it as an unwelcome intrusion into their 'territory.[30] It was not surprising that the main objection to Wula Nafaa's goals and objectives came from PROGEDE's Regional Director:

> Wula Nafaa experiences are based on other countries. Senegal's juridical and political context is very specific. Wula Nafaa works also with the populations living within the gazetted government forests. Gazetted Forests are under the responsibility of technical services. Talking to populations without mentioning technical services is a mistake.

The Director of Forestry Department in Tambacounda also supported PROGEDE's view:

> Wula Nafaa is stepping outside the *terroir* zones. Wula Nafaa works with populations living within the gazetted forests. It should cooperate with PROGEDE. PROGEDE has to be included in management plans.... The community Reserve of Malidino at the periphery of the National Park is a good example. There are other examples of co-management of forests that are underway…. Local environmental bylaws are being developed and these will organise the valorisation and protection of natural resources.

While PROGEDE insisted that Wula Nafaa should work with Forestry Department, the Forestry Department stressed that the project should work with PROGEDE, which acts as an extension of the Forestry Department. PROGEDE and Forestry Service strongly opposed Wula Nafaa's attempts to work in the region unless it was integrated or agreed to work with them. Neither the Forestry Department nor PROGEDE objected to Wula Nafaa neoliberal approach or to privatisation. The Malidino Community Biodiversity Reserve was pointed as the example that Wula Nafaa should follow to stress that instead of recognising the 'rural populations' authority, the project should help extend the authority of Forestry Department and PROGEDE over *terroir* zones.

The speech of the representative of the ARD focused on private ownership of natural resources. He said:

> If the peasant cannot sell his land, he cannot put it in productive use and increase its value. Similarly, if nature is not well managed, it will have no value. To help peasants generate value from land and nature, the State must help peasants.

He underlined the importance of private ownership and economic value of nature by arguing that if the 'peasant' would be able to sell the land, he would also use land more productively and 'increase its value.' This argument echoed the well-known justifications of private property as collateral: private property rights will allow the peasants to use land to borrow money and to re-invest this money in agricultural productivity. His rationale was clearly based on the idea that the value of land was in its market value. In that sense, the ARD seemed to be in perfect agreement with the neoliberal rationale promoted by Wula Nafaa's economist earlier on. Yet, this position differed from Wula Nafaa's, since it supported the idea of privatisation 'assisted' by the State. The 'State' had to help the peasants to benefit from resources, by helping privatisation - instead of helping the peasants claiming their rights.

The Vice-President of the Regional Council justified his support of Wula Nafaa in the following words:

> Nature, Wealth and Power, what kind of relationship exists between these elements and in which context? Nature has a cultural element… My sensibility towards nature depends on where I come from. We are a developing country where the level of literacy is very low in rural areas. How does the peasant see nature? This nature does not belong to him. Nature is for everybody and for nobody. To change these attitudes, education is important. The peasant does not know documents that concern him. And even if he knows them, he does not know where to find them....

By emphasising the 'cultural' context of Senegal, and the 'cultural' sensibilities and attitudes towards nature rooted in local identity, the Vice-President critiqued, in a subtle way, the project's claims of representing the 'local people' and asserted the regional council's own claims to represent the 'local'. He provided his own version of how 'the peasant' thinks and acts. The peasant did not see nature as his private property, but as a common (for everybody) and inalienable (for nobody) property. This neo-Malthusian view of the 'traditional' tenure was unsuitable for the present needs and needed to be changed through education, he contended. The Vice-President did not oppose the idea of privatisation, but emphasised the necessity to change peasants' 'traditional' attitudes towards property. For the regional council, Wula Nafaa was useful in providing peasants with education to change their attitudes towards property and, informing them about laws (documents).

The President of the Rural Councils' Association on the other hand, supported Wula Nafaa for a different reason. He made the comment that was mentioned at the beginning of the article:

> The management of the environment is an authority (Fr. *compétence*) transferred to rural communities. However, what the State gives with its right hand, it takes back with its left hand. The management of natural resources generates financial resources. How will the state allow these resources to be devolved to local populations? Wula Nafaa program is a very good initiative for this.

The President agreed that commercial exploitation was an important means to generate financial revenues for rural communities. However, he was concerned that the revenue generated was not going to trickle down to 'local populations,' particularly if the Forestry Department and PROGEDE continued to control the commercial exploitation of *terroir* forests. He used the metaphor of the right hand giving and the left hand taking it back, to criticise the ongoing practices of the Forestry Department and PROGEDE. The 'state,' through decentralisation laws, had given them the management of *terroir* forests. But in practice, Forestry Service and PROGEDE took these powers back. In this way, what was given was also taken back. If rural councils had to make a choice between PROGEDE and Wula Nafaa, the rural councils preferred the commercialisation and privatisation of forests under Wula Nafaa, which they hoped would benefit them more.

CONCLUSION

The 1996 Senegalese decentralisation reforms brought forth the tension between maintaining the displaced state control over elected councils, and opening a space for business-like contractual 'agreements' for the privatisation of *terroir* forests. I argued that these seemingly contradictory goals of decentralisation can, and do work in tandem. These reforms did not simply constrain the powers transferred to elected authorities in Senegal. They were also conducive to commodification of *terroir* forests and the privatisation of their governance. By introducing new mechanisms promoting contractual agreements among elected councils and donor-funded community-based projects, Senegalese regionalisation reforms provided an enabling environment for these changes. Forest management plans are an example of such mechanisms. Drafted by community-based projects, these are not simply means to allow 'local people' to 'secure' forest rights (Mustalahti and Lund 2010). They are political tools restraining the authority of elected councils (Ribot 2003) and putting the expert knowledge claims in the service of market relations (Nightingale 2005). However, the case of Senegal shows that treated as 'cooperation agreements,' they can also serve as key instruments for furthering the privatisation of forests under community-based projects.

This article also illustrated how 'community-based' forestry is embedded within particular institutional contexts and power relations that were deeply transformed by decentralisation reforms. The examples of Wula Nafaa and PROGEDE show that 'community-based' projects do not only promote the commercialisation of forests under the jurisdiction of rural councils, but also, play a central role in the privatisation of resource governance by establishing project-based committees that they treat as private commercial organisations. This constitutes also a model for current community-based carbon forestry projects that rely on payment for ecosystem services (Chomba this volume).

In Tambacounda community-based projects offered different models of privatisation of governance of *terroir* forests – one under the Forestry Department oversight and the other without it. This had important implications for the regional councils' ability to act as 'local representatives'. The role of 'intermediaries of development' assigned to regional councils facilitated their instrumentalisation as a means to diffuse the development demands from below and serve as 'hubs' for private-public partnerships in natural resource management. The latter's ability to respond to the needs and interests of the inhabitants of the region in the governance of forests, and to hold accountable the Forestry Department – thus, to act as 'local representative' – was compromised. Further, even though the regional councils were supposed to offer a democratic deliberative forum for rural councils, I have illustrated that the unequal power relations between the rural councils, Forestry Department, PROGEDE and Wula Nafaa had been re-enacted in Regional Council meeting. The regional council's meeting was used to present different privatisation options as a democratic 'choice,' and to make representation claims about the 'interests' and 'needs' of 'local people' in line with neoliberal market rationality. This illustrates how the concept of 'deliberative democracy,' deployed often in support of decentralisation and community-based natural resource management, can also become part of 'repertoires of domination' (Poteete and Ribot 2010). Rather than opening up a genuine space for democratic debate, forums like the regional council can become theatres for performing a 'choiceless' democracy (Mkandawire cited in Ribot 2011, 2013).

NOTES

1. Before the establishment of Kedougou as a separate region in 2008, the Region of Tambacounda was the largest region in Senegal. In 2004, the Region of Tambacounda included 35 rural communities (the most-local scale of local government) operating at the scale of 1463 villages.
2. The project's name derives from its adopted Mandika motto: 'Wula Nafaa ani Famaya' (Power and Benefit of the Forest).
3. After Independence, Senegalese territories were classified into four development zones: protected zones, urban zones, pioneer zones and *terroir* zones. The *terroir* zones, under the jurisdiction of rural community councils, were areas designated primarily for agricultural production. Before decentralisation, Forestry Department was the sole authority mandated with the management of forests in these areas.
4. The Forestry Law of 1998 and its application decrees put considerable emphasis on commercial exploitation. This is illustrated by the fact that the majority of the articles and an entire Section (Titre II) of the Law were dedicated to this issue.
5. There has been another reform of local government in Senegal since this research was conducted. The new decentralisation law (Law No. 2013-10 of 28 December 2013 on Local Government) has established Departments as new administrative units replacing the regions. The current article focuses on the period preceding the establishment of departments. This new reform, which increased the number of mid-level elected local governments, aim also at increasing the 'competitiveness' and efficiency of local authorities especially in the field of sustainable development; and thus, promises to have interesting implications for sub-national representation in Forestry in Senegal.
6. One of the limitations of this view is that elections can also produce representatives that are not accountable to their

electorate but to political party leadership and/or to 'customary authorities' (Agrawal & Ribot 1999; Beck 2001; Stokke & Selboe 2009). Thus, 'free and fair' elections are a necessary but *not sufficient* mechanism for accountability.

7. During 1996, a total of 6 laws and 24 decrees were adopted. The main Local Government Codes consists of Laws 96-06 and 96-07 of March 1996.
8. Unlike political decentralisation, de-concentration refers to the scaling down of powers within the administrative hierarchy rather than to elected councils of local governments.
9. Due to the importance given to the region, this last wave of decentralisation came also to be known as the reform of regionalisation.
10. Law 96-06 (Articles 15, 17, 71, 179, 239).
11. The cooperation agreements were akin to administrative contracts, as the central state administration or its de-concentrated branches were necessary parties.
12. The parties involved (the central and de-concentrated state institutions and the elected councils) were expected to deliberate and decide on the contend, scope and purpose of this 'framework.'
13. In French the term *compétence* has multiple meanings. It can refer to jurisdiction/power and recognised ability and experience in a particular area. Therefore, its usage in legal texts allows the interpretation that technical capacity as constituting the basis of jurisdiction/power. I thank Jesse Ribot for drawing my attention to this.
14. Decentralisation laws put the condition of management plan approved by the 'competent state' authority as a condition for the rural councils to be able to commercially exploit terroir forests (Law 96-07, Art 7, 30 and Law 98-164, Art. R9, R11 and R14).
15. Through charcoal exploitation quota, the Forestry Department can decide where, how much and by whom the production would take place. The elimination of national charcoal quota was central for the project's outcome of liberalisation. However, as the Forestry Department was against such measure, the project argued that the elimination of quota was 'neither necessary nor a positive result on its own.'
16. The project's organisation reflected a business model based on sub-contracting different components to different private firms and companies.
17. After conducting 'value-chain' studies of 49 potential commodities, the project determined those that were most likely to be profitable on the market.
18. The *Groupement d'Intérêt Économique* (Economic Interest Groups), regulated by the Commercial Codes, are formed on 'voluntary basis' by at least two people that share a common commercial goal.
19. A buffer zone of 1 km was established around the National Park when the Park became a World Heritage Site of UNESCO in 1980.
20. According to the Forestry Code the rural councils have to pass a memorandum of understanding *(protocole d'accord)* with the Forestry Service to co-manage parts of the gazetted forests.
21. The rural council of Dialakoto at the time had two councillors from the villages included into the management of the reserve.
22. Article 13 of Law 96-07.
23. Following the hierarchical 'pyramid' of planning, rural community-level plans are supposed to be in conformity with the regional plans, and the regional plans had to fit into the national level plans.
24. These roles were defined in Decree in 1998 (Decree 98-399).
25. Even though the rural and urban councils are required to contribute to the budget of ARDs, given the limited resources available to them, most of the funding for the budget comes from international donors.
26. In 2008, a new Decree (Decree 2008-517) removed this 'technical commission' however, put the ARDs under the administrative oversight of the Governor.
27. Article 28 of Law 96-07 (Local Government Code), Article 66 of Law 98-164 (Forestry Code).
28. The absenteeism of rural councils can also be related to the failure to be informed or invited (Ribot 2009).
29. Due to these tensions, a team of experts from the United States Forestry Department were dispatched to propose a methodology for management plans and to mediate between the project and the Forestry Department.
30. These tensions would only be solved in 2007 when the project would be also put under the authority of the Forestry Service.

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Received: July 2016; **Accepted**: June 2017