Land and resource governance in pastoralist systems: It’s not all about boundaries and property rights

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Land and natural resource governance interventions for pastoralists

Influenced by mainstream thinking on property rights, CBNRM, and commons:

• Ostrom design principle no. 1: clearly defined resource and social group boundaries

• Open access is to be avoided
Simple commons mosaic landscape
Simple multi-tenure mosaic landscape
But many traditional pastoralist systems don’t conform to mainstream thinking

- Spatio-temporal variability in rainfall and forage compels mobility

- Traditional pastoralist governance systems characterized by:
  - fuzzy and flexible group and territorial boundaries
  - emphasis on access rather than exclusion
  - in some pastoralist systems open access is not lack of rules, open access *is* the rule (Moritz, 2016)
The paradox of pastoral tenure:

• Interventions to secure tenure tend to reduce the social and spatial flexibility that are inherent characteristics of pastoralist systems

- Fernández-Giménez (2002)
## Comparison of four cases in Ethiopia and Kenya

<table>
<thead>
<tr>
<th></th>
<th>Dirre</th>
<th>Garba Tula</th>
<th>Gomole</th>
<th>Il’Ngwesi</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Area</strong></td>
<td>728,762 ha</td>
<td>981,900 ha</td>
<td>695,300 ha</td>
<td>9,296 ha</td>
</tr>
<tr>
<td><strong>Security of tenure</strong></td>
<td>Weak</td>
<td>Weak</td>
<td>Weak</td>
<td>Secure</td>
</tr>
<tr>
<td><strong>Governance type</strong></td>
<td>Collaborative</td>
<td>Community</td>
<td>Community</td>
<td>Community</td>
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<tr>
<td><strong>Multi-level planning</strong></td>
<td>Planning done primarily at rangeland unit level; then further planning and monitoring at lower levels</td>
<td>Planning done at landscape level and lower levels is integrated in an ad hoc way</td>
<td>Planning mostly done above and below Rangeland unit level</td>
<td>Planning done primarily at rangeland unit level; then further planning and monitoring at lower levels</td>
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</tbody>
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All four communities faced similar challenges

• Not from internal governance but challenges horizontally from other communities and vertically from relationships with decision-making at other levels

• Exclusion (“you have nice grass”)

• Competing and contested claims

• Bottom-up impetus for flexibility
<table>
<thead>
<tr>
<th>Resource Density</th>
<th>Spatio-temporal variability</th>
<th>Enforcement transaction costs</th>
</tr>
</thead>
<tbody>
<tr>
<td>High</td>
<td>High</td>
<td>Low</td>
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<tr>
<td>Low</td>
<td>Low</td>
<td>High</td>
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</tbody>
</table>

- **Simple pluriform Mosaics**
- **Complex tenure mosaics**

- **Private Property**
- **Commons**
- **Open Property Regimes**
Characteristics of complex pastoralist tenure mosaics

- Rights unbundled by timing and mode of use, and allocated to different governance mechanisms
- Overlapping rights
- Rights well-defined for some resources, hardly at all for others
- Complex tenure mosaics do not function only through tenure: reliance on governance mechanisms other than tenure
Resolving the Paradox of Pastoral Tenure

A governance system which:

• Unbundles property rights for allocation to different governance mechanisms operating at different scales and levels

• Relies on governance mechanisms other than tenure: negotiation and deliberation, procedural approaches such as land use planning, flexible allocation of access.
References


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