Responsive Forest Governance Initiative (RFGI)
Supporting Resilient Forest Livelihoods
through Local Representation

Resources, Rents, Representation and Resistance

The Struggle for Just Conservation on Mount Kilimanjaro

Martin H. Kijazi

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Responsive Forest Governance Initiative (RFGI)
Research Programme

The Responsive Forest Governance Initiative (RFGI) is a research and training program, focusing on environmental governance in Africa. It is jointly managed by the Council for the Development of Social Sciences Research in Africa (CODESRIA), the International Union for the Conservation of Nature (IUCN) and the University of Illinois at Urbana Champaign (UIUC). It is funded by the Swedish International Development Agency (SIDA). The RFGI activities are focused on 12 countries: Burkina Faso, Cameroon, DR Congo, Ghana, Kenya, Mozambique, Nigeria, Senegal, South Africa, South Sudan, Tanzania, and Uganda. The initiative is also training young, in-country policy researchers in order to build an Africa-wide network of environmental governance analysts.

Nations worldwide have introduced decentralization reforms aspiring to make local government responsive and accountable to the needs and aspirations of citizens so as to improve equity, service delivery and resource management. Natural resources, especially forests, play an important role in these decentralizations since they provide local governments and local people with needed revenue, wealth, and subsistence. Responsive local governments can provide forest resource-dependent populations the flexibility they need to manage, adapt to and remain resilient in their changing environment. RFGI aims to enhance and help institutionalize widespread responsive and accountable local governance processes that reduce vulnerability, enhance local wellbeing, and improve forest management with a special focus on developing safeguards and guidelines to ensure fair and equitable implementation of the Reduced Emissions from Deforestation and Forest Degradation (REDD+) and climate-adaptation interventions.

REDD+ is a global Programme for disbursing funds, primarily to pay national governments of developing countries, to reduce forest carbon emission. REDD+ will require permanent local institutions that can integrate local needs with national and international objectives. The results from RFGI Africa research will be compared with results from collaborators in Asia and South America in order to enhance RFGI comparative scope, and to broaden its geographic policy relevance.

RFGI Working Paper Series Editors' Note

James Murombedzi, Jesse Ribot

and Gretchen Walters

Struggles for control over and access to nature and natural resources; struggles over land, forests, pastures and fisheries, are struggles for survival, self determination, and meaning. Natural resources are central to rural lives and livelihoods: they provide the material resources for survival, security, and freedom. To engage in the world requires assets that enable individuals, households, and communities to act in and on the world around them. The ability to accumulate assets and the ability to access government and market services depends partly on such resources along with the political-economic infrastructure – rights, recourse, representation, markets, and social services – that are the domain of government. Democracy, which both enables and requires the freedom to act, is predicated on these assets and infrastructures. Since the 1980s, African governments have been implementing local government decentralization reforms aimed at making local government more democratic by making them responsive and accountable to citizen needs and aspirations; in many places this has been done through a decentralisation of natural resource governance to local administrations. In order to be responsive to individual, household and community demands, local governments, too, need resources and decision-making powers. There must be a public domain – a set of public resources, such as forests or fisheries, which constitute this domain of democracy, the domain of decisions and services that citizens can demand of government. Natural resources, when decentralized into the domain of local authority, form an important part of the resources of individuals, households, communities and governments, making possible this move toward local democracy.

Natural resources provide local governments and people with wealth and subsistence. While nature is not the only source of rural income, the decentralization of natural resources governance is a core component of local government reform. However, governance reforms have been implemented in a context broadly characterized by an enduring crisis of the Western economic and financial systems, which in turn has stimulated privatization and liberalization in every sphere of life, including nature. The process has deprived local governments of public resources – depriving individuals and communities of a reason to engage, as a powerless government is not worth trying to influence. Privatization is depriving forest-dependent peoples of their access to formerly 'public' or traditionally managed resources. National governments, as well as international bodies such as the United Nations programme, titled the Reducing Emissions from Deforestation and forest Degradation (REDD), further this trend as they collaborate with private interests to promote the privatization of natural resources. The resulting enclosures threaten the wellbeing of resource-dependent populations and the viability of democratic reforms.

The specter of climate change is deepening the crisis of enclosure. A key response to climate change has been the attempt to mitigate greenhouse gas emissions through enhancing the capacity of forests in the developing world to store carbon, ostensibly for the benefit of the atmosphere as well as the communities who use these forests. UN REDD seeks to pay communities, through their national governments, to conserve their forests as carbon storage. A plus '+' was added to REDD, forming REDD+, to call for improved ecosystems services, forest management, conservation, forest restoration and afforestation to enhance the capacity for carbon storage. Designed on the basis of similar payments for environmental services (PES) schemes, REDD+ has the potential to inject vast new sums of money into local resource use and governance. In the context of fragile local governments, nascent democracies and powerful private interests, such cash inflows result in the commercialization and privatization of forests and natural resources and the dispossession of local resource users. This financialization of natural resources grossly diminishes the scope for democratic natural resource governance schemes. To be sure, the implementation of REDD+ can also learn from and avoid the pitfalls experienced in these PES schemes, especially if they represent local interests in natural resource governance decision making.

The Responsive Forest Governance Initiative (RFGI) is an Africa-wide environmental-governance research and training program focusing on enabling responsive and accountable decentralization to strengthen the representation of forest-based rural people in local-government decision making. Since January

2012, the programme has carried out 33 case studies in 12 African countries, with comparative cases Nepal and Peru, to assess the conditions under which central authorities devolve forest management and use decisions to local government, and the conditions that enable local government to engage in sound, equitable and pro-poor forest management. Aimed at enabling local government to play an integrative role in rural development and natural resource management, these case studies are now being finalized and published to elicit public discourse and debate on local government and local democracy. This Working Paper series will publish the RFGI case studies as well as other comparative studies of decentralized natural resources governance in Africa and elsewhere that focus on the interesction between local democracy and natural resource management schemes. Using the concepts of institutional choice and recognition, the cases deal with a comprehensive range of issues in decentralized forest management in the context of REDD+, including the institutional choices of intervening agencies; the effects of such choices on accountability and representation; and the relationships between local government and other local institutions. The series will also include syntheses discussing the main findings of the RFGI research programme.

Based at CODESRIA, and funded by the Swedish International Development Agency (SIDA), the RFGI is a three year collaborative initiative of CODESRIA, the University of Illinois at Urbana-Champaign (UIUC) and the International Union for Conservation of Nature (IUCN). RFGI working papers and documents, including the background papers, the RFGI programme description, and the RFGI Methods Handbook, can be found on line at:

- http://www.codesria.org/spip.php,
- https://www.iucn.org/about/work/programmes/forest/fp_our_work/
  fp_our_work_thematic/locally_controlled_forests/lcf_projects_partnership/
  responsive_forest_governance_initiative__rfgi__/
- https://sdep.earth.illinois.edu/programs/democracyenvironment.aspx

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CODESRIA

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IUCN

The Council for the Development of Social Science Research in Africa (CODESRIA) is an independent organisation whose principal objectives are to facilitate research, promote research-based publishing and create multiple forums geared towards the exchange of views and information among African researchers. All these are aimed at reducing the fragmentation of research in the continent through the creation of thematic research networks that cut across linguistic and regional boundaries.

CODESRIA publishes *Africa Development*, the longest standing Africa based social science journal; Afrika Zamani, a journal of history; the *African Sociological Review; the African Journal of International Affairs; Africa Review of Books and the Journal of Higher Education in Africa*. The Council also co-publishes the Africa Media Review; Identity, Culture and Politics: An Afro-Asian Dialogue; *The African Anthropologist and the Afro-Arab Selections for Social Sciences*. The results of its research and other activities are also disseminated through its Working Paper Series, Green Book Series, Monograph Series, Book Series, Policy Briefs and the CODESRIA Bulletin. Select CODESRIA publications are also accessible online at www.codesria.org.

Contents

About the Author

Martin Kijazi has a PhD, from the University of Toronto, where he was also a sessional lecturer in Human Dimensions of Global Forests. Currently Martin is an Independent Research Contractor. His current research interests include studying impacts of global and national economic and environmental governance regimes on local communities' economic welfare, capabilities to adapt and democratic representation. He has recently worked as a Multi-level Governance research contractor with the Center for International Forestry Research (CIFOR) on Reduced Emissions from Deforestation and Forest Degradation (REDD). He has completed similar work for the Responsive Forest Governance Initiative of the Council for the Development of Social Science in Africa (CODESRIA), University of Illinois at Urbana Champaign, and International Union for Conservation of Nature (IUCN). He also has a short research engagement on carbon forestry with the Institute of Development Studies, University of Sussex (UK). As a grantee of the Center for International Governance Initiative (CIGI), Waterloo, Canada, Martin has also conducted research on the effects of climate forestry interventions on local forest governance, particularly local institutions and local democracy. His research is intended to enhance our understanding of how global and national economic and environmental regimes particularly policies of donors, NGOs and national governments can be tailored better to achieve outcomes that are also representative of local people's needs and aspirations.

Acknowledgements

Abstract

International conservation agencies are influencing conservation in the global south via alliances with governments and/or conservation agencies. These alliances are providing governments and conservation groups with conservation funds, discourse, technology, techniques, and legitimacy. These are the instruments with which national and sub-national actors are attaining control over valuable conservation resources. On Mount Kilimanjaro that control takes the form of 'fortress conservation' – preservation of wildlife and habitat through forceful exclusion of local people from an environment that has traditionally provided for their livelihoods. This article shows how the Government of Tanzania and a strong conservation lobby used a discourse on protecting a World Heritage Site as a pretext for establishing fortress conservation in order to control and charge rents on valuable resources on Mount Kilimanjaro. Central government has taken forests from the jurisdiction of Tanzania's deconcentrated Forest Authority and decentralized democratic Local Governments, and given them to the parastatal Kilimanjaro National Park Authority. This shift replaces previous participatory forest management with anti-poaching and paramilitarized conservation. It has disenfranchised villagers from decision making and taken away their forest user rights and conservation benefits. Without representation, local people have no legal recourse to contest changes in access to the resource or rents. Local resistance has arisen in response. Through conservation that promotes wilderness protection without demanding and/or enforcing protection of rights and representation of the local populations, international conservation agencies have legitimated state coercion and generated resistance in response. In the process divisions and rivalries have emerged among state agencies and within and among local communities. The paper suggests that conservationists may achieve socially just and peaceful conservation by incorporating local democratic representation – as a matter of justice, a matter of rural emancipation, and a practical basis for attaining their stated conservation goals in a socially sustainable manner.

1

Introduction

> In my entire life I have never seen this use of force to protect a forest […] Even the colonial government was better, because it gave us the half-mile-forest for our subsistence uses (Mallya, villager on Mount Kilimanjaro, interviewed in October 2012).

The above quoted ninety-year-old Mallya laments the villagers' struggle for forest access against state attempts to preserve the beauty Hemmingway (1961) framed: 'As wide as the entire world, great, high, and unbelievably white in the sun, was the square top of Mount Kilimanjaro'. This foreigner's vision of an 'exotic' place is unlike that of a villager like Mallya, struggling to carve out a living on the slopes of Mount Kilimanjaro. But it is the one that Tanzanian state officials and safari profiteers promote to attract tourist dollars. In New York in October 2007 Tanzania's President Kikwete launched a TV promotion titled: *Tanzania: Land of Kilimanjaro, Zanzibar and The Serengeti*. This branding has already been echoed across the internet by safari promoters. Multitudes are drawn to Mount Kilimanjaro. Annual tourist numbers peaked at 57,456 in 2011/2012 (TANAPA 2014).

One day in September 2009, ascending tourists had an unscheduled encounter at the Mweka exit gate. Villagers had dug a trench across the road to create a blockade to protest against the fatal forest shooting of a villager by a park ranger. By disrupting tourism, villagers wanted to hurt their government, hoping to make it listen. They were demanding accountability.

This encounter was only a small visible moment in the villagers' struggle. 'Fortress conservation' (see Brockington 2002) is being used to preserve wildlife and their habitat through forceful exclusion of local people from an environment that has traditionally provided for their livelihoods. The recent expansion of Mount Kilimanjaro national park in 2005 (an estimated 143% increase area-wise), and attendant coercion of the local people mirrors a broader pattern. With over

30% of its landmass protected, Tanzania has the largest protected area in Africa: absolutely, and relative to its landmass (Brockington *et al.* 2008). Expansion of Tanzania's conservation estate contrasts with observed protected area downgrading, downsizing, and degazettement (PADDD) in Africa, Asia, and Latin America (Mascia *et al.* 2014). Tanzania's 'fortress conservation' is being met by villagers' resistance. In my thesis, resistance is emerging from the lack of representation in the struggle for resources and rents. Rivalry over resources and rents are shaping the social dynamics of the conservation estate. The conservation estate's coercive apparatus operates by excluding its rivals – in this case rural forest-dependent people. The excluded masses are resisting, disobeying conservation rules. Nevertheless, the struggle is not merely between the state and local communities. It is also manifest amongst state agencies, and within and between communities.

In 1961, independent Tanganyika (now mainland Tanzania) inherited a large colonial conservation estate. But current expansion reflects state interests including safari revenues and a powerful international conservation lobby (Brockington *et al.* 2008), particularly given that Tanzania has sites that are globally emblematic of wildlife conservation: Mount Kilimanjaro, the Serengeti, Ngorongoro, Selous, etc. Films such as Bernhard Grzimek's (1959) 'Serengeti Shall Not Die' (German: *Serengeti darf nicht sterben*) pioneered the idea. Currently, Tanzanian leadership is propagating Tanzania as a conservation haven. Yet, this conservation often involves the coercion and exclusion of local people (cf. Peluso 1993; Brockington *et al.* 2008; Benjaminsen *et al.* 2013).

The scholarly debate is polarized. Despite some consensus about local community rights, some conservation biologists advocate for strict preservation of biodiversity-rich regions (Terborgh 1999; Oates 1999; Sanderson and Redford 2004). However, many social scientists or development scholars advocate for people-oriented conservation, considering local people's needs and interests (Peluso 1993; Ghimire and Pimbert 1997; Brayant 1997; Neumann 1998). This, in contemporary governance, requires democratic decentralization of natural resource management – involving significant transfer of discretionary decision powers and resources to local elected authorities (Ribot 2011). After decades of state control, Tanzania is now considered to be advanced in forest decentralization (Alden-Wily and Dewees 2001; Blomley and Ramadhani 2006). Enabling laws include the Local Government Act (URT 1982), the Land and Village Land Act (URT 1999) and the Forest Act (2002). The latter prescribes for Community Based Forest Management (CBFM), and Joint Forest Management (JFM) between state and communities. There are also exemplary initiatives of CBFM such as the widely cited case of Duru-Haitemba.

Despite *de jure* decentralization, however, states may maintain *de facto* centralized control while proclaiming participation (Ribot *et al.* 2006). In Tanzania, the 'well developed local democratic structure' has been observed to lack a 'culture of democracy' in practice (Brockington *et al.* 2008). The Mount Kilimanjaro case, herein, shows that earlier forest decentralization to local authorities was circumvented by the state's bureaucratic control, and subsequently reversed by reclassification of forest subject to decentralization into a protected area. Proponents of decentralization need to understand such politics of state resistance to decentralize, for anticipatory policy interventions.

Despite decentralization reforms globally, political decentralization involving significant transfer of powers and resources to local governments is rare (Ribot 2011). This is particularly so when forests have great productive and environmental values or great revenue to the state, and/or rent-seeking opportunities for state actors (cf. Nelson and Agrawal 2008; Benjaminsen *et al.* 2013). The Mount Kilimanjaro case supports these claims. Often participatory rhetoric serves only to impose on local communities the instrumental view of (and technical approach to) conservation, and to give state bureaucrats and conservationists legitimacy. This is different from democratic decentralization, which, according to Ribot *et al.* (2010), would be about including whole populations in decision making based on representative authority.

State violence and coercion in conservation goes back to colonial times (Peluso 1993; Neumann 1998). Coercion has periodically been contested by more people-focused approaches (Ghimire and Pimbert 1997). But in some countries, including Tanzania, we are seeing a resurgence of fortress approaches (cf. Brockington 2002; Brockington *et al.* 2008; Beymer-Farris and Bassett 2011; Benjaminsen *et al.* 2013). This is partly attributable to state attempts to assert control of valuable land/resources vis-a-vis decentralization and local people's land rights movements. Also biodiversity, carbon and other claimed global concerns increase the financial value of conservation e.g. through tourism and carbon revenues.

In this study I examine new forms of exclusions created by fortress approaches. I simultaneously examine forms of inclusion they take away, particularly 'democratic representation' (*à la* Ribot 2011). I locate these analyses in a novel contemporary context of natural resource decentralization politics. Democratic representation in policy requires voice and sanction, which are the means of accountability that can guide and discipline strong, capable and responsive government. In this context, democracy is defined as 'government that is responsive and accountable to the people' (Ribot 2011:5). These two mechanisms, responsiveness and accountability, connect the citizens and governing authorities, defining representation.

Accountability concerns how people exercise powers to sanction, reward or punish leaders and authorities for their decisions and actions. Responsiveness is when leaders and authorities possess and exercise powers to translate public signals (regarding citizen views, perspectives, interests, needs, etc.) into policies and practice (Ribot 2011:5). I explore the effects of fortress conservation on local responsiveness and accountability relations.

When authorities are unaccountable through institutionalized means, people may resort to resistance and rebellion (Ribot 2004). On Mount Kilimanjaro, given state coercion and park ranger's violence, local people bear great conservation burdens without matching benefits. Yet they cannot hold accountable the para-statal agencies that have been entrusted with forest management. Hence they resort to resistance. Occasionally they resist overtly as in the foresaid blockade. However, habitually their 'weapons of the weak' (à la Scott 1985) are covert resistance in what one villager called a '*cat and rat game*'. Local resistance, I argue, is a key indicator of the lack of accountability. As Peluso (1992) observed, resistance corresponds to forms of domination (exclusion and coercion). Thus, this paper also highlights resistance on Mount Kilimanjaro, as generated by and reflecting the breakdown of representation.

Given the role of high-level organizations (government, donors, NGOs) in determining who uses and manages local natural resources on Mount Kilimanjaro, I examine how these organizations choose local interlocutors and how these choices are translated into local practice (*à la* Ribot 2011). This article examines the effects of the park expansion on the representation of local people in Moshi Rural district on Kilimanjaro. I studied the decisions and choices of high-level actors who designed and/or executed recent (last decade) conservation interventions on Mount Kilimanjaro. I also undertook ethnographic work on the culture and practice of some less-privileged local groups. The article answers the following: who did the park expansion proponents partner with locally? What powers were transferred to whom? What changes in law and practice have taken place? What are the effects of these changes on local people's democratic representation including inclusion in conservation?

The study shows that local governments were disenfranchised from their forest resources and decision powers because fortress conservation halted representation of villagers' needs in forestry and took away villagers' legal powers to sanction forestry authorities. Without means of accountability, park rangers' violence against villagers led to local resistance. The study also found that while excluding local villagers, the park service does not exclude the major degraders of the environment, such as elite illegal loggers. Thus they divide the villages into

benefiting elites and disenfranchised peasant farmers. Some previous research also shows a similar dynamic (Peluso 1992, 1993; Neumann 1998; Brockington 2002). But this research presents some novel findings on how and why these patterns are being reconfigured by the state response to contemporary decentralization and local people's demands for rights, and global environmental concerns, whereby the older fortress conservation and contemporary 'Green Developmentalism' interlock.

I observe that neoliberal conservation is also enhancing the dispossession of local communities by making local environments more valuable on the global market, prompting their strict protection for global buyers (e.g. tourists) at the expense of local resource users (see also Garland 2006; Benjaminsen *et al.* 2013). On Mount Kilimanjaro, I observe '*Green developmentalism*', defined by McAfee (1999) as a supranational institutional approach to regulate and finance global flows of natural capital via international trade in ecosystem services, pollution permits, tourism, research sites, and intellectual property rights. On Kilimanjaro, the United Nations Development Programme (UNDP) and the Global Environmental Facility (GEF) green development agendas have merged with the state's paternalism (see next section) and fortress conservation. The alliance provided the parastatal Tanzania National Park Authority (TANAPA) with conservation resources – particularly research and conservation funds. It has also availed this authority discursive power, i.e., the ability to propagate its fortress conservation discourse. The alliance also lobbied the central government. The latter changed the law in favour of annexing Mount Kilimanjaro forests into the national park in 2005. This availed TANAPA with the legislative legitimacy to expropriate the forests and exclude local people. These changes reversed participatory forest governance.

The remaining sections include a review of key concepts related to the thesis of this research; a description of the methods; historical and institutional contexts of the case study; the forest annexation intervention; the park expansion discourse, changes in institutions and practice; the effect of these choices on local democratic representation; and conclusions.

2

Rents and Forest Governance

In classical usage 'rent' is the income derived from the ownership of resources (e.g. forests) in fixed supply. Currently, rent means the difference between the total return on a factor of production (land, labour, or capital) and its supply price (cf. Krueger 1974; Tullock 1967, 1993; Boulding 2013). Forests present considerable rents from 'legally' and 'illegally' extracted products such as valuable timbers. Rents multiply as forests also become valued for tourism, carbon, etc., as well as livelihood resources. Rivalry may lead to coercive exclusion of the less powerful actors.

'Rent seeking' occurs when people try to obtain benefits for themselves through the political arena: e.g. lobbying to get a subsidy for a good they produce, or getting a special regulation that hampers their competitors (cf. Krueger 1974; Tullock 1967, 1993; Boulding 2013). Lobbying wastes resources in the competition for preferential treatment (Lambsdorff 2002). This research shows a much worse effect of conservationists' lobbying culture. Such lobbies seek law changes in favour of wilderness preservation interests at the expense of local resource users' interests. Hence, it promotes exclusion and obstructs democratic representation. Rent-seeking also includes corruption, which is much worse because it involves a narrower range of interests than those of competitive lobbying (Lambsdorff 2002). Likewise, Thompson (1993) argues that corruption is bad because it privatizes valuable aspects of public life, bypassing processes of representation, debate and choice. This study shows that, similarly, state paternalism and state actors' patronage and rent seeking undermine representation, public policy debate and inclusive public choices.

Paternalism means 'interference with others' autonomy justified by reasons referring to their welfare, good, happiness, needs, interests, or values' (Goodell *et al.* 1985). The discourse to annex Mount Kilimanjaro's forests invokes paternalistic benevolence and authoritarian paternalism justified along with public interests (see TANAPA 2001;

TANAPA and IRA-UD 2002): it casts local people as incapable of governing forests, whilst maintaining the state as the benevolent protector of forests and distributor of benefits thereof. So it has justified state expropriation of the forests and coercion of local people via para-military anti-poaching patrols, replacing participatory management.

Alongside state paternalism were private rent interests. Neo-patrimonial governance allows officeholders to appropriate public resources for private use via patronage and rent seeking. This too prevents effective devolution in natural resources governance (Nelson and Agrawal 2008; Benjaminsen *et al.* 2013). On Mount Kilimanjaro this study illustrates the elite networks of illegal logging and other forms of corruption.

Both patronage and paternalism are non-representative governance forms, which are not accountable to the broader citizenry. Patronage negates democratic representation by serving only the interests of the patron and their clients, while excluding the interests of the broader citizenry (c.f. Benjaminsen *et al.* 2013). Similarly, paternalism interferes with subjects' autonomy, negating the rule of law - which is the basis for civil society - through its erosion of human rights, legal guarantees of social equality, and democratic rights, or the rights of an active citizenship (Demenchonok 2009:281). It resembles benign dictatorship, which makes people 'subjects' rather than citizens (see Mamdani 1996). Citizenship is the ability to be politically engaged and shape the fate of the public polity in which one is involved, including the ability to hold public leaders accountable. Those under the rule of a public authority but without the ability to influence that authority are called 'subjects' (Ribot 2011:iv, following Mamdani 1996). Likewise, paternalism of state environmental preservation creates local environmental subjects rather than local citizens.

The forest annexation reclassified two forest types: the central government catchment forest previously managed by the deconcentrated South Kilimanjaro Catchment Forest Authority (SKCFA); then the local government half-mile-forest previously managed by districts councils. Both are currently under Tanzania National Parks Authority (TANAPA)'s interlocutor Kilimanjaro National Park Authority (KINAPA). These interventions are analyzed in this study. Despite Tanzania's much stronger provisions of Community Based Forest Management (CBFM), I use Joint Forest Management (JFM) as a reference. This is because JFM was the *de facto* institutional arrangement for the Mount Kilimanjaro forest reserve prior to the forest annexation. Hence, it is more relevant for the Before-and-After intervention (i.e. forest annexation) analysis. However, JFM is placed in the broader context of decentralization and Participatory Forest Management, which also includes CBFM.

3

Methods

The selection of villages for systematic ethnography/interviews and surveys was based on cluster sampling. This involved a random selection of wards (clusters) from a list of wards that border the Mount Kilimanjaro forest reserve. Then sample/representative villages were selected from these wards. The core site was in Moshi Rural District, and included three focal villages selected in Kibosho East Ward. Data triangulation was completed in similarly sampled eight villages from two chosen wards in each of Moshi Rural, Rombo, Hai, and Siha districts, which all border the Mount Kilimanjaro forest reserve. Other villages were visited for additional information based on snowball sampling from ethnography and interviews in the core research site. Mixed methods were used for data: discourse and institutional analysis; participatory appraisal from June to July 2012 followed by nine months between November 2012 and February 2014 of social surveys and ethnography involving participant observation and key informant interviews. One hundred and seventy-five respondents were involved. This included a sample of thirty local government and intervention leaders interviewed at district, ward, village and hamlet level. Key informants were sampled by snowball sampling of fifteen knowledgeable informers and twenty alleged victims of park violence. Institutional level sampling was purposive with five officials at the park headquarters, five from the Kilimanjaro Regional Office and ten from other stakeholders. Data analysis involved thematic aggregation of response and/or ranking using the Borda Count Rule (Borda 1781) axiomatized by Fine and Fine (1974), and empirically demonstrated (Kijazi and Kant 2010). Content analysis of responses and direct quotes are also presented. Respondents' names have been changed to protect their identities except for public officials (unless they requested anonymity).

4

Setting of the Study Site and History of Forest Resource Access

Mount Kilimanjaro is located in northeast Tanzania. Its tremendous water catchment (high rainfall on extensive forests) supply domestic, industrial, irrigation, fishing and hydro-power schemes, which are all major sources of public and private rents. Its ecosystems harbour abundant biodiversity including recorded 2,500 plants and 140 mammal species (Lambrecht *et al.* 2002), giving it considerable national and international conservation significance. The local Chagga people use their vegetation environment extensively, including for agricultural and domestic foraging, and ethno-medicines. One hundred and seventy-two medicinal plants were recorded in the Old Moshi alone (Lambrecht *et al.* 2002). The Chagga have transformed portions of the forests into an agro-forestry system ['Chagga-home-gardens'/Chagga: vihamba pr./ kihamba sing.]. They have also created extensive irrigation channels to deliver forest water into their vihamba (Johnston 1886). To date many Chagga and their stall-fed livestock still inhabit the nucleus of their vihamba. Their livelihoods, being intricately linked to the forests, have created rivalry with the state's conservation and the economic interests of the Mount Kilimanjaro forests (see TANAPA 2001). As subsequent analyses will show, the annexation of Mount Kilimanjaro forests has altered the resource and rent distributions. That is, the kind of forest resources the agrarian local populations are able to extract from the forests around them e.g. subsistence products like building materials, firewood, etc. and also forest rents e.g. local government forest user fees and fines, and individual profits from extracting charcoal, honey, etc. This is vis-à-vis the state's and the state elite's expropriation of forest benefits after the park expansion.

The recent park expansion continues the land alienation started in the late 1800s in Tanganyika, which was then part of the *Deutsch-Ostafrika* (German East Africa) colony.

Large tracts of Mount Kilimanjaro lowlands were granted by German rulers to European settlers. Simultaneously upper-slope forests were reserved, save for European recreation and hunting. The 1904 German-rule Forest Conservation Ordinance declared Mount Kilimanjaro a game reserve. Neumann wrote,

> The effect of German forest laws on existing African access and use was direct and immediate: 'Under Teutonic discipline (which included corporal punishment and confinement in chains), all African settlement, cultivation, burning, and grazing was outlawed in designated forest reserves' (Neumann 1998:99).

The German rule ended with World War I. The succeeding British rulers gazetted the Mount Kilimanjaro forest reserve in 1921. Given hardships created by colonial forest annexation, *Chagga* chiefs negotiated with British rulers. A buffer zone called the 'half-mile-forest' was demarcated on the forest reserve in 1941 to support local livelihoods. The *Chagga* Council of Chiefs managed this forest for 20 years balancing forest use with replanting, and maintaining a healthier condition than in the state reserve (Kivumbi and Newmark 1991). Mainland Tanzania/Tanganyika became independent in 1961. Following the abolition of chiefdoms ('native authorities') in 1962, the half-mile-forest was managed by Moshi, Rombo and Hai District Councils. After abolition of Local Governments in 1972, it was managed by the central government. In 1987 it was returned to the re-established District Councils. Throughout this period the Mount Kilimanjaro forest reserve (apart from the half-mile-forest) remained under the central government, which reclassified the area above the main tree line (2,700 metres) of this forest reserve in 1973 to form a National Park (75,353 ha), surrounded by this Forest Reserve (107,828 ha).

Before 2005 only the National Park above the tree line was under the Kilimanjaro National Park Authority (KINAPA). The Forest Reserve was under a deconcentrated authority namely the South Kilimanjaro Catchment Forest Authority. The latter had initiated Joint Forest Management (JFM) with local governments (Akitanda 2002). The Mount Kilimanjaro National Park had been registered as a World Heritage site in 1987 (UNESCO-WHC 1987). Promoting world heritage status was subsequently used by TANAPA to justify annexing the Mount Kilimanjaro forest reserve into the park (TANAPA 2001), which was accomplished in 2005. This was effectively a reversal of JFM.

Local Governments and Forestry Decentralization in Tanzania

The Tanzania Local Government Act of 1982 constructed the local government as District Councils and Village Councils constituted of elected councillors. The village (*kijiji*) is the main socio-legal construct for community forestry via its elected

government – the Village Council. This Council is an independent legal entity able to sue and be sued, hold property and enter into contractual arrangements. It also has executive and legislative powers. The Village Council acts on behalf of its electorate – the Village Assembly, which is the supreme authority in the community on all matters of village policy making (URT 1982). However, from colonial times through independence, forest management in Tanzania was centralized. This led to great inefficiencies, red tape, corruption, exclusion of local people, and forest degradation (URT 1998; MNRT 2003).

Decentralization gave local governments powers to manage local forests save for state forests. Decentralization reforms included the Villagization Policy of 1975, the Local Government Act of 1982 and the Land Act and Village Land Act of 1999. In 1994 and 1998 pilot Community Based Forest Management and Joint Forest Management projects were started, respectively. The CBFM and JFM were formalized in the new National Forest Policy (URT 1998) and Forest Act (URT 2002). Under CBFM, *de jure*, a village council can own and manage forests declared by village and district government as a Village Forest Reserve (VFR), surveyed and registered as per the Village Land Act (1999). JFM *de jure* divides forest management responsibility and returns between government (central or local) and communities for state or local government forests except national parks. Administratively, Participatory Forest Management (CBFM and JFM) are linked to the District Council via the District Natural Resource Management Officer. Village Natural Resource Management Committees manage village forests on behalf of Village Councils.

The state's forests are managed by the central government foresters, within the Ministry of Natural Resources. Under JFM, state foresters can manage such forests jointly with local governments, via jointly prepared management plans and by-laws that define permitted and banned forest activities in the forest reserves and specify sanctions for non-compliance. This was the case for the Mount Kilimanjaro catchment forest reserve prior to annexation into the park. The annexation curtailed JFM by law.

Forestry Decentralization on Mount Kilimanjaro

Since 1987, three District Governments – Moshi rural, Rombo, and Hai – have governed the half-mile-forest, with discretionary powers to make and enforce by-laws, and to collect and spend revenue. Subsequently, the Joint Management Agreements allowed District and Village Councils to co-manage the state forest reserve with the deconcentrated State's South Kilimanjaro Catchment Forest Authority. Before the park expansion, the discretionary powers that the local councils enjoyed in the half-mile-forest were not affected by JFM. JFM only extended the powers of the district councils in

question to co-manage the state forests. The councils' powers were, however, much more restricted in managing the state forest reserve under JFM compared to their complete autonomy in managing the half-mile-forest. Regarding JFM, Akitanda (2002) reports: by 2002, in the Kilimanjaro region, 20 village by-laws had been approved towards the target of 63. Also, 44 Joint Management Agreements had been approved towards the target of 63. Documents analysis and interviews show that by-laws defined permitted and unpermitted uses and fines for infringements. Villagers freely accessed the forest for subsistence uses such as firewood and livestock fodder. Irrigation water from forests via traditional irrigation canals was regulated by traditional water governors (*wamfyongo*). The *Wamfyongo* had autonomy to fine users who infringed water use rules, and to send canal maintenance crews into the forest.

Commercial forest uses, e.g. timber or camping required permits with rents as logging or campsite fees due to the local government or the South Kilimanjaro Catchment Forest Authority for respective forests. At the time, across Tanzania there was no formal formula for JFM revenue sharing between the state and local governments/communities (MNRT 2003). On Mount Kilimanjaro, the village governments collected rents as forest user fees (e.g. for building materials) and forest fines for captured illegally harvested products. The former were payable to the district councils, the latter to the village councils. In contrast, the Kilimanjaro National Park Authority was already the biggest collector of rents, as tourists' park gate fees. Tanzania National Park Authority retains revenue after paying corporate taxes to the state treasury. In addition to huge tourist revenue, the forest annexation has now allowed the Park Authority to have exclusive control of all the Mount Kilimanjaro forest resources.

JFM increased administrative decentralization/deconcentration – i.e. the state ceded administrative powers to districts and/or villages. Nevertheless without political decentralization (or devolution), involving significant transfer of powers and resources to local governments, villagers could only propose by-laws. This encouraged top-down control by the approvers of these by-laws namely the Catchment Forestry Authority and the District Councils. Communities had more responsibilities (e.g. forest patrols) but meagre revenue from forest fines. Their incentive was the power to give villagers forest access. But forest user rights were without secure property rights/tenure. This loophole facilitated the subsequent alienation of their half-mile-forest.

5

Analysis of the Forest Reclassification for Park Expansion Discourse

Before the park expansion, competing discourses were promoted by rival institutions in the Ministry of Natural Resources viz. Forestry and Bee-Keeping Division and National Parks Authority. The former and its interlocutor the South Kilimanjaro Catchment Authority (SKCFA) (collectively 'the Forestry Authority', henceforth) argued for more inclusive governance. A document authored by the SKCFA manager reported:

> They [the South Kilimanjaro Catchment Forest Authority] stipulate collaboration with local communities adjacent to catchment forests through Joint Forest Management Agreements in order to guarantee sustainable management and reduction of forest management costs through sharing of benefits and responsibilities…[and] … to facilitate community based conservation and devolution of power to local and district authorities (Akitanda 2002:3).

Another study commissioned by the Division of Forestry and Beekeeping stated that:

> The ministry should look into the possibility of capturing greater forest gate receipts from the Kilimanjaro catchment forest reserve for the purpose of developing Joint Forest Management in the area (MNRT 2003:iv).

The Tanzania National Parks Authority (TANAPA) and its interlocutor the Kilimanjaro National Parks Authority (KINAPA) (collectively 'the Park Authority', henceforth) argued the opposite. In their proposal to annex Mount Kilimanjaro forests into the park, the Park Authority argued:

> If annexation of the catchment forests will not be done, local people will continue to have uninterrupted access to the catchment to obtain forest products. This

will produce a false sense of security in the short term… In the longer term the forest and its catchment values will decline. This will have a local, regional and international damage to the World Heritage site. E.g. Tourism activities may be impaired (TANAPA 2001:36).

Their discourse vilified Joint Forest Management Agreements (JFMAs). Instead, it proposed annexing the forest to the park, and heightening para-military anti-poaching patrols (TANAPA 2001; TANAPA and IRA-UD 2002). This discourse signifies 'Fortress Conservation'. It paternalistically presumes incompatibility of conservation with local people's forest uses. Thus, it propagates a myth of the 'people-less, unspoiled wildernesses ideal' (Brockington *et al.* 2008).

Despite their historical forest rights, villagers were cast as invaders. Tourism was glamorized, despite its environmental impacts from over-crowding, vehicle pollution, large quantity of rubbish, etc. If local people are fenced out, the proposal remarks:

Tourism and related business will improve significantly at the international, national, and at the local levels as Mt. Kilimanjaro will continue to attract more tourists hence more income generation (TANAPA 2001: 37.)

To consolidate this 'unspoiled wilderness' myth, rival discourses and practices that promoted local inclusions were negated. Another study commissioned by the Park Authority asserts:

Forest Policy advocates for Joint Forest Management. Such initiative has been introduced for Mt Kilimanjaro Forest Reserve. […] This concept works on the basis that once the communities living adjacent to the forest reserve realize some benefits from the forest then it is an incentive for them to actively engage in the management … [but]… their demand for forest product is more commercial rather than subsistence such as logging for extraction of high quality timbers […] this resource extraction is not sustainable. It is on this basis that the proposal of annexing this forest reserve as part of Mt Kilimanjaro National Park is valid (TANAPA and IRA-UD 2002:15-16).

Here, to justify exclusion, villagers' forest livelihood needs are strategically conflated with 'illegal logging'. This is ignoring that illegal logging typically involves the rich, powerful and well connected individuals including government officials, and often involving 'high level corruption' (see MNRT 2003; TRAFFIC 2007). An investigative journalist has written that even after annexing the forests into the park, illegal logging has continued with possible involvement of park officials (Nipashe 16 January 2012). Thus the park expansion has allowed the park elites to exclude rivals (those involved in JFM) in order to have exclusive control of the

rents coming from the forests. The Tanzania National Park Authority argued so strongly for annexation that they included patently false arguments to complete this paternalistic vilification of villagers. They argued that villagers' activities were also blamed for 'melting' Mount Kilimanjaro glaciers (TANAPA 2001:22, 27):

> This rapid retreat of Mt Kilimanjaro ice fields is suggested to be partly attributed to climatic changes globally (warming) but most of it is due to acidification, which is mainly due to clearance of the vegetation on Mt. Kilimanjaro feet [sic.].

Here the complexity of climate change science, and multiple drivers of change are ignored, and the blame is cast on local people. Also, the discourse used shows how science is selectively (even falsely) mobilised in governance. Contrary to the simplistic and selective use of science by TANAPA, even now there is no scientific consensus on glacier loss. Some scientists emphasize the role of global climate change (e.g. Thompson et. al. 2009). Others speculate on the role of local land use changes (Pepin *et al.* 2010:73). Yet even the latter admit,

> We also do not have direct measurement of the influence of local land-use change, such as deforestation, on a micro-scale (at a given elevation). Therefore we cannot claim that deforestation has occurred or that this has decreased moisture availability and is the overriding cause of summit ice-field decline [...] We can only claim that, because of the importance of the mountain surface in supplying moisture, it has the potential to do so (Pepin *et al.* 2010:74).

The recent climatologically studies cited are consistent with the lack of scientific consensus that existed during the park expansion discourse. The Park Authority argument (TANAPA 2001:27) depends centrally on speculation. Hastenrath and Greischar (1997)[1] is the only climate study cited therein. Yet neither Hastenrath and Greischar nor other climate studies on Mount Kilimanjaro mention 'acidification', the process TANAPA (2001:27) links to deforestation and glacier loss – suggesting a possible fabrication. Nonetheless, exaggerating impacts of local activities, particularly local people land uses, enabled the Park Authority paternalism to prevail by recommending that after '*annexing the catchment forests to KINAPA […] it is likely that the climatical [sic.] conditions of the area will improve.*' (TANAPA 2001:34).

The attraction of financial resources and ability to capture rents for the central government was a major part of the debate. The Forest Authority had a legal mandate to govern Mount Kilimanjaro's catchment forests. But its revenue generation capacity was questioned. It was financially distressed, with declining funding from the central government, and own meagre revenues. A significant

source of its funding came from Government of Norway grants, but this too was declining (cf. Akitanda 2002). To cut management costs, it deconcentrated some responsibilities to villagers: e.g. conducting forest patrols in exchange for forest benefits via Joint Management Agreements.

Also, to defend its perceived low capacity to generate rents, the Division of Forestry and Bee Keeping commissioned a study on 'Total Economic Value' (MNRT 2003). The study calculated the monitory value of non-timber and ecological forest benefits of Mount Kilimanjaro – e.g. fuel wood, fodder, water, biodiversity, etc. This was intended to show that the worth of the forests was much higher than the direct revenue generated. Hence, Joint Forest Management generated 'hidden' rents that benefit the society which are not directly measurable and accounted for. Based on such broader benefits, the study authors recommended scaling-up Joint Management.

Comparatively, the rival of the Catchment Forest Authority, viz. the Kilimanjaro National Park Authority, generated more direct monetary rents. In the year 2001 alone, 24,775 visitors earned the park US $8,164,945 (6,940,203,250 Tanzania Shillings (TShs)). This was 1,177 times and 525 times the Catchment Forest Authority's own earnings for the years 2000/2001 and 2001/2002 respectively[2]. Currently Mount Kilimanjaro attracts over 35,000 annual visitors, bringing an average annual in-country tourist expenditure of USD 50 million (80 billion TShs) (Tanzania Daily News 14 July 2013). The tourist numbers peaked at 57,456 in 2011/2012 (TANAPA 2014). Large revenues fund a park's administrative costs requiring no subsidies. They also generate significant state rents via corporate tax to the central treasury. The park authority, therefore, used this rent-capture clout to disenfranchise its rival (the forest authority) from the management of Mount Kilimanjaro forests. Further, the Park Authority argued that its greater rents would fund more effective para-militarized anti-poaching patrols to protect Mount Kilimanjaro's World Heritage Site (WHS) (TANAPA 2001).

The WHS advocacy had a common interest with the UNDP/GEF Community Management of Protected Areas for Conservation Trust (COMPACT). Despite its 'community-level approaches' rhetoric, COMPACT's primary goal was to 'add value to existing biodiversity conservation programmes in and around WHS' (COMPACT n.d.). To 'reduce threats to biodiversity attributed to local communities' (ibid.), COMPACT supported the park authority's forest annexation by commissioning a GEF-funded study on 'threats to Mt. Kilimanjaro', which mapped human uses inside the forest labelled as 'threats' (Lambrecht et al. 2002). The snapshot mapping lacked historical-socio contexts including local forest claims/rights. Mapping all human uses as 'threats' mixed low-intensity livelihood

uses with environmentally damaging elite uses (e.g. illegal logging). These visually powerful maps served as a discursive tool for lobbying the central government to stop these 'threats' by legislating the park expansion. The maps still hang on walls in government and NGO offices (author's personal observations). Also other COMPACT/GEF small grants to organizations that supported COMPACT activities were primarily for activities outside of the forests, with the rhetoric that local people can benefit without going into the forests. Since the annexation, such activities have been phased out with hardly any sustained impact on local livelihoods (author's personal observation). While the Park Authority pushed villagers out of the forest with 'sticks', COMPACT pulled them out of the forests with 'carrots' via its GEF small grants. Green developmentalism interlocked with fortress conservation to exclude villagers from forest benefits and decisions.

The annexation was legislated by the Tanzania National Assembly in 2005. Viewing local people as 'threats' had set a discursive precedent that was exploited by the Kilimanjaro Regional Commissioner (RC). Justifying the subsequent annexation of the local government half-mile-forest into the park in 2009, the RC remarked:

> In order to protect against serious threats to the climate of Mount Kilimanjaro, we had to intervene further. I had an opportunity to fly over the Mount Kilimanjaro forests with the Tanzania National Parks Director. We noticed the horrific state of the forests. I called several meetings. So, we took action. We needed to stop the haphazard tree felling in Kilimanjaro that is melting the glaciers, drying our water, and making Kilimanjaro hot like a dessert (Kilimanjaro Regional Commissioner, interviewed in June 2013).

Subsequently, in 2012 the RC met with the Regional Consultative Committee. Following the meeting, the RC's office ordered a tree-cutting ban on public and private lands in the Kilimanjaro region (with the exception of central government industrial plantations). The process of re-centralizing 'climate forests' of Mount Kilimanjaro became complete. Details on further carbon and climate discourse and interventions are provided elsewhere (Kijazi 2015).

6

Analysis of Institutional Changes

The forest land reclassification we witness on Mount Kilimanjaro is a major part of the struggle between centralized versus decentralized management of forests. Under the state's categorization scheme, different categories of territory operate under different legal and political regimes. Here we are seeing these regimes being switched to serve particular state interests. Reclassifying the catchment forest reserve and local government (half-mile) forest into the National Park made *de jure* decentralization/local inclusion framework redundant *de facto*. The forests are now governed by the Wildlife Conservation Act (1974) and the National Parks Ordinance No. 412 (1959, Amendment Act 1974). Such laws and the corresponding National Parks Policy (1994) prescribe for Fortress Conservation involving para-military 'anti-poaching patrols' (cf. TANAPA 2001). The National Parks Authority and its interlocutor Kilimanjaro National Park Authority taking over the forests have assumed a *de jure* central management role. Additionally the Regional Commissioner office, which is the interlocutor of the central government, has assumed a supportive role via forest preservation executive directives and orders to the local populations (personal observation) replacing previous deliberations via their own elected (district and village) councils. This implies no more representation for the local people in the conservation estate.

7

Changes in Practice

The reclassification of the Mount Kilimanjaro Forest Reserve added 107,828 ha of catchment forest to the previous 75,353 ha of park (143% increase). It subsequently also added 6,768 ha of the local governments' previous half-mile-forest buffer. This, in two regards, signifies the expropriation by the state of community rights to forests : first, regarding loss of community access to state forestry due to nullification of Joint Forest Agreements and second, regarding community loss of access and decision powers to the local government half-mile-forest. Different areas of the Mount Kilimanjaro conservation estate have been controlled by different authorities over time. The recent park expansion concentrated this estate on the parastatal Park Authority as graphically illustrated in Figure 1.

Figure 1: The Relative Areas of the Mount Kilimanjaro Conservation Estate Controlled by Different Authorities
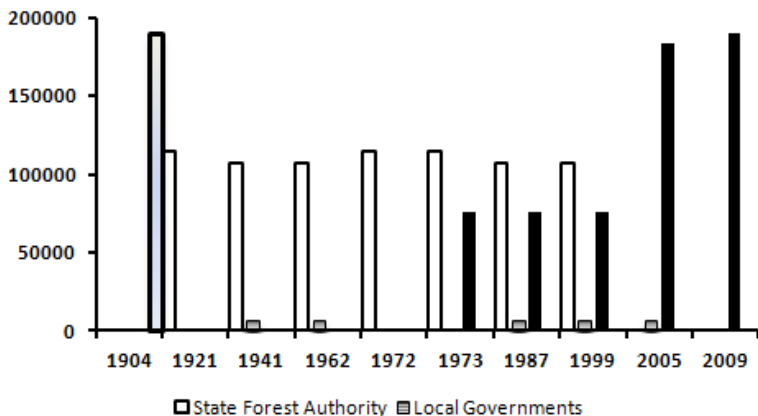
After the annexation of these forests into the national park, extractive uses were forbidden as per the National Parks Law. The disenfranchised local government and Catchment Forest Authority lost a source of revenue. Villagers lost access to subsistence uses. The local (district and village) governments also lost the democratic power to make and enforce forest decisions and by-laws, and to give local people forest access. The traditional Wamfyongo have lost autonomy to regulate and maintain water canals. Multiple conflicts between village water users and the Park Authority ensued, whereby villagers could not clean blocked forest canals. Getting permits is expensive and lengthy as many villages are far from the Park Headquarters. This deprives villagers of water for irrigation and domestic use where there is a lack of running tap water. Some villagers allege that park rangers sometimes block the water canals on purpose to punish villagers given the antagonistic relationships. This was evidenced in Mweka village in July 2012, where the major canal fetching water to Upper Mweka, including to the local dispensary and primary school, was blocked for a week, whereby villagers were not allowed to enter the forest to un-block the canal (author's personal observation). Notably, water conflicts on Mount Kilimanjaro are not new. But key informants' interviews in all the visited villages have indicated that such conflicts have increased in frequency and intensity since the park expansion and the resultant loss of autonomy of the *Wamfyongo* to manage and allocate water resources, and to resolve conflicts. Also previous conflicts involved different water users, and were resolved amongst them. Now they involve the local users and a centralized heavy-handed, unaccountable authority.

Besides tourism, biodiversity, and water, Mount Kilimanjaro harbours valuable timbers. Camphor wood (*Ocotea usambarensis*), African pencil cedar (*Juniperus procera*) and Podo (*Podocarpus mylanjianus)* have been logged for state revenues in the past. But they have also attracted individual rent-seeking and elite capture via corruption and illegal logging.

The park authority promised to curb illegal logging – as one reason why the forests should be annexed into the national park (TANAPA 2001). Yet, after annexation, illegal logging abounds (Nipashe 16 January 2012). Why does this continue? Interviews with key informants and investigative journalists work (ibid.) allege involvement of the park officials and other government officials, together with some local and non-local elites in a network of corruption that organizes illegal logging. This pattern has been generally observed in Tanzania (TRAFFIC 2007). This rent-seeking might have been the 'private motive' for some park officials' lobby to have exclusive powers to control Mount Kilimanjaro forests (hence, its valuable timbers). State paternalism inter-mixed with state actors' patronage and rent-seeking interests.

8

Effects of Park Expansion on Local Democratic Representation

> In my entire life I have never seen this use of force to protect a forest [...] Even the colonial government was better, because it gave us the half-mile-forest for our subsistence use (Mallya, villager on Mount Kilimanjaro, interviewed in October 2012).

This quote, re-iterated from the introduction, is emblematic of the local struggle. Together this and the last section tell a story of progressive disenfranchisement and the tightening of coercive means of control. This is also associated with declining 'management' by villagers that would contribute to forest improvements. Villagers and their leaders view the forest annexation process as undemocratic, and outcomes as unfair, lacking both responsiveness to their needs and accountability. The decision to annex the catchment forest involved consultation with neither the local governments nor the local populations despite previous Joint Management Agreements. Worse still, the subsequent alienation of the local government half-mile-forest was only 'rubber stamped' at the district level. At the Moshi Rural district, according to one councillor:

> The proposal was presented to us as a [central government] directive that we were required to endorse. Also, khaki envelopes [with money] were sent around to persuade councillors. I also took the money and voted in favour (A. Tarimo, former district councillor, interview, November 2012).

This rubber-stumping and the alleged corruption signify failure of democratic practice. There were neither prior deliberations by the Village Councils and Assemblies, nor consultation, nor free prior informed consent, a common practice promoted by the conservation lobby, nor announcement of the decision to

villagers via their assemblies. Villagers became aware when they were evicted from or harassed in the forest by park rangers. The results of a social survey (Table 1) show that the forest annexation choice was non-responsive to local people's needs. Availability of and access to forests' resources for villagers' priority needs has been highly constrained. Table 1 also shows that livelihood needs are the villagers' priority, unlike TANAPA and IRA-UD's (2002:15-16) discursive allegation that villager priority is logging.

Table 1: A Survey of Impacts of Fortress Conservation on Villagers' Priority Forest Needs

n = 60. Ranking aggregation by Borda Count Rule.		
Category & Rank	Before Half-Mile-Forest Alienation	Currently
Fuel wood	Free access in the Half-mile-forest	Restricted, women only, no tools (axes and bush knives)
Livestock fodder		
Water	Regulated by customary governors (Wamfyongo)	Maintenance of forest canals require Park Authority permits
Building materials	Regulated by village leaders	Prohibited
Gathered materials		
Bee-keeping	Regulated by village government & district natural resource office	
Cultivation (Taungya)	Not allowed in the study area – allowed in industrial plantation in Rombo district	
Lumbering	By district permits	As above
Hunting	Prohibited, though not strictly regulated/enforced	Strictly prohibited; enforced by anti-poaching rangers

There is a perceived lack of correspondence between the richness of local natural resources and the associated revenues and local development: for example, a large part of *Mweka-Juu* (High Mweka), including the local dispensary and school, close to where the author stayed had no running tap water. As one village councillor stated to the author during a transect walk to describe various village resources and assets:

> This is a good indicator of a government that has failed to provide safe water even to the sick and the school children at a place with the source of water for nations' large hydropower dams and irrigation schemes (G. Munishi, village councillor, interview, Mweka village, October 2012)

Given increased militarization of the forest protection, villagers regularly encounter violence by park rangers. Such violence topped villagers' forest access concerns in a social survey. Other top concerns include restrictions on access to subsistence forest resources (a complete ban on men), the ban on the use of tools in forests (axes and bush knives) by women, a tree-cutting ban on private farms, and continuing corruption and forest degradation under the Park Authority. These findings are summarized in Table 2. There was a meeting between the Regional Commissioner, villagers and park officials in Kibosho East Ward in the study site. Subsequently villagers were given some, albeit restricted, access for fuel wood and fodder. However, only women are allowed, but without axes or bush knives (*pangas*). Regarding the current restrictions the Regional Commissioner paternalistically stated during an interview:

> When someone is sick what do you do if you are a doctor? The solution may be twenty injections, which the patient may not like. But you have to give them twenty injections. Kilimanjaro is sick, the environment has been destroyed. By taking these actions, we are also helping the people of Kilimanjaro. When Kilimanjaro environment heals, they will also benefit (interview with the Kilimanjaro Regional Commissioner in June 2013).

Rent seeking by park rangers is prevalent. Park rangers are alleged to demand bribes from villagers who defy restrictions in order to avail themselves of access to forest products. Often the rangers demand monetary bribes. But women interviewees have also mentioned that some of the exclusively male parks rangers sometimes also ask for sexual favours as bribes from women so as to give them access to forest products. Sometimes they punish villagers violently, not following legal procedures. The rangers are widely accused of using false accusations: e.g. cutting green wood themselves, and accusing villagers found in the forest to have cut the wood. If the accused fail to pay bribes, they report them with the wood exhibit – to impress their superiors, while terrifying villagers. There are also claims of sexual assaults. One incidence of alleged rape of a local woman by a ranger in the forest attracted media attention; it made villagers blockade the Marangu tourist gate (Tanzania Daima 17 December 2012).

Table 2 : A survey of villagers' forestry concerns[a]

Villagers: n = 60 (30 males, 30 females); ranking aggregation by Borda Count Rule.			
Category	Overall Ranking	By Males	By Females
Park rangers' coercion & violence	1	1	1
Restricted access to forest resources (complete ban on men)	2	2	3
The ban on the use of tools in forest (axes and bush-knives) by women	3	4	2
Tree-cutting ban on private farms	4	3	4
Corruption and forest degradation under Park Authority	5	5	5
[a] Qualitative assessment of local leaders' interviews (n = 30) indicate similar top concerns			

Ethnography of the violence (15 key informants and 20 alleged victims) corroborates these allegations. Many villagers who are bribed or beaten do not take legal action due to the expense, given the perception that the police and court officials are either corrupt, or side with the rangers:

> How do you expect to win a case against baboon, if you take the case to monkey as magistrate? KINAPA is government. KINAPA rangers are government. Police are government. Magistrates are government. Government people stick together. When a villager opens a case against government, do you expect the villager to win? (G. Mushi, key informant, interview in July 2013).

J. Mtei, a villager in the study area, sued for being physically assaulted by a ranger. He experienced difficulties with both police and court officials, but eventually the case was read in court. Yet the accused ranger did not attend. The villager, who is a casual labourer, had already spent a fortune for trips to the police and court far from the village. He withdrew the case.

Due to corruption, the major destroyers of the environment, including elite illegal loggers, escape prosecution. Instead, typical targets of violence are subsistence users. In May 2013 in Kibosho East ward, the hand of Jane Sangawe, a middle-aged widow, was broken when she was, with two other women, whipped by a park ranger while collecting firewood (Figure 2).

Figure 2: A woman on Kilimanjaro who was beaten by a park ranger in the forest

Photo: M Kijazi, June 2013

The woman's hospital and police forms confirmed the incident. However, she withdrew the police case after the outpost park ranger offered her money. She considered this better than the cost of seeking justice (i.e. many long trips to police and court). When interviewed, the said ranger refused the allegation. When told about the hospital and police forms, he admitted the violence and the payments made to the women to withdraw charges.

In Rombo district, in February 2012, Mary Shirima, a 75-year-old woman, together with sixteen others were ambushed by people she identified as 'forest soldiers'. Some villagers were going to cultivate (legally) in their *taungya* fields[3]; others to collect firewood or fodder. Reportedly, many ambushed villagers agreed to pay bribes to avoid being remanded. The old woman and others were remanded in custody for two weeks. Reportedly, while still remanded, a district official met with and asked all the collectively accused that, 'so, you are the Al-Shabaab [referring to the terrorist group based in Somalia] who destroy our forests?' When the accused denied this, the official ordered that they should continue to be remanded. Afterwards they were collectively charged in Mkuu-Rombo district

court, in February 2012, for 'destroying the forest' without specific charges.

In a subsequent court appearance the Magistrate told the villagers that 'they were free to go'. In Hai district a mentally ill man, unaware of the ban on men, wandered into the forest. He was caught by rangers, and was remanded for three months. Neither his family nor village officials were notified. By the time they knew, they had stopped searching and mourned his possible death. These incidences show that symbolic and real violent acts are used to extract illegal rents (bribes), to instil fear in the local population, and to enforce collective exclusion.

In this analysis it is important not to reduce states or communities to homogeneous groups.

Rivalry is not limited to state vs. communities, or between state agencies. Also local rivalry exists: between elites who benefit from 'extractive resources' (e.g. illegal logging) versus those who benefit from 'park preservation rents' (e.g. GEF small grants to support conservation), versus disenfranchised villagers. While villagers have lost their forest use rights vis-à-vis forest use decisions, some elite villagers who are connected to the park officials continue to enjoy forest benefits that others cannot. Some rich and powerful/rich villagers or village leaders bribe park officials to graze in the forests. Others bribe in order to access timber. Some village and ward executive officers have been alleged by villagers and fellow officials to collude with park rangers in illegal logging. One village chairperson remarked:

> The members of the elected village environmental committee and I are frustrated by this executive officer. We know he is involved in a logging network. We see timber being taken out. Yet, it is us who are blamed. What powers do we have? We have complained to the district officials, but no action has been taken (M. Lemma, a village chairwoman, interview in Moshi, February 2014).

There is rivalry between disenfranchised elected environmental committees versus committees appointed by the Regional Commissioner's office mandated to enforce the executive orders such as the tree-cutting ban. Militant 'environmental corps' who claim to be the Regional Commissioners' forest/environmental watch-dogs are in a game of 'tug of war' with villagers and their leaders. The 'corps' often demand to search villagers' houses for 'illegal lumber' without search warrants, or reporting to village leaders – which is a breach of village security protocol. The corps also allegedly demand bribes, or confiscate if they find lumber – even without evidence of illegality. Ethnography of resource conflicts in the study area has shown that most of these rivalries/conflicts did not exist prior to the current 'fortress conservation'. As one key informant revealed:

Conflicts were small and mostly mediated by local leaders… Small forest 'theft' was even tolerated, e.g., if a poor villager stole withes to repair his crumbling house.… But big theft, if known, would be fined: e.g. cutting timber for sale, or grazing around forest water sources … But now local authorities have no power. Wealthier villagers corrupt park rangers to graze in the forest, even around water sources. Powerful villagers and outsiders corrupt the rangers to cut valuable timbers. Villagers are frustrated. Conflicts are many. (J. Chuwa, Village Councillor, interview, Kibosho East, November 2013).

Social Resistance

What has happened is expropriation. Once expropriation takes place and when representation is taken away resistance is the only option left. Also, when local people are subsistence hunters today law changes that make them poachers tomorrow do not stop them needing meat for subsistence. Reclassifying a forest to exclude local people does not stop them from needing forest products. If institutionalized accountability fails, people may resort to social resistance, social movements, sabotage, and other forms of rebellion (Ribot 2004). Next I present some resistance mechanisms (in bold) that villagers use to assert their claims against state coercion and violence. Two blockades were staged at Mweka and Marangu tourist routes in 2009 and 2012 respectively. Both were protesting against violent treatments of villagers by park rangers. The government reacted by sending an armed Field Force Unit (FFU). In Mweka, villagers brought their children and dared the soldiers to 'kill them with their children'. Mediation by a district official resolved the tension. In Marangu, the FFU used tear gas, and villagers responded violently by throwing rocks while hiding in the banana fields.

These protests achieved some dialogue with Park Officials who promised to address problematic park rangers who take the law into their hands. They also promised to finance affected individuals (e.g. the wife of a deceased man shot by a park ranger). Recent interviews with village leaders indicated that such promises have not been kept.

The disenfranchised and disenchanted villagers have resisted elite capture. In Moshi Rural district there were two incidences of illegal timber confiscation by villagers. They blocked the road to stop the suspected vehicles, and punctured the tires. The drivers escaped. The villagers called district officials, who auctioned the timber, and the revenues were shared between the district and village governments (District Natural Resource officer, personal communication, November 2013). In another village, villagers confiscated livestock of a rich villager who had bribed

park rangers and was allowed to graze in the forest while others were prohibited. Elsewhere, the entire elected village environmental committee wrote a letter of resignation to the district executive director. They protested that regional officials had appointed a parallel environmental committee led by a division officer (appointed official) and a division militia (*mgambo*) who created regular conflicts with them.

Overt resistance is costly due to the cost of organizing, time lost, risks of confrontation with the coercive apparatus, etc. Thus, habitually, it is covert daily resistance that is villagers' 'weapons of the weak' (à la Scott 1985) in what one villager described as a 'cat and rat game.' Thus defiance was widespread, e.g. some women continue to use tools (axes and bush knives) in the forest despite the existing ban. Interviewed women say it is impractical to gather wood without tools, and they also need the tools to protect themselves against the dangers of the forest including wild animals and violent park rangers. Some tree nursery growers have reported a decline in seedling up-take, as some villagers now 'don't want to plant trees that they will not benefit from'. The author observed overgrown seedlings in nurseries. The 'ban on men' has encouraged arson/sabotage, including the destroying of trees in the park by striking nails, or boring holes and polluting them with salt. Setting forest fires is also suspected. Villagers have also attempted to confront and mock unaccountable officials.

During one stakeholder meeting one villager (a retired forester) mocked park officials:

> Under participatory management I protected the forest only with a club. But I was able to get the support of villagers. And we planted trees. Tell me, sir, after years of using the gun-barrel, what do you have to show for it? Shot people? Assaulted women? Answer sir? Can you show us a single tree you have planted in the forest? (J. Mrema, retired forester, interview, Kibosho East, November 2013).

During the District Commissioner's meeting mentioned above attended by the author at Kibosho East ward in December 2012, when asked to discuss the environmental degradations they have seen, D. Kimaro, the first villager to speak, asked the District Commissioner:

> 'Which forest do yzou people want us to discuss. The one you stole from us?'

9

Conclusion

Tanzania's conservation estate, as exemplified by the Mount Kilimanjaro national park, is anti-democratic and excludes local people. Conservation laws and discourse promote a people-less, unspoiled wilderness. Local people are branded as intruders, criminals, and poor stewards of the environment in order to exclude them from accessing environmental resources. Bureaucratic control and coercive apparatus are used to exclude local people. Greater rents accruing to the state or state's bureaucrats serve as an incentive for heightened exclusions through centralized control of forests. In Mount Kilimanjaro there is a struggle between government actors who attempted to decentralize forest governance and increase the inclusion of local people, and those who favoured forest re-centralization, expropriation and exclusion of local people. The latter prevailed. Even with *de jure* decentralization framework, hegemonic controls by the more powerful actors – bureaucratically, discursively, and coercively – undermined inclusion of local actors *de facto*.

The failure of formal representation and formal means to influence and hold government accountable leaves resistance through protest as the next response. Local people's resistance as observed in this study is their attempt to gain greater representation, particularly greater access to resources. Resistance is a means for local people to engage in the struggle for rents and resources. Rents to the Park Authority in tourist revenue allow them to take over forested areas to expand their territory. Rents to forest/park rangers in payments extorted from villagers allow a minimum level of forest use by the excluded villagers while bribes to these same officers allow timber extraction to continue relatively unfettered. The purveyors of decentralized forest management evidently do not have sufficient resources to pay the rents to keep forests open to local decision making and use.

Analysts of representation in natural resource governance need to be fully informed about forces that hinder local representation, and possible ways to overcome them. This research has shown the need for such analysts to pay attention to how a high value of forest resources (i.e. rents) acts as an incentive for state actors to exclude local communities from forest benefits. Also, this study shows how the struggle between states' coercive control and local people's resistance to coercion undermines conservation. Thus, more socially just conservation through broader inclusion and representation of local people in conservation would benefit both conservation and rural populations. But competition for forest rents must be understood and the stakes in the lucrative resources of the forests – from the poles, withes, firewood, charcoal and honey collected by villagers, to the timber harvested illegally, to the revenues from a vast tourist industry – must be evaluated with respect to the lucrative opportunities that characterize these rich forests. The relation among the different actors who each collect different rents in a complex hierarchy must be rebalanced with attention to the promised – but never delivered – free, prior and informed consent, that is the discursively evoked 'participation' of local populations. This requires a thorough understanding of the competing interests between the state and communities; within and among state agencies, and within and between communities, plus how this plays a role in disenfranchising local populations.

The case of Kilimanjaro raises questions about how the broader conservation lobby plays a role in excluding local people from and through the benefits of conservation. International conservation agencies legitimate the states' use of force via their lop-sided conservation approach that promotes wilderness protection without equally demanding and/or enforcing representation of rights and needs of the local populations. Some global organizations are attempting to give attention to local people. IUCN guidelines acknowledge various forms of governance of protected areas: state-run protected areas; those run by indigenous or local people; privately managed protected areas; and shared-governance arrangements (Borrini-Feyerabend *et al.* 2013). The reclassification of forests of Mount Kilimanjaro into a national park is by definition following IUCN Protected Areas Category II (National Park); i.e. large natural or near natural areas set aside to protect large-scale ecological processes, along with the complement of species and ecosystems characteristic of the area, which also provides a foundation for environmentally and culturally compatible spiritual, scientific, educational, recreational and visitor opportunities. Yet on Mount Kilimanjaro, state-run governance is supreme and local needs and interests have been expropriated. Unless international guidelines like those of the IUCN are integrated into local practice, they may simply remain

as rhetorical and discursive tools that absolve international organizations from the blame of local exclusions, without positive local impact.

But greater local representation would require overcoming barriers not only in the conservation estate, but also in the local government. The democratic structure of the local government is weakened by the state's bureaucratic hegemony. The *de jure* transfers to the local authorities, accorded by decentralization laws, are circumvented by other (natural resource) laws and state's bureaucratic instruments and coercive apparatus. Thus, local representation will require more than cultivating democratic culture. It would also require overcoming this bureaucratic and coercive hegemony in law and practice. This cannot happen without a viable institutional infrastructure for local representation that would enable a democratic culture to develop. In the conservation estate, it would also require overcoming the strong conservation lobby that gives more weight to preserving wilderness over addressing local needs and interests. The latter justifies why conservation agencies need to understand local democratic representation, and incorporate it in their decision processes, to enable broader inclusion of local people in conservation. Overcoming these barriers is also a matter of enhancing local self-governance and emancipation.

Notes

1. The report also makes a mistake by citing only Hastenrath (1997), but tracing the original publication indicates it was co-authored by Hastenrath and Greischar (1997).
2. Author's own calculations based on South Kilimanjaro Catchment Forest Authority revenue and funding sources reported by Akitanda (2002), and Kilimanjaro National Parks tourism revenue for the period
3. The Taungya system involves forestry authority allowing villagers to cultivate crops in young tree plantations in exchange for weeding, pruning and protecting the trees against wild animals. Taungya has been practiced in the core study site (Moshi Rural, Kibosho East Ward) in the past. It is still legally practiced in Rombo district in state industrial plantations where this observation was made.

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