
Authority over Forests: Empowerment and Subordination in Senegal's Democratic Decentralization

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ABSTRACT

Senegal's 1998 forestry code transfers rights to control and allocate forest access to elected rural councils, ostensibly giving the elected authorities significant material powers with respect to which they can represent the rural population. But the Forest Service is unwilling to allow rural councils to exercise these powers. To retain control, foresters use pressure, bribes and threats while taking advantage of the inability of the rural representatives to influence actors higher up in government. They justify themselves with arguments of national good and local incompetence. The foresters ally with urban-based forest merchants and are supported by the sub-prefect. Despite the transfer of forest rights, the foresters continue to allocate access to lucrative forest opportunities — in this case charcoal production and exchange — to the merchants. Despite holding effective property rights over forest, such as the right to exclude others, rural councils remain marginal and rural populations remain destitute. The councils cannot represent their populations and therefore cannot gain legitimacy: they have no authority. Despite progressive new laws, the Forest Service helps to maintain Senegal's healthy urban charcoal oligopsonies, while beating back fledgling local democracy.

INTRODUCTION

'One gives us the head without the tongue' (Soninke saying)
(Rural Council President, Tamba Atelier, 14 February 2006)

Decentralization should involve the redistribution of power from central government to actors lower in the political-administrative hierarchy. Senegal's decentralization laws gave Mr Weex Dunx,¹ the Rural Council President

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1. 'Weex Dunx' in Wolof means 'plucked white'. A *weex dunx* is a scapegoat. Rural Council presidents felt blamed for everything wrong in their communities. Fictive names such as Weex Dunx have been assigned to the interviewees in this article. The name of the Rural Community, Nambaradougou, is also made up — it means 'problem village' in

(PCR) of Nambaradougou in the forested Tambacounda Region, the power to manage the forests in his jurisdiction. Weex Dunx's story illustrates the practices through which the laws that transfer control over forest down the hierarchy are attenuated in the service of initial power holders. The elected rural council is left without the material basis on which to develop as a legitimate local politico-legal institution. Weex Dunx and his rural community have no access to lucrative opportunities in forestry.

Senegal's 1996 decentralization law establishes new domains of 'competence' for rural councils. The rural council is an elected local government of a Rural Community, which is the smallest political-administrative jurisdiction in Senegal. To conform to the decentralization, Senegal's 1998 forestry code attributed significant powers of forest exploitation, use and management to rural councils. Sectoral laws, such as the forestry code, give elected rural councils the material substance — power — with respect to which they can represent the population in their Rural Community. Control over land and other resources — forests in this case — can produce authority (Chanock, 1991: 64; Lund, 2002; Ribot, 1999a; Sikor and Lund, this issue; Watts, 1993). The empowerment of the elected councils therefore should set the conditions under which effective and legitimate democratic local authority might emerge.

Senegal's rural councils have effective property rights over forests in their jurisdictions: they can exclude others, exploit the resource and allocate access. But in practice they cannot begin to exercise these rights. The residents of Senegal's Rural Communities remain unable to benefit from commercial forest exploitation. The elected rural councils of each Rural Community are pressured, intimidated and coerced into giving away access to their forests. The new rights inscribed in law have generated unenforceable claims. The councillors making the claims have no means to enforce them, while the Forest Service and sub-prefect charged with implementing and enforcing these new laws have no interest, incentive or intention of translating them into practice. Without the backing of superior politico-legal institutions the laws that give rural councils new powers are ineffective.

In Senegal, as in most developing countries, there are two kinds of zones to which decentralization laws apply: those under development projects, protected and supported by external actors; and those not in project areas and which are subject to the laws legislated by the government as government agencies apply them in ordinary practice. In project areas supplemental funding and technical advice can produce showcase outcomes of decentralized natural resource management. These areas can be sold as demonstration

Soninke. For a film version of Weex Dunx's story see <http://www.vimeo.com/599291/> or <http://video.google.com/videoplay?docid=-3498292104301059460> with English subtitles, or <http://www.vimeo.com/617574/> or <http://video.google.com/videoplay?docid=-3367756256067936009> for French.

projects or testing grounds for innovation. But they cannot be sold as examples of how the nation's laws work in practice. Law in action can only be observed outside of project areas — in those ordinary places where development scrutiny is rare.

Anyone interested in studying environmental policy or policy writ large must train their attention on the non-project zones in which the government treats people as if nobody from the outside were looking. There we can see what government — and policy — does. Forestry projects in Senegal cover a significant portion of the country's commercially productive forests and are held up as the future of decentralized forestry practice. In Senegal, there are large forest management projects run by the World Bank, USAID and GTZ. Others have examined these projects (Bandiaky, 2008; Boutinot, 2004; Faye, 2006); this article will only briefly return to what happens in project areas, where projects are breaking laws and merchants and foresters are also systematically recentralizing control of lucrative forestry opportunities. Rather, the article will tell the story of Weex Dunx's ordinary Rural Community experience in the non-project zone of Nambaradougou.

Outside of forestry project areas, Senegal's Forest Service and its merchant allies retain control over forest resources via a repertoire of well-trodden methods (see Larson and Ribot, 2007; Ribot and Oyono, 2005). They disable forest dwellers and enable urban-based patrons to benefit from the forests via misrepresentation of the law, selective application of the law and continued enforcement of abrogated laws. They exclude rural councils from decisions and rural people from benefits by creating an uneven playing field of entry barriers that privilege their allies — all justified by discourses of national good and lack of local capacity. They use bribes and threats while taking advantage of the inability of rural populations to access and influence actors higher up in government. In their efforts to subordinate rural councils, the foresters stand side-by-side with forest merchants and are supported by the central government's local administrators, the sub-prefects. In Nambaradougou, contrary to new laws, the Forest Service continues to allocate access to commercial forest resources, giving access to urban-based merchants.

Many PCRs in the forested zones tried to use their new jurisdiction over forests to negotiate for benefits and better management with the Forest Service and merchants, but their attempts were defeated. The struggle over forests undermines elected rural councils' authority. Authority and property, following Lund (2002: 14–15), are mutually constituted; authorities want to be asked to authorize property claims since they cultivate legitimacy through the welcome exercise of enforcement powers. Claimants want their claims authorized to protect their wealth or livelihoods. In the process both authority and property are reinforced. In the case of Nambaradougou, the material claim that rural councils want to authorize is the power to control forest use, a power transferred to the rural councils by law. The story of PCR Weex Dunx focuses on one such power: the power to decide whether or not

charcoal production will take place in the Rural Community forests. This power was transferred by law from the Forest Service to the rural council by giving the rural council jurisdiction over forests and requiring the signature of the PCR before any commercial forest exploitation can take place (RdS, 1998). In effect, the rural council ‘owns’ the forests.

While the Forest Service and the PCR have legal authority in the local arena, these institutions do not appear to actively ‘seek out property claims to authorize in the attempt to build and solidify their legitimacy in relation to competitors’ while claimants shop for authorities to authorize their claims (Sikor and Lund, this issue). Rather, this is an access struggle between two politico-legal institutions with different bases of legitimacy. Foresters look upward to the political-administrative hierarchy while the PCR looks to the population in its jurisdiction and to the party that included them on its electoral list. The foresters and PCRs are related by their struggle over forest access — a struggle in which the PCR is subordinated to the foresters. While the law says otherwise, the PCR is the claimant begging the foresters to allow him to exercise his rightful role. The foresters are not seeking claimants here, and the PCR should not have to be seeking authorization.

The PCR–Forest Service relation could be framed as a struggle over authority in which the ability to authorize control over forests hinges on gaining legitimacy. But first and foremost, it appears to be a simple struggle over access to lucrative forest resources (see Ribot and Peluso, 2003). In Nambaradougou the different people involved have significant financial interests in controlling forest access (Ribot, 1998, 2006). Legitimization or marginalization of the two authorities appear to be secondary phenomena. Perhaps desire for legitimacy fuels this power struggle, but it seems that the struggle is primarily about who will profit from the forests. In the struggle, the PCR is unable to fight the hierarchy. He gives in,² gaining a small payoff and consequently compromising his local legitimacy. This lack of legitimacy may then weaken his ability to make claims in the next round — but the claim is being made in order to gain financial benefits.

The PCR’s benefit is reduced from direct control over forest use to a power to negotiate a bribe in exchange for his signature. When he signs, he receives some cash and gives up any ability to manage the forests in the longer term and for higher stakes, or to respond to the needs and aspirations of his population. The PCR is unable to stop production or to profit from and tax the lucrative resources being extracted from his community’s forests. He does not lack legal title to the resource, and he certainly does not lack an interest in stopping forest exploitation. He lacks the ability to challenge the Forest Service and the charcoal merchants who are backed by the foresters and prefects. The rural councillors are given a title; they are elected as the representatives of the people, but they ‘have no tongues’.

2. All the PCRs in the production zones are male.

This article, based on the author's intermittent field research in the Tambacounda Region of Senegal from 2002 to 2006, focuses on PCR Weex Dunx's signing of the order to open his Rural Community's forests to exploitation in 2006. The first section provides background on struggles over forest control in Nambaradougou and the broader decentralization of forestry in Senegal, before subsequent sections tell the story of how a signature was coerced out of PCR Weex Dunx.

FORESTRY DECENTRALIZATION IN NAMBARADOUGOU

Nambaradougou is a Rural Community of around 30,000 people in the Soudano-Sahelian open-canopy forests of the Tambacounda Region of Senegal.³ Its roughly seventy villages and fifteen hamlets depend primarily on peanut and millet farming. Like other neighbouring Rural Communities, Nambaradougou has been a site of charcoal production for over thirty years (Kanté, 2006; Ribot, 2000). To supply the city of Dakar with cooking fuel, migrant woodcutters from Guinea work for urban-based merchants called *patrons charbonniers* ('charcoal patrons' or 'patrons' from here on), cutting and turning Nambaradougou's trees into charcoal through controlled partial burning.

Local Resistance to Charcoal Production

Almost all residents surveyed in Senegal's charcoal production region oppose production around their villages (Kanté, 2006; Ribot, 2000; Thiaw, 2003, 2005; Thiaw and Ribot, 2005). All but one of fourteen rural council presidents surveyed told us emphatically that the population did not want production in their area (Faye, 2006; Kante, 2006; Ribot, 2000; Thiaw, 2003, 2005; Thiaw and Ribot, 2005; and interviews with eight PCRs by author, 2004–06). In addition, the majority of foresters we talked with also acknowledged that rural populations are against charcoal production (interviews with foresters, 2002–06).

Villagers are against charcoal production due to conflicts with migrant labourers, damage to their forests, and because they do not want outsiders to profit from their forests if they cannot (Kanté, 2006; Ribot, 2000). Resistance to charcoal production in Nambaradougou dates back to at least the early 1990s (Diallo, n.d.; Kanté, 2006; Ribot, 2000). Despite complaints about woodcutting, two out of every ten villages surveyed in Nambaradougou in 2002 had residents who were engaged in charcoal production (Thiaw and Ribot, 2005: 322). Households within these villages are happy to host the

3. Personal communication with Ahamadou Kante, June 2008.

migrant charcoal makers, providing them room and board for extra income (Ribot, 1998).

In the early 1990s, Nambaradougou's village chiefs⁴ and rural council confronted the Forest Service and patrons, asking them to stop charcoal production. Between 1991 and 1994 local people asked for charcoal production to stop or to be carefully managed; the Forest Service promised to help, but production continued as usual. Rural people were frustrated. In 1993 the first 'participatory' forestry code gave rural councils the right to manage surrounding forests. But under this code the Forest Service continued to give quotas to patrons and permits to their migrant labourers. They continued to cut the forests of Nambaradougou. Some villages chased woodcutters away with threats of violence. Others accepted them. The residents of these villages gained rent by housing woodcutters while their village chiefs got a few small bribes from charcoal patrons. Frustrated and angry, most local people resigned themselves to business as usual (Kanté, 2006; Ribot, 2000; Thiaw and Ribot, 2005).

Regulatory Policy Before 1998

Until 1998 forest management in Senegal was highly centralized. Rural Communities had no say in management or rights in production or exchange. Under this system, a national quota for charcoal production — the total national amount to be legally produced — was fixed by the Forest Service each year. The national quota was not based on supply or demand data. It was based on the previous year's quota, which was lowered or raised depending on pressure to allocate more quotas to particular patrons or pressure from donors to lower the quota in the name of protecting the forests. Over the past decade, the quota has been lowered several times, despite fairly constant demand. Today the quota is around half of urban demand; since supply *is* being met, this means that the other half of current production is illegal (Bâ, 2006a; Ribot, 2006).

Each year, the nationally-set quota was divided among the 120 to 170 enterprises — co-operatives, economic interest groups (collectively-owned businesses) and corporations — all holding professional forest producer licences⁵ delivered by the Forest Service. Allocation of quotas among these entities was based on their previous year's quota, with adjustments according to whether the enterprise had fully exploited its quota and had conducted

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4. Village chiefs are officially administrative authorities dependent on the Ministry of Interior. They are 'elected' by the heads of households in their village. In practice they usually inherit their positions through a lineage from the founding village family.
 5. A 1995 law liberalizing the professions in Senegal made licensing in this sector strictly illegal, but the Forest Service continues to give licences and to exclude those without (see Ribot, 2006).

voluntary forest management activities. New professional licences were also allocated in most years. The new entrants into the market were usually urban-based enterprises that had political connections to the National Union of Forestry Merchants of Senegal (UNCEFS), the Forest Service or the Environment Ministry.

After allocating quotas among enterprises, the Forest Service and Environment Ministry would hold a national meeting to open the new season. They would promulgate a ministerial order listing the quota for each enterprise and indicating the region where these quotas were to be exploited. There are two regions in which production is now legal; Tambacounda and Kolda. Shortly after this national meeting, the Regional Forest Services would call a meeting in the regional capital and ‘announce’ to the recipients their exact quota and the Rural Community in which they would produce their quota’s worth of charcoal. The forestry agents in each region had chosen areas to produce charcoal where they knew there was sufficient standing wood. The rural councils had no say in the matter. Patrons and their workers would arrive in a village with permits in hand accompanied by local foresters to launch each production season.⁶

Progressive New Decentralization Laws of 1998

Senegal’s 1996 Decentralization Law gave Rural Communities jurisdiction over forests in the territorial boundaries of the Rural Community. The rural council was given jurisdiction over ‘management of forests on the basis of a management plan approved by the competent state authority’ and ‘delivery of authorization prior to any cutting within the perimeter of the Rural Community’ (RdS, 1996a: art. 30; see also the Forestry Code, RdS, 1998: arts. L4, L8). This general decentralization framing law gives the council jurisdiction over ‘the organization of extraction of all gathered plant products and the cutting of wood’ (RdS, 1996b: art.195).

Most importantly, the 1998 code (RdS, 1998) requires the Forest Service to obtain the signature of the president of the rural council *before* any commercial production can take place in their forests (art. L4). The code also gives the council the right to determine *who* will have the right to produce in these forests (arts. L8, R21). In addition, the president of the rural council plays an executive role and cannot take action prior to a meeting and deliberation of the council, whose decisions are passed by majority vote (RdS, 1996b: arts. 200, 212). In short, the new laws require the majority vote of the rural council approving production before anyone can produce in Rural Community forests.

6. For details of the 1993 ‘participatory’ forestry code — which did not change these practices — see Ribot (1995).

The radical new 1998 forestry code changed everything, at least on paper. The quantity of production would be based on the biological potential of each Rural Community's forests rather than fixed by decree in Dakar and the regional capital. The enterprises to work in a given forest would be chosen by the rural council, rather than assigned by the Ministry in Dakar. If implemented, the new system would empower rural councillors to manage their forests for the benefit of the Rural Community. The law allowed a three-year transition period from the quota system to the new system based on rural council involvement, with the quota system to be eliminated by 21 February 2001 (RdS, 1998: art. R66). But February 2001 passed, and still nothing changed. Despite these progressive new laws, the Forest Service continued to allocate access to the forests via centrally-allocated licences, quotas and permits.

Given the history of tensions around charcoal production, Nambaradougou's rural council was delighted to hear of these new rights. The councils learned of the changes through an information campaign by the USAID-funded NGO *Democratie et Gouvernance Locale* (DGL) project. DGL translated the essence of the new laws into local languages and informed rural councils of their new rights under Senegal's decentralization laws passed in 1996. Without prompting, rural councillors across the region told us that they had learned a great deal from DGL (Faye, 2006; author interviews 2002, 2005).⁷

The visible change in practice is that the required PCR signature has become a new obstacle with which foresters and patrons have to deal in order to exploit the forests. Contrary to the 1998 law, as of 2008 the quota was still fixed and allocated in Dakar, with forestry enterprises being assigned their production sites by foresters. The only role of the rural council is for the PCR to sign off on production at the beginning of each season. If he refuses, he is pressured, threatened and bribed by foresters, patrons and the sub-prefect until he signs. The next section outlines exactly how the rural council's new rights are being attenuated by the Forest Service–patron alliance, with the help of the sub-prefect.

COERCING THE RURAL COUNCIL PRESIDENT

Under the decentralization law, the PCR helps to elaborate a production and management plan that specifies quantities and production sites and requires his signature before each season begins. But in non-project areas, no management plans are elaborated. In lieu of telling the Forest Service what they want, in these areas the Forest Service still tells rural councils

7. The DGL programme was shut down by USAID after a review considered it 'ineffective' (December 2005, personal communication with USAID staff, Dakar). We found, without expecting to, that DGL had served a positive role in civic education (see Faye, 2006).

where production will take place and by whom. This decision is made by the Forest Service and announced at a meeting of the Regional Council. Rather than being invited to the meeting, the meeting announcement is simply copied to the PCRs. If they do attend, PCRs' opinions are not asked and their questions are not addressed. After the regional meeting, the PCR is visited by a forester toting an administrative order that the PCR is asked to sign to open the production season for merchants to come in with their migrant labourers and cut the forests — management plans are not required. The eight PCRs interviewed by the author in 2004 to 2006 did not want to sign this order. All, however, were eventually 'persuaded' to sign.

In most cases the PCR signs the order without a deliberation of the council (which is true also in project areas; see below). There are exceptions. The council of Missirah (a project area) did meet; even here most councillors told us they were against production. But in other project areas and in the seven other non-project Rural Communities (besides Nambaradougou) in which I interviewed councillors, the councillors did not even know that a decision had been made by their PCR. This was the case in Nambaradougou. In a discussion with seven members of one rural council, including the president of the council's environment commission, one councillor said: 'No deliberation about the opening of the [charcoal] production season ever took place'. In addition, after some discussion it became evident that nobody among them even knew that the PCR had any right to sign on production decisions. One councillor just shook his head in dismay, saying 'We are not involved' (interview with seven councillors, 27 December 2005).

Although most PCRs signed without consulting their council, all initially resisted charcoal production in their areas. The actual process by which the PCRs were persuaded to sign varied from PCR to PCR, but there was a clear pattern. Each councillor refused to sign. Each was pressured to sign by the Regional Forest Service Director (the *Inspecteur du Secteur de la Région*) and the local Forest Brigade Chief (*Chef de Brigade*) in the Rural Community, the sub-prefect (district-level administrative officer), charcoal patrons and an envoy sent from the National Forestry Union in Dakar. The PCRs all felt they had no choice in the matter. This pattern was observed in a cross-sectional study of seven additional rural councils (Thiaw, 2005). The case of Nambaradougou, described below, illustrates the typical process by which PCRs are forced to approve charcoal production in their Rural Communities.

SIGNING IN NAMBARADUOUGOU: THE COERCION OF WEEX DUNX

In April 2005, Ahamadou Wuula, a forest agent from the Regional Forest Bureau in Tamba, came to Nambaradougou to ask the PCR, Moussa Weex Dunx, to sign the annual order to open the charcoal production season in the forests of Nambaradougou. The president of the rural council of

Nambaradougou refused to sign. This was his third year in office and he was just beginning to understand that his signature had important implications. He now knew that he was not obliged to sign the authorizations brought to him each year by the Forestry Service unless the conditions of production conformed to his — and presumably the rural council's — needs. This section presents the story of Weex Dux and the opening of the 2006 charcoal production season in Nambaradougou from the perspective of the PCR, the sub-prefect, the Forest Brigade chief, a forester sent from the Tambacounda regional office, the National Forestry Union president and a charcoal patron.

The PCR, Moussa Weex Dux

'There is a certain complicity with the Forest Service; it is not against us, it is for the interests of the patrons' (PCR4 in discussion at Tamba Atelier with four PCRs, 14 February 2006).

'We decide nothing. There are no benefits. We watch' (PCR1 in discussion at Tamba Atelier with four PCRs, 14 February 2006).

'The rural council is not part of the decision. They bring us the order and ask us to sign it' (PCR1 in discussion at Tamba Atelier, 14 February 2006; all four participants agreed).

'With decentralization the transfer is not transferred. The quota, the production zones, come from above' (Vice President, Rural Council of Koumpentoum, 18 December 2005).

In the early 1990s, Nambaradougou's PCR and village chiefs organized to block charcoal production in their forests. After a series of negotiations with the Forest Service and charcoal patrons, a select group of chiefs, reaping some income from charcoal production, allowed the woodcutting to continue. By and large, however, the population, many of the chiefs and the elected PCR were frustrated and unhappy (Ribot, 2000). Interviewed again in a series of interviews in Nambaradougou in 2003–06, the PCR from the early 1990s and his council members felt that they had been defeated. In April 2003, Moussa Weex Dux's first year as PCR, Weex Dux told me that he knew that the villagers were still mostly against charcoal production.⁸

In December 2005, Weex Dux explained: 'During my first year [as PCR in 2003], I was just learning, so I signed. In 2003, the forester came. He doesn't come in a manner that allowed me to reflect on the issue. I did not know when I signed in 2003 that I signed a paper with this implication [that so much forest cutting would occur]'. The Nambaradougou Forestry Brigade chief, interviewed in 2003, explained that 'the new PCR got 425,000 CFA [in bribes from the patrons] his first year'.⁹ But did the PCR get this

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8. Despite most villages across the forested zones being against production, most village chiefs are for it since they are paid off by the patrons to allow it to continue in the surrounding forests. For more on the chiefs' role, see Kanté (2006); Ribot (1998, 2000); Thiaw and Ribot (2005).
 9. Other figures were mentioned: 'The signature by the PCR is needed on an order to open the season. I know that the PCR signs. If I could have influence, I would not sign until they

much? How does the Brigade chief know the exact figure? Is it because he was involved in the transaction? Is it rumour? Or did he give this figure to make the PCR look bad? Or all of the above? Interviews with foresters and patrons across the region indicated that foresters are involved in paying off the PCRs for the charcoal patrons (ostensibly the patrons give foresters cash, which they slip to the PCR). The amount is said to vary between 100,000 and 500,000 CFA.

Weex Dunx said, 'At the beginning of 2004, I asked [at the Tambacounda Regional Council meeting at which the Forest Service "announces" the annual quota] if we could discuss exploitation [commercial use of forests] in our Rural Community'. But, it was clear from the response, recorded in the minutes of that meeting, that he had no influence on whether or not there would be production in his area. Inscribed in the minutes, Weex Dunx said at the meeting: 'We should be involved in the distribution of quotas; we should know the patrons; coming here I encountered five trucks of charcoal. We do not even know which zones are open to exploitation' (RdS, 2004: 3).

The response to Weex Dunx from the Director of the Regional Forest Service was chilling:

I must first explain that our meeting today is not for the distribution of quotas, but rather for notifying interested parties. The distribution of quotas is done by a national commission designated by the Minister of the Environment and Protection of Nature and chaired by the director of the Forest Service. You are charged with the management of natural resources in your Rural Community, but do not forget that the state is the guarantor of these resources. To manage the resources does not mean to refuse to let them be exploited. Go back and see your Forestry Brigade chief, who is your advisor on this matter. (RdS, 2004: 3)

The words of the Regional Director were consistent with advice from the Brigade chief in Nambaradougou a year earlier. He told us: 'Charcoal is the responsibility of the Regional Council. The PCR does not have rights over the resource. Because natural resources are for everyone, being a manager does not make one an owner or give one rights' (interview, Forestry Brigade chief, Nambaradougou, 3 April 2003). Weex Dunx found himself confronted by a consistent wall of disempowering discourse. So in 2004, like the year before, he returned frustrated to Nambaradougou having wasted his time with a useless trip to Tambacounda. He signed the order when it came to him.

But the following year, things were different. In the words of Weex Dunx (interview in Nambaradougou, 23 December 2005):

agree to have zones and organize the exploitation. The PCR signs for 100,000 CFA. I would not sign until we organize the exploitation' (interview with Nambaradougou Councillor, 23 December 2005).

In 2005 the local Forest Brigade chief [Matar Koulibaly] came and I refused to sign.¹⁰ Koulibaly asked and pleaded for me to sign. He said to me: ‘We did not make this [administrative order], but we are called in when there is a problem’. I said I would not sign unless he brought together all the actors involved in [forest] extraction in our zone: charcoal patrons, authorities in the area, the technical services and the rural council. So he gave me [the order] and I brought it home. Later, Koulibaly put me in contact with Diouf [another agent]. Diouf came and asked why I did not sign. Diouf phoned Mor Kojangue [the president of the National Forestry Union, UNCEFS, in Dakar] and Kojangue said he would send a representative from Koumpentoum [a nearby town]. Kojangue sent the regional [union] leader from Koumpentoum with 50,000 CFA. I rejected this and said this is not what I asked for.

Afterwards, Kojangue called the sub-prefect. Kojangue asked me what my position was. He asked, via the sub-prefect, for me to sign. I said I would not sign. I said: ‘We need to know who is here [which charcoal patrons are working in the Rural Community forests]; we don’t have any contact [with these charcoal patrons]’. I asked to sit down around a table. The sub-prefect, Sasoumane Diouf, asked me to do everything to settle with Kojangue.

Weex Dunx then reflected: ‘If the zone can be exploited without our decision, without us who open the season, we have nothing but a consultative position. We make no decisions’. He continued his account:

The sub-prefect told me Kojangue was willing to send me a cellphone. The sub-prefect then made a phone call to Kojangue with me in the office. I continued to say no. The sub-prefect said; ‘You must sign’. Kojangue spoke to me. The sub-prefect told me ‘I am sure [Kojangue] will respect your requests’. After the conversation with Kojangue, the sub-prefect asked me to sign. He said [in a kind of veiled threat] ‘Kojangue is at the national level. He is in contact with many people’.

But Weex Dunx told me that he was still not ready; he explained: ‘I wanted to know how the zones are distributed. The migrant woodcutters don’t have papers. We don’t have the means to fight illegal cutters. We can only report them’. But, as most PCRs told us and Weex Dunx also explained, when the villagers or councillors report illegal production to the Forest Service, nobody comes to stop them or fine them. Then Weex Dunx explained: ‘The Tambacounda Regional Forest Service Office [*Secteur de Tambacounda*] sent Wuula Gaggala, who came “as a brother” and [Gaggala] said: “Everyone is talking about you. I want you to stop this. This is not between us”. I said: “This is not me; the council must decide”. But I signed. Kojangue then called the sub-prefect and said that he would respect my demands’. Later Weex Dunx told me that the union leader Kojangue had sent him a cellphone, but had not responded to his other demands.

A few days later in Tambacounda, I asked Wuula Gaggala how he managed to get Weex Dunx to sign. Wuula Gaggala said:

10. In Nambaraduougou, the council opposed charcoal production from 1991 to 1996, but in the end they let the patrons work due to pressure from the prefect (Thiaw, 2003: 16). The following councils (elected 1996 to 2001 and 2002 to 2007) did the same (Thiaw, 2003, 2006; also Kanté, 2006).

I came to Nambaradouougou. I said: 'I don't come as a charcoal patron or as a forester. I come as family'. I told him: 'Every man has his destiny. A good Muslim must facilitate things'. I asked him to sign. He said nothing. He asked his secretary to bring the papers and he signed. The whole thing was only five minutes. (Interview in Tambacounda, 25 December 2005)¹¹

When I asked Weex Dunx: 'Did you have a council meeting on this?', he said that he didn't.¹² And when I asked why not, he replied, 'I know the unanimous position of the council. DGL gave us a lot of assistance and guidance on this. We know nothing should happen without our permission. The council is conscious that we can develop only with our resources.' I asked what he wanted to do with the forests. He responded, 'We want to manage and exploit the forests ourselves. We want advice from the state services. We see our forests exploited and cut 100 per cent, but we get nothing' (interview with PCR, Nambaradouougou, 22 December 2005).

I then asked: 'What prevents you from exploiting your forests yourself?'. 'We need the help of the state', he replied. 'We need means. Recently we had a seminar with GADEC [a local NGO in Tambacounda] and we saw protected forests. . . . But', he threw up his hands, 'if we work out a plan to exploit our forests, we risk confrontation with the charcoal patrons who come with quotas'. He continued, 'We attempted to make a management plan [referring to an arrangement called Zone de Production Controlé (ZPC), a kind of simplified management arrangement that was to start there in 2004 but never materialized].¹³ We tried to work it out with the Forest Service. But nothing was transferred. It is they who manage everything'. When I asked: 'What about the ZPC?', he replied: 'I brought the proposal dossier

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11. There is some question as to whether Gaggala paid off Weex Dunx. Another researcher who recently conducted research in this area told me that the Forestry Brigade chief told him that the PCR had asked for 600,000 CFA plus a cellphone from Kojangue. He said that the Forestry Brigade chief had told him that the Regional Forest Service Director sent a forester from Tambacounda who explained to the PCR he could have money, but that he should not ask for it formally. When the researcher asked the PCR, he denied that he had asked for money. The PCR said that Kojangue, did, however, send him a cellphone 'to communicate with Kojangue concerning production'. The PCR showed him his cellphone and said that Kojangue had sent it (personal communication with Ahamadou Kanté, 27 December 2005).
 12. I asked Weex Dunx for the minutes of any meetings he had held to discuss forest management or charcoal production with his council. He told me that there were some but he did not have the key to the council office — it was with the secretary. Others told me that the meetings had been very nasty and he had been embattled at them. One forester who worked in the area said that there were meeting minutes from 2002 and 2003 (forester interview, 25 December 2005).
 13. I suspect that he is referring to a project developed for a ZPC in this area with the assistance of DGL. When DGL was closed, the project should have continued, but it died in the office of the Forestry Brigade. The Brigade chief told me that the ZPC file was just sitting there. He said it was the responsibility of the PCR to do something. But the PCR had no idea that this file was there, nor that he had to do anything. The forester had an attitude that suggested that he would not lift a finger to assist the PCR.

to the Forest Service office and it stopped there.¹⁴ That's where it's stuck' (interview with PCR, Namaradougou, 22 December 2005).

Weex Dunx said a few weeks later: 'The rural council has responsibility. What can we do when the decision makers break the law? Mor Kojangue called the sub-prefect, who said "I am in contact with the Minister: you must sign".¹⁵ They twisted my hand. I had to sign'. He paused. 'We don't represent anyone. Even if we refuse, they exploit' (Weex Dunx, Tamba atelier, 14 February 2006).

The Sub-Prefect, Sasoumane Dioup

PCR1: 'The sub-prefect will never make the job of elected local councillors easier. The sub-prefects threaten us'.

PCR2: 'We live this every day' (PCRs 1 & 2, Tamba Atelier, 14 February 2006).

The sub-prefect is the representative of the central state within the Rural Community. His official role is to review and approve all council decisions to check for conformity to proper procedures and laws. This role is called 'legal control' (RdS, 1996b). It is not a decision-making role. On 21 December 2005 I interviewed sub-prefect Sasoumane Dioup. He first got involved in the charcoal production season opening in 2005 when, as he explained:

The PCR refused to sign and the president of UNCEFS [national union president Mor Kojangue] called me. Kojangue asked me to intervene. He said: 'The PCR refused to sign'. Kojangue sent a team to see the PCR, who then called Kojangue, so Kojangue called me. ... Kojangue asked me what the problem was. So I went to see the PCR. The PCR of Namaradougou said: 'Each year, they prepare an order in Tamba and ask us to sign without the explanation we need'.

I asked 'What did Kojangue say to you?'. Dioup made some gestures indicating that he did not want to tell me what Kojangue said. He paused and then said: 'I went to the PCR to play my role as intermediary. The PCR said, "I will not sign before I can talk with the patrons. They exploit, and we see no benefits"'. The sub-prefect explained to me, 'The exploitation is for the nation; we need to supply Dakar with fuel.' He said, 'I told the PCR, "Don't

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14. In December 2004 the regional inspection of the Forest Service in Tambacounda called for a deliberation on ZPCs in the two Rural Communities where ZPCs were planned. This request was sent to the presidents of both Rural Councils concerned (MEPN, 2004).
 15. Another researcher working in the area in 2004 and 2005 said Weex Dunx explained to him that 'when he refused to sign the authorization, "they" told him he must not, as a PDS (Democratic Party of Senegal) member, block the decisions of the government in matters of charcoal production' (personal communication, Ahamadou Kanté, June 2008).

create useless blockages. We need to supply Dakar”. I explained to the PCR that he should proceed cautiously and remain within the law’.¹⁶

The sub-prefect said:

The PCR was called to the regional council for the big meeting on charcoal. But the regional council does not send any information in advance. The Regional Council needs to send the information in advance so there can be a local decision. In previous years the Regional Forest Service Director came and had the PCR sign and never left copies. The sub-prefect never got copies. Therefore the order was never approved by the sub-prefect.

He had not been involved before. He told us, ‘In 2005, I saw a big document from the Forest Service’ [it was the order for the opening of the season]. He paused and said in a confidential tone: ‘I think everything was decided before the Regional Council meeting.’¹⁷ The discussion was only on the big questions — no details. The PCR has no decision in this. He just signs’.

I asked the sub-prefect what he did after Kojangue called: ‘What did you tell the PCR?’. He said: ‘I told him “If you stay in the law, you run no risk. When you step out of your legal jurisdiction [*competence*], you can be crushed. A judge can condemn you”’. I asked him to explain what he meant. He said ‘Let me give you an example of a marriage certificate. If a couple comes with all the necessary papers, I must sign; it is my job to sign! Same with the order for production. Patrons and the foresters come with papers. It is the right of the patrons to produce; it’s their profession’. When I asked if this meant that it is illegal for the PCR not to sign, he nodded his head yes. This perverse interpretation of the law reduces the council and PCR to administrators, contrary to the letter and spirit of the law.

‘What happened next’, I asked. Dioup recounted: ‘I brought the PCR to my office. I called Kojangue. We had a three-way conversation. The PCR agreed’. He paused and then said:

My job is to assume that there is no scandal — neither for the PCR nor for the patrons — I don’t want any problems or delays. Things have changed. I no longer exercise hierarchical power. The term *tutelle* no longer exists. Now there is only legal control. . . . The transferred natural resource powers need to be reviewed. The PCR and the rural council have no transfer of powers. The weight of the Forest Service is still dominant. On a political level, there is money generated by charcoal. The population does not understand the situation. The PCR cannot tell you the taxes that have been brought in [i.e. he does not know]. The brigade [local Forest Brigade chief] does not give the PCR monthly reports. Foresters do not inform

16. This statement needs to be understood as a veiled threat. The PCRs all told us that they feel legally vulnerable. They are constantly told that they are breaking the law when they think that they are working within their rights (Weex Dux, Tamba atelier, 14 February 2006).

17. The quota is allocated among the patrons in Dakar. The Regional Forest Service determines the Rural Communities in which production will take place and the regional meeting is organized to announce who will get how many quotas and where they will be required to produce. Only then do negotiations begin for the signature of the PCR — exactly the opposite of what the laws say (see Bâ, 2006b; Ribot, 2006).

the PCR of anything. The PCR does not know when there is overproduction of the quota. (Interview, 21 December 2005)

The Local Forestry Brigade Chief, Matar Koulibaly

Question put to the Regional Forest Service deputy director: 'If the majority of rural council presidents do not want production in the forests of their Rural Communities, how do you choose their Rural Community as a production site?'

Reply: 'If the PCRs have acceptable reasons, if the local population would not like it?'. He asked this with a non-comprehending inflection. He continued: 'The resource is for the entire country. There must be technical reasons not to use it. The populations are there to manage. There is a national imperative. There are preoccupations of the state. This can't work if the people pose problems for development'.

(Interview, assistant director of the regional forest service, Tamba, 3 December 2005)

The Nambaradougou Forestry Brigade chief oversees forestry matters for Nambaradougou and two neighbouring Rural Communities. His story was consistent with Weex Dunx's and that of the sub-prefect — with a few new nuances (interview, Nambaradougou Forest Brigade chief, 21 December 2005). I asked him to recount what happened around the signing of the order for the opening of the charcoal season that year. Koulibaly told me, 'I got the order in Tamba and brought it here. I gave it to the PCR's secretary. The PCR then gave me a letter with requests'. Koulibaly looked for the letter, but could not find it anywhere. He continued 'It was not within my jurisdiction to respond to his letter. I told [PCR Weex Dunx] that he had to talk with the Regional Forest Service Director or to the Forest Service headquarters in Dakar — I told him this in writing'. Koulibaly searched for and found his reply. The reply, dated 22 April 2005 in response to a letter dated 18 April 2005, was short: 'The actions you have asked for before the signing of the order for the installation of exploitation entities are not within my jurisdiction; therefore, you must go to see the regional council, the Regional Forest Service Office, and the charcoal patrons'.

I asked Koulibaly what was in the letter from Weex Dunx, and he said: 'From what I remember, he asked for a meeting with the charcoal patrons and three copies of the order'. He did not remember more. He continued, 'Mor Kojangue [of the union] then called the sub-prefect. After that, the PCR decided to sign'. I asked if he knew that Wuula Gaggala had come from Regional Forest Service Office to talk with the PCR. He said 'I did not know Wuula Gaggala came to see the PCR'.

In keeping with the decentralization laws, the new role of forest service agents and officials is to only give the rural council 'technical advice' (interview 2, Chief of Tamba Regional Office, 6 December 2005). Koulibaly was supposed to do this. But he kept referring questions higher up the hierarchy although he could have given answers himself. The letter was a special matter. But according to Weex Dunx, despite having asked them, Koulibaly and

the other foresters did not help him to establish a management plan or to form their own co-operatives so that they could get quotas. The higher-level authorities were also of little help, as Weex Dunx learned when he went to the regional meeting (above).

The Regional Forest Service director explained: 'The legislation says that the rural council can refuse charcoal producers. But charcoal is a national good. It is a strategic resource that is important for the government. There will be marches in Dakar if there are shortages. If we let one rural council say no, then the next year perhaps others will say no. This will cause shortages in Dakar' (interview, Regional Forestry Inspector, 4 April 2003; also see Ribot, 1999b). In another interview, a forest agent in Tambacounda explained that the PCR has no right to say no. He said: 'A PCR cannot say that he does not want production. He says no, then yes. He says yes when the patrons visit him; [patrons] use maraboutic powers [magic] or the price of cola nuts [as payoffs]. Those in the party in power follow the requests of their party'. The agent paused. He then said, as if it were self-evident that this means that people must obey: 'We are in a state!' (interview, forestry agent, Tamba, 6 December 2005).

UNCEFS President, Mor Kojangue

Kojangue told me on 22 February 2006:

Weex Dunx wrote me a letter asking for 1) a cellphone to communicate with me, 2) money to repair the car so he could visit the forests to monitor them, and 3) money for reforestation. But I won't enter into this. If you have a programme, come and propose it as a PCR. We have finances for projects. But I will not give to the PCR without a proposal . . . The sub-prefect intervened to tell Weex Dunx to sign.

He paused, 'Senegal is indivisible!' he said, as if these were definitive words, evoking the importance of 'national good'.

The sub-prefect told [PCR Weex Dunx] he could not refuse since the [forestry] technicians have estimated the amount of charcoal to take from the Rural Community. The country needs that and he can't say no. I sent him the cellphone. I did not respond to the other requests. I paid for it with our funds. I helped him. It was from our fund. If he has a programme from the rural council, and gives us a dossier, we will study it.

Weex Dunx had told me about the cellphone and said, with disappointment, that it was all he got; Kojangue had not honoured his requests.

Jam Yimbé, a Charcoal Patron

One of the patrons working in Nambaraduougou, Jam Yimbé, told us: 'My woodcutters are in Nambaraduougou. In Nambaraduougou there is

no problem with the population. But, the forest is a bit used up. I maintain good relations with Weex Dunx, the PCR'. I asked him what he meant by 'good relations'. 'We discuss', he said with a pause, 'but I don't want to say more'. He then continued: 'With village chiefs, when I come I visit them. In the village there is water. The woodcutters cannot work without water. So I give the chief kola nuts [some money]. But if we don't agree then I go elsewhere' (interview, Patron 2, Tamba, 25 December 2005). In an earlier interview, this same patron told us: 'Mor Kojangue gave the PCR of another Rural Community 500,000 FCFA to unblock the 2005 season' (Patron 2, Tamba, 6 December 2005).

Several patrons explained that in the past, the chiefs were the only local authorities they had to negotiate with. But each patron has quotas that are earmarked for a particular Rural Community and they require the PCR's signature before they can exploit their quota. With the chiefs, the patrons can go to the next village if they do not agree to host their woodcutters. Due to quotas and assigned Rural Communities, patrons cannot go elsewhere if the PCR refuses. So, they must get the signature, one way or another, to begin their work. This has raised the stakes. In the last several years, in lieu of individual patrons negotiating with the chiefs, the National Forestry Union president, Kojangue, has been negotiating collectively for the patrons. This may be to counterbalance the new power of the PCRs — but the union president is using collective bargaining to consolidate his own power, too.

Nambaradouougou and Beyond

So, what happened in Nambaradouougou? Mr Weex Dunx felt he had no choice but to sign away his new rights to manage his rural community's forests (see Faye, 2006; Kanté, 2006; Thiaw, 2005). He and the people of his Rural Community were against charcoal production, but charcoal production continued as in the past. Nambaradouougou never got the management or revenue concessions Weex Dunx requested.

Despite trying to stop charcoal production in the name of the law and the local population, PCRs we interviewed across the forested regions felt powerless. They felt like 'Weex Dunxs' — scapegoats accused of corruption, abuse of power, and giving in to foresters and merchants. They had a profound sense of vulnerability in the face of the responsibilities of elected office and the liabilities of failing to carry out their mandates or crossing the many unknown boundaries of the laws to which they were subject — even though others, like the foresters and merchants, could freely break the rules. The decentralization laws empowered them to make decisions for their community, but then the merchants and foresters wrenched that power back. PCRs could not serve their communities. They held little authority.

By dint of the 1996 and 1998 decentralization laws, Weex Dunx and all the other PCRs have gained some power as a new node of access control along

Senegal's charcoal commodity chain (cf. Ribot, 1998). They are all now able to reap some income in exchange for their signatures. They control forest access and the merchants and Forest Service must gain access through them. But PCRs' control is weak, since others control access to things they value such as inclusion on political lists (or slates), opportunities for commerce and work accessible through higher authorities and forest merchants, and protection from accusations and prosecution. In order to maintain access to these other things PCRs must give away the forests. So Weex Dunx gives access to the patrons and foresters who have influence over the larger political environment in which he is embedded.

The Parallel World of Project Success Stories

Each time I describe Nambaradougou and other non-project area councils to foresters, donors or project staff, they deflect attention away from my observations by mentioning project areas; they tell me how progressive practices in the projects are and that I am looking in the wrong place. But, project areas are only slightly better. In project areas, many of the new laws are being applied and a form of decentralized forest management is being implemented. Yet up to 2006 most of the residents in the project areas did not want charcoal production and very few benefited from it. Their PCRs also resisted at first, but eventually were pressured by project staff, foresters and other officials to sign onto the project and to sign the annual charcoal production order.

In project areas the Forest Service arrives backed by donors with forestry projects and insists that the Rural Community be made into a model production zone. 'Special quotas'¹⁸ are allocated to Rural Communities in project areas (such as the Dutch PROGEDE project; see Boutinot, 2004; Boutinot and Diouf, 2005; Faye, 2006). Yet, until recently, just like the ordinary quotas given to patrons in the non-project zones, special quotas did not enable these Rural Communities to market their own charcoal. The special quotas only allow them to *produce* the charcoal. The Forest Service arranges contracts between the UNCEFS forestry union president and the Rural Communities to market their charcoal in Dakar. In essence, the president of UNCEFS has now locked up the project market in the form of marketing contracts with project committees. The projects have their special quotas, but they must sell to the patrons with contracts negotiated by the union leader.

Under the UNCEFS contracts, woodcutters receive a fixed 600 FCFA (US\$ 1.20) per sack of charcoal while the average producer price in

18. The usual national quota given to merchants is a production quota. After production they can trade it in for a 'circulation quota' which gives them direct access to markets. The 'special quota' (now being called '*contractualization*') allows production but does not automatically translate into market access.

non-project areas was around 750 to 800 FCFA in the same year (2006).¹⁹ For each sack of charcoal, the union leader then contributes 200 FCFA to a fund that is earmarked 70 per cent for local development and 30 per cent for forestry work. Clearly, the union leader's 'contribution' is taken from the producer price. Nevertheless, the 200 FCFA is a significant amount of income for a rural community. But it is not a fund of the rural council. While taxes would normally be the domain of the rural council — which has the right to set, collect and disburse them — the contract states that this forestry fund is managed by 'the rural council, villages near production sites, UNCEFS president, and the Forest Service'. The PCR does not have control or discretion over these funds as he would a tax. As the PCR in one of the longest-standing projects told us: 'I don't know who can draw funds or who has the checkbook' (interview, PCR, 8 December 2005). It seems that the new fund is under forest service and UNCEFS control — hardly decentralized.

The contracts make project areas into the UNCEFS leader's own supply and market-access control system, replacing the nationally-allocated quota with a Forest-Service-facilitated contract as the mechanism for maintaining oligopsony. Through 2006 a few residents of Rural Communities were able to independently sell their charcoal in Dakar, but the vast majority got a low forest-edge price and could not enter the larger market. The union president controlled project area access to markets through the new contracts while the patrons controlled market access in non-project areas through the old quota system. The project rural communities finally got a production quota, but still with highly restricted market access.

There is a notable exception. In 2006, one project unit had negotiated with the UNCEFS leader to rent trucks to villagers to bring their charcoal to Dakar. In Dakar they were able to sell to urban wholesalers and came home very happy, having more than quadrupled their profit.²⁰ So the projects have opened up some new spaces. The union leader, under great pressure from donors, threw the villagers a bone. They allowed them to market two truckloads — out of a total of 3,000 to 5,000 truckloads a year (Faye, 2003: 56–9; MEMI, 1995: 5; PROGEDE, 2002: 59). This great success amounts to less than 0.05 per cent of the market. The other 99.95 per cent remains locked up with the merchants. Villagers' market share increased in 2007 and 2008 (interviews January 2009). Forestry projects are trying to enable communities to sell and to profit, but they face steep collusive forester–patron resistance.

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19. Most of the Rural Communities in project areas hire the same migrant Guinean labourers that the merchants used to hire. Residents of the Rural Communities generally do not like engaging in charcoal production.
 20. The patron's profit margin is 1,500 to 4,000 CFA per sack, depending on the season. Further, each patron handles many times more sacks than do producers, reaping enormous profits (extensive survey data, 2002–06).

CONCLUSION

“‘Local Communities’ are just words, they are lyrics. The real power is in the hands of the authorities; [pause] government [pause], the Forest Service’ (interview, meeting 2, Tamba Regional Council Vice President Kabina Kaba Diakéte, 19 December 2005).

The people of Nambaradougou do not want woodcutting. This is clear to their village chiefs and to the rural council and its president (PCR). Weex Dunx, the PCR of Nambaradougou, attempted to act in accordance with his people’s desires and what he thought were the best interests of the Rural Community. In the end, however, he appears — or is portrayed by foresters, prefects and merchants — as just one more corrupt and ineffective local politician. He took a small bribe and gave away the forests. Because the Forest Service does not allow the PCR to exercise his powers, there is little chance that the elected rural council will gain legitimacy and be able to represent its people. Democracy in Nambaradougou has been deprived of its material basis. PCR Weex Dunx tried to exercise his legal powers on behalf of his population, but was stymied at every step. He gave in. It is no wonder that he — like all of the PCRs in the forested regions — felt powerless and exasperated.

‘Decentralized’ powers remain in the hands of a few patrons and the Forest Service. The laws give new prerogatives to the rural council. The Forest Service and its patron allies take them back. The Forest Service is breaking some laws — not those of procedural democracy, but those of power transfer. They seek to obtain the signatures of the PCR, subverting democracy while complying with its rules. By maintaining a charcoal production quota that was eliminated in 2001 by the forestry code, the Forest Service keeps the patrons happily arriving at the PCR’s doorstep with production orders in hand. Upon arrival they pressure the PCR to sign the orders using arguments of national good and the moral pitfalls of depriving the patrons and their labourers of work. They spice their arguments with veiled threats of prosecution for blocking implementation of the law. When the PCR is finally worn down and signs, they reward him for his signature with a small payoff. Control over natural resources remains with the Forest Service. The authority of the rural council to grant forest rights is effectively expunged by these practices.

Senegal’s legislature gave rural councils the right to determine the use of local forests in the laws establishing democratic decentralization (RdS, 1996b). The Ministry of the Interior is charged with setting up and supporting elected rural authorities. People vote and their representatives are put in office. But the line ministries — forestry, health, education — control the powers that, if transferred, could be the material basis of local democracy. Legitimacy follows power. With significant and meaningful decision-making powers, the rural councils could represent their populations. Rights to decentralized powers and the laws that outline these rights, however, do not

matter when line ministries resist new laws, reigning through coercion. The ability of Rural Communities to benefit from forests is structured, not by law makers, but by line ministries who implement the law (Larson and Ribot, 2007).

Distribution of forest benefits is not determined by law or rights over forests, property rights or rights to make decisions. Rights are empty when the claims are not enforceable. Without being able to make significant decisions over material resources — forests, pastures, schools, hospitals, clinics and infrastructure — rural councils have no role. They are elected but cannot serve. Local democracy has no substance. As long as the sectoral powers remain the discretionary domain of line ministries, there is little chance for local democratic transformation in rural Senegal. Colonial forestry services were used to dominate the commercial extraction of forest resources. These resources are still colonized by line ministries. Prying the fingers of line ministries off the lucrative resources they control is a major frontier of decolonization that has not yet been crossed. The new democratic decentralization laws get us to that frontier, but not across it.

One promising path towards improvement in Nambaradougou was indicated by the action of an NGO (DGL Felo) that provided civic education to rural councils and rural populations concerning their rights to forests. Their workshops informed the current resistance that rural councils are showing towards charcoal production in their areas. There is an opportunity right now in Senegal. The laws transfer significant powers to rural councils. Now is as good a time as any to inform people of those laws and to translate them into local languages. The NGO went part of the way and significantly raised local awareness. But to exercise their new legal rights, rural councils and populations will have to make more noise. They will need to organize among themselves, use the courts and/or gain support higher up in government from the Ministry of Local Government or the Ministry of the Interior. If donors and their project staff had the ‘political will’ they often accuse government of lacking, they could support these kinds of change.

REFERENCES

- Bâ, El Hadji Dialigue (2006a) ‘La Réglementation de la filière du charbon de bois a l’épreuve de la décentralisation: entre discours, lois et pratiques’ (‘The Regulation of the Charcoal Commodity Chain Under Decentralization: Between Discourse, Law and Practice’). World Resources Institute. http://pdf.wri.org/ba_wp25.pdf (accessed 8 June 2008).
- Bâ, El Hadji Dialigue (2006b) ‘Le Quota est mort, vive le quota! Ou les vicissitudes de la réglementation de l’exploitation du charbon de bois au Senegal’ (‘The Quota is Dead, Long Live the Quota! Or the Vicissitudes of Regulating Charcoal Production in Senegal’). Working Paper for World Resources Institute, CIRAD-Foret and Conseil pour le Développement de la Recherche en Sciences Sociales en Afrique. Dakar: CODESRIA. http://pdf.wri.org/sendec_dialigue_ba.pdf (accessed 8 June 2008).
- Bandiaky, Solange (2008) ‘Gender Inequality in Malidino Biodiversity Reserve, Senegal: Political Parties and the “Village Approach”’, *Conservation and Society* 6(1): 62–73.

- Boutinot, Laurence (2004) 'Étude de la contribution du PROGEDE a la gestion décentralisée des ressources naturelles' ('Study of PROGEDE's Contribution to Decentralized Natural Resource Management'). Contrat PROGEDE-CIRAD NO. 001/04, Final Report, December 2004. Dakar: CIRAD Forêt.
- Boutinot, L. and C.N. Diouf (2005) 'Quand certaines approches participatives engendrent des formes ambiguës de mobilisation de la société civile: Quelques exemples à propos de la gestion des ressources naturelles au Sénégal' ('When Certain Participatory Approaches Engender Ambiguous Forms of Civil Society Mobilization'), in A. Bertrand, A. Karsenty and P. Montagne (eds) *L'Etat et la gestion locale durable des forêts en Afrique francophone et à Madagascar (The State and Sustainable Local Management of Forests in Francophone Africa and Madagascar)*, pp. 195–212. Paris: Harmattan Press.
- Chanock, M. (1991) 'Paradigms, Policies, and Property: A Review of the Customary Law of Land Tenure', in K. Mann and R. Roberts (eds) *Law in Colonial Africa*, pp. 61–84. Portsmouth, NH: Heinemann.
- Diallo, Alioune Badara (n.d./circa 1994). 'Rapport Préparatif au Séminaire sur "les Problèmes Liés à l'Exploitation Forestière et l'Applicabilité du Code Forestier" à Travers Trois Localités: Koussanar, Nambaraduougou-Koulibantan-Kolda' ('Preparatory Report for the Seminar on the "Problems Linked to Forest Exploitation and their Application to the Forestry Code" with Respect to Three Localities: Koussanar, Nambaraduougou-Koulibantan-Kolda'). Tambacounda, Senegal: Group d'Action pour le Développement Communautaire (GADEC) (mimeo).
- Faye, Mamadou (2003) 'Deuxième enquête sur les flux de combustibles ligneux' ('Second Survey of Wood Fuel Flux'). République du Sénégal: Programme de Gestion Durable et Participative des Énergies Traditionnelles et de Substitution, Composante Demande (Republic of Senegal: Programme on the Sustainable and Participatory Management of Traditional Energy and of Substitution, Demand Side).
- Faye, Papa (2006) 'Décentralisation, pluralisme institutionnel et démocratie locale: étude de cas de la gestion du massif forestier Missirah Kothiary' ('Decentralization, Institutional Pluralism and Management of the Forest of Missirah Kouthiary'). Working Paper for World Resources Institute, CIRAD-Foret, and Conseil pour le Développement de la Recherche en Sciences Sociales en Afrique (Council for Development and Research in Social Sciences in Africa). Dakar: CODESRIA. http://pdf.wri.org/sendec_faye.pdf (accessed 8 June 2008).
- Kanté, A.M. (2006) 'Décentralisation sans représentation: le charbon de bois entre les collectivités locales et l'Etat' ('Decentralization without Representation: Charcoal between Local Government and the State'). Working Paper for World Resources Institute, CIRAD-Foret, and Conseil pour le Développement de la Recherche en Sciences Sociales en Afrique. Dakar: CODESRIA. http://pdf.wri.org/sendec_kante.pdf (accessed 8 June 2008).
- Larson, A. and J.C. Ribot (2007) 'The Poverty of Forestry Policy: Double Standards on an Uneven Playing Field', *Journal of Sustainability Science* 2(2): 3–23. http://pdf.wri.org/sustainability_science_poverty_of_forestry_policy.pdf (accessed 8 June 2008).
- Lund, C. (2002) 'Negotiating Property Institutions: On the Symbiosis of Property and Authority in Africa,' in K. Juul and C. Lund (eds) *Negotiating Property in Africa*, pp. 11–43. Portsmouth, NH: Heinemann.
- MEMI (1995) *L'Observatoire des combustibles domestiques (The Domestic Energy Observer)*. No 5, September. Ministère de l'Énergie, des Mines et de l'Industrie (MEMI), Cellule des Combustibles Domestiques. République du Sénégal (Republic of Senegal, Minister of Energy, Mines and Industry (MEMI), Domestic Energy Unit).
- MEPN — Minister del'Environnement et de la Protection dela Nature (Minister of Environment and the Protection of Nature) (2004) 'Demande de délibération des conseil Ruraux de Makacoulibantang et Missirah sur les ZPC, Bordereau d'Envoi' ('Request for Deliberation of the Rural Council of Makacoulibantang and Missirah on Community Production Zones, Notification'). IREF Tambacounda, 29 December.
- PROGEDE (2002) 'Enquete nationale aupres des menages sur la consommation de combustibles domestiques, rapport provisoire' ('National Household Survey on Domestic Energy

- Consumption, Draft Report'). Programme de Gestion Durable et Participative des Energie Traditionnelles et de Substitution, République du Sénégal (Programme on the Sustainable and Participatory Management of Traditional Energy and of Substitution, Demand Side, Republic of Senegal) (PROGEDE).
- République du Sénégal (RdS) (1996a) *Loi portant transfert de compétences aux régions aux communes et aux communautés rurales (Law on the Transfer of Powers to the Regions, Communes and Rural Communities)*, 22 March 1996. Dakar: Republic of Senegal.
- RdS (1996b) *Loi portant code des collectivités locales (Law on the Code of Local Government)*, 22 March 1996. Dakar: République du Sénégal.
- RdS (1998) 'Code forestier. Loi no. 98/03 du 08 janvier 1998 et decret no. 98/164 du 20 fevrier 1998' ('Forestry Code. Law no. 98/03 of 8 January 1998 and order no. 98/164 of 20 February 1998'). République du Sénégal, Ministère de l'environnement et de la protection de la nature, direction des Eaux, Forêts, Chasse et de la Conservation des Sols (Republic of Senegal, Minister of Environment and the Protection of Nature, Headquarters of the Waters, Forests, Hunting and the Conservation of Soil).
- RdS (2004) 'Compte Rendu, Reunion de Notification des Quotas de la Campagne d'Exploitation Forestiere 2004' ('Minutes, Notification Meeting for Quotas of the Forestry Exploitation Season of 2004'). République du Senegal, Ministère de l'Environnement et de la Protection de la Nature, Direction des Eaux, Forêts, Chasses et de la Conservation des Sols, Inspection Régionale de Tambacounda (Republic of Senegal, Minister of Environment and the Protection of Nature, Headquarters of the Waters, Forests, Hunting and the Conservation of Soil, Office of the Region of Tambacounda.)
- Ribot, J.C. (1995) 'From Exclusion to Participation: Turning Senegal's Forestry Policy Around?', *World Development* 23(9): 1587–600.
- Ribot, J.C. (1998) 'Theorizing Access: Forest Profits along Senegal's Charcoal Commodity Chain', *Development and Change* 29(2): 153–81.
- Ribot, J.C. (1999a) 'Decentralization and Participation in Sahelian Forestry: Legal Instruments of Central Political-Administrative Control', *Africa* 69(1): 23–65.
- Ribot, J.C. (1999b) 'A History of Fear: Imagining Deforestation in the West African Sahel', *Global Ecology and Biogeography* 8: 291–300.
- Ribot, J.C. (2000) 'Forest Rebellion and Local Authority in Makacoulbantang, Eastern Senegal', in C. Zerner (ed.) *People, Plants and Justice*. New York: Columbia University Press.
- Ribot, J.C. (2006) 'Analyse de la filière charbon de bois au Sénégal: recommandations' ('Analysis of the Charcoal Commodity Chain in Senegal: Recommendations'). Policy brief for the research programme 'Toward Democratic Decentralization of Forest Management in Senegal'. Dakar: WRI-CODESRIA-CIRAD.
- Ribot, J.C. and R. Oyono (2005) 'The Politics of Decentralization', in B. Wisner, C. Toulmin and R. Chitiga (eds) *Toward a New Map of Africa*, pp. 205–28. London: Earthscan Press.
- Ribot, Jesse C. and Nancy L. Peluso (2003) 'A Theory of Access', *Rural Sociology* 68(2): 153–81.
- Thiaw, S. (2003) 'Rôles et représentativité de deux institutions locales de la gestion des forêts au Sénégal: le chef de village et le conseil rural' ('Roles and Representativity of Two Local Forest Management Institutions in Senegal: Village Chiefs and Rural Councils'). Paper prepared for the workshop 'Équité, représentation et *accountability* des institutions de la GRN' ('Equity, Representation and Accountability of NRM Institutions'), Bamako (17–21 November).
- Thiaw, S. (2005) 'Les conseils ruraux dans la décentralisation de la gestion des forêts au Sénégal' ('The Rural Council in Decentralization of Forests in Senegal'). Draft working paper for the Programme WRI-CODESRIA-CIRAD sur la Gestion Décentralisée et Démocratique des Ressources Forestières au Sénégal (WRI-CODESRIA-CIRAD Programme on Democratic and Decentralized Forest Management in Senegal). Dakar (mimeo).
- Thiaw, Sagane (2006) 'Les Conseils ruraux et la gestion décentralisée des forêts au Sénégal: etude de cas dans les régions de Tambacounda et Kolda' ('Rural Councils and the Decentralized

- Management of Forests in Senegal: Case Study in the Tambacounda and Kolda Regions'). Draft final report to the Programme WRI-CODESRIA-CIRAD sur la Gestion Décentralisée et Démocratique des Ressources Forestières au Sénégal. (WRI-CODESRIA-CIRAD Programme on Democratic and Decentralized Forest Management in Senegal). Dakar (mimeo).
- Thiaw, S. and J.C. Ribot (2005) 'Insiders Out: Forest Access through Village Chiefs in Senegal', in S. Evers, M. Spierenburg and H. Wells (eds) *Competing Jurisdictions: Settling Land Claims in Africa and Madagascar*, pp. 315–32. Leiden: Brill Academic Publishers.
- Watts, M.J. (1993) 'Idioms of Land and Labor: Producing Politics and Rice in Senegambia', in T.J. Bassett and D.E. Crummey (eds) *Land in African Agrarian Systems*, pp. 157–221. Madison WI: University of Wisconsin Press.

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