

C O N C L U S I O N S

Findings and lessons learned

This concluding chapter presents a brief summary of key findings and lessons learned from the case studies on the Gambia and Namibia. It also provides some reflections and lessons learned on the overall training and support process carried out by LSP through its African Training-of-Trainers Programme. Overall, the case studies demonstrate that a great deal can be achieved in addressing Africa's pressing natural resource conflicts through modest but effectively deployed investment of resources in training for and logistical support of consensual negotiations. At the same time, there are constraints and obstacles in training, logistical support, institutions, national policy frameworks and communities, which need to be taken into consideration. Nonetheless, enormous possibilities exist for addressing – in an informal and participatory way – many of Africa's natural resource conflicts, including those arising within the context of decentralization and in CBNRM programmes.

THE CASE STUDIES

The case studies presented in this paper show that decentralization of natural resource management, including of forests (in the Gambia) and of wildlife (in Namibia), is in part a response to tensions and conflicts arising from the colonial legacy of State protectionist policies. This exclusion of communities from natural resources often fostered a history of hostility and suspicion between government lead agencies and rural people. In general, protectionist resource policies and practices generate tension and conflict, as people resent being denied access to natural resources that are important for their livelihoods and cultural practices. The rise of CBNRM has been a major response to this situation, providing people with incentives and opportunities to engage in and benefit from sustainable resource use.

Ironically, the case studies also show how decentralization and participatory natural resource management unintentionally contribute to conflicts among communities. In both cases, people pursued the opportunities offered by the new community-based institutions to pursue long-standing claims to contested resources. In the Gambia, the people of Kayai sought to re-establish their sole claim to Kayai Island; in Namibia, the traditional authorities of Bukalo Khuta sought to use their influence over Salambala Conservancy to gain political control over Sikanjabuka village. These sorts

of community motivations are common and widespread throughout the world.⁵ Promoters of community-based resource management need to recognize that the people in communities may have a variety of motives for engaging in such activities. Because such programmes and interventions alter access to or use of natural resources, they provide opportunities for shifting power relations, so it is not surprising that strategically minded groups and individuals see such initiatives as opportunities for dealing with disputes over the control of, access to or use of natural resources. This does not mean that other motivations, such as conservation, increased productivity and sustainable livelihoods, are not important. On the contrary, people may see their securing of resources – through ending competing claims – as a vital means for achieving these other goals.

The prospective planners and managers of community-based resource management interventions cannot assume that they are entering into simple, quiet, conflict-free settings, no matter how bucolic the countryside and villages appear. Rural people do not constitute a homogeneous mass of humanity; terms such as “rural people”, “resource users”, “villagers”, “community members”, “households”, “the poor”, “farmers”, “herders” and so on often serve to conjure images of populations that share a community of interests. Reality is far more complex, however, and such social entities are never purely homogeneous. On the contrary, social, cultural and economic differentiation always exists, whether based on gender, age, ethnicity, territorial identity, religion, political affiliation or other factors. In addition, people – even at the intra-household level – differ in their access to assets, social support networks and so on. The level of social complexity increases in settings involving a number of populations, and the history of relations among groups also needs to be taken into account. In some places, relationships might be largely harmonious, while in others they may be dominated by antagonism, rivalry or suspicion. Whatever the case, planners, managers and support staff for community-based resource initiatives need to find out about the social setting that they are entering, as these social relations are likely to have a substantial impact on the fate of the initiative.

The case studies also demonstrate that conflicts do not have to be violent or generate widespread insecurity to have a negative impact on the performance of community-based resource initiatives. Both the Gambia and Namibia case studies were free of violent actions (hence use of the term “low-intensity” to describe them), but they slowed down and even sometimes halted the initiatives, depriving rural communities of the resources needed to support livelihoods. Worldwide, one of the main motivations for conflict management is that it makes sense economically. Conflicts reduce efficiency by contributing to or causing delays, poor performance, low motivation, etc. Conflict management skills are crucial for helping to maintain high levels of local participation over long periods, as is usually required in natural resource interventions.

In both case studies, the negative effects of latent conflict arose because the conflicts were ignored for a long time, or were handled very ineffectively. Valuable time passed, allowing positions to harden. This probably happened because people did not know how to respond to conflict effectively.

5. Chapter 1 contains many references to this phenomenon: see for example, Ribot, 1999; Castro and Nielsen, 2001.

As already mentioned, conflicts that are ignored for a long time usually extract a high cost, and this underlines the value of conflict management as a mandate or priority within an organization. Unless effective conflict management is given priority and sufficient resources, time-consuming conflict management processes will seldom be sustained. Collaborative natural resources management is a relatively new concept in many countries, and its aims, procedures and support activities (such as conflict management) have not yet been fully understood and integrated into the institutional culture and management systems of leading organizations. The case studies revealed that the agency and project staff responsible for implementing decentralized resource management were often insufficiently equipped to address or manage conflicts appropriately. This situation is not unusual, and it is only recently that the explicit value of conflict management skills has come to be appreciated in development and resource management administrations (see, for example, Pendzich, 1994; FAO, 1997; 1998; Buckles, 1999; Warner, 2001; Castro and Nielsen, 2003).

CONFLICT MANAGEMENT

The two case studies demonstrated that alternative conflict management procedures have considerable potential in addressing natural resource conflicts. Alternative conflict management uses participatory negotiation, mediation and related procedures similar to those that already exist in most local conflict management systems. It also has the virtue of being flexible and offering generally low-cost access to conflict management processes. Alternative conflict management provides a means to widen and strengthen people's access, particularly among poor and marginalized populations, to natural conflict management institutions, whether based in national legal structures, customary law or other settings. The conflict mediation teams in the case studies worked closely to bring together government officials, traditional authorities, informal leaders and local resource users in a process of consensual negotiation.

The case studies, particularly in the Gambia, illustrate the complexities regarding neutrality of the mediation team. Government is often a party to (or stakeholder in) natural resource conflicts, and other stakeholders may not regard its agents as being strictly neutral. This can limit the possibility for government officers to act as third parties, peace brokers or other intermediaries. At the same time, the nature of relationships in these settings often makes it impossible to find a third party that is not connected to or has not had a prior relationship with any of the disputants. The idea of looking for acceptable mediators is therefore more realistic, referring to a third party who is perceived as impartial by all negotiating parties and therefore has the credibility and trust to perform a brokering role.

Although many government organizations and NGOs profess the importance of taking a proactive role in addressing conflict, for most participants the training programme was their first exposure to conflict management. The initial training-of-trainers resulted in a high number of replicated national trainings. These were organized by participants of the programme independently from FAO support, which indicates the massive interest and demand for conflict management training in the countries concerned.

Despite or because of this demand, another note of caution is necessary, however, as it is important to avoid the simple transfer of Western models of alternative conflict theory and practice to Africa; this would probably be counterproductive.⁶ The use and implementation of alternative conflict management in Africa, as elsewhere, must be based on the adaptation of procedures and processes to local realities. This process of adaptation is still in its early stages, and practitioners in the two cases studies are among its pioneers. It is essential that alternative conflict management not be promoted or treated as a modern replacement for existing (and still often vital) traditional or customary institutions. The issue is not one of competing approaches, but rather of finding what works in a given situation. It is crucial to ensure that people have access to the means of addressing – in a peaceful, participatory and equitable manner – their conflicts and disputes.

Efforts to widen access to natural resource conflict management institutions in Africa must consider how customary dispute resolution procedures can be applied, encouraged or strengthened, and interfaced with the environmental sector. It must be remembered that customary conflict management practices are themselves adaptations and adaptive. As illustrated in the two case studies, there is considerable potential for social innovation by drawing on both customary and alternative approaches. Conflict management training can add to the approaches, strategies and skills that people already possess, giving them a greater range of options of how to act. At the same time, it is important to bear in mind the limitations in terms of access that occur in customary (and all other) conflict management procedures, especially regarding gender, wealth and age. For example, although women are major users of natural resources in the communities where the case studies occurred, they were not directly involved in the conflict management processes.

Although informal conflict solving procedures can succeed in many difficult situations, it should not be assumed that this approach is always either possible or desired by stakeholders. Village communities, especially poor people, often prefer to solve their disputes informally as they perceive this as being easier, quicker, cheaper and potentially less socially disruptive. More powerful parties, however, sometimes need to become convinced first that they too will gain from informal dispute resolution and that they cannot pursue their interests more effectively through other means and in other arenas. This is to say that informal conflict management procedures take place in the *Œshadow of the law.* Where legal systems are weak, chances for voluntary processes to succeed depend on transparency and scrutiny applied by media and civil society coalitions. These efforts can serve as an aide to successful resolution, not as a guarantee. In this respect, informal procedures are not so different from legal procedures, only that they tend to be more affordable and accessible in many places of the world.

The chances for informal conflict management procedures to succeed and achieve good outcomes for all the parties involved have to be carefully weighed against the costs: the aim of negotiations is to achieve a better outcome compared with what would have been possible through other procedures. Each party has to consider what its best alternative is if it cannot obtain a negotiated agreement. A third party also has to reflect on whether the achievable agreement is fair and stands

6. See Nader and Grande's (2002) critique of the transfer of alternative conflict management to Africa.

a good chance of being sustained. Third parties do not want to enter a process where poorer or less powerful people are taken advantage of, so the costs – time, money and other resources, as well as the resignation and passivity of weaker individuals and groups that result from failed attempts – have to be taken into account when selecting conflict management approaches.

Against this background it is clear that informal conflict solving procedures must not be seen as a panacea for every dispute. These procedures are always open-ended processes, and lead to success only if a series of conditions are met, including the following:

- *Stakeholders are identified and prepared to participate:* At the start, potential participants must be identified and prepared to take part in the conflict management process.
- *The process is a high priority for all participants:* Resolution of the dispute must be a high priority for all stakeholders. This is often not the case when there are major power imbalances.
- *Stakeholders depend on one another:* The higher the degree of mutual interdependence, the greater the likelihood that stakeholders will want to reach a settlement.
- *A negotiated settlement is likely to offer better outcomes than other possibilities for settling the conflict:* A key issue is identifying each party's best alternative to a negotiated settlement (BATNA).
- *The conflict is subject to a compromise solution:* The conflict or its components must be negotiable. If there is no room for compromise, mediation procedures will be ineffective. This is often the case in conflicts that are centred on clashes of values.
- *Participants have decision-making authority:* The participants in a conflict management procedure need to have the authority to represent the constituencies they claim to speak for.
- *Decision-making sovereignty is relinquished:* There must be a readiness, particularly on the part of officials, to agree to an open-ended process, thereby partially relinquishing their own decision-making authority.

These challenges are to be contrasted with the many advantages of alternative conflict management procedures, such as the following:

- *Voluntary and collaborative nature of the consensual negotiation process:* Participants who decide in favour of this procedure do so because they are convinced that agreements reached in this way offer distinct advantages, including the ability to incorporate local knowledge and concerns and the relative informality and flexibility of the process.
- *Faster and less expensive process:* Because consensual conflict management procedures are less formal than judicial proceedings, the participants may determine their nature, which prevents delays and thus speeds up the entire process. In addition, the cost of reaching decisions is less, as lawyers, court fees, uncertainties about the nature of judicial decisions and long delays are avoided.
- *Creative solutions:* Consensual conflict management offers participating parties the possibility of reaching tailor-made agreements that are more likely to serve their common interests than are those imposed by a third party. This greater flexibility also provides the opportunity to focus on the root causes of conflicts.

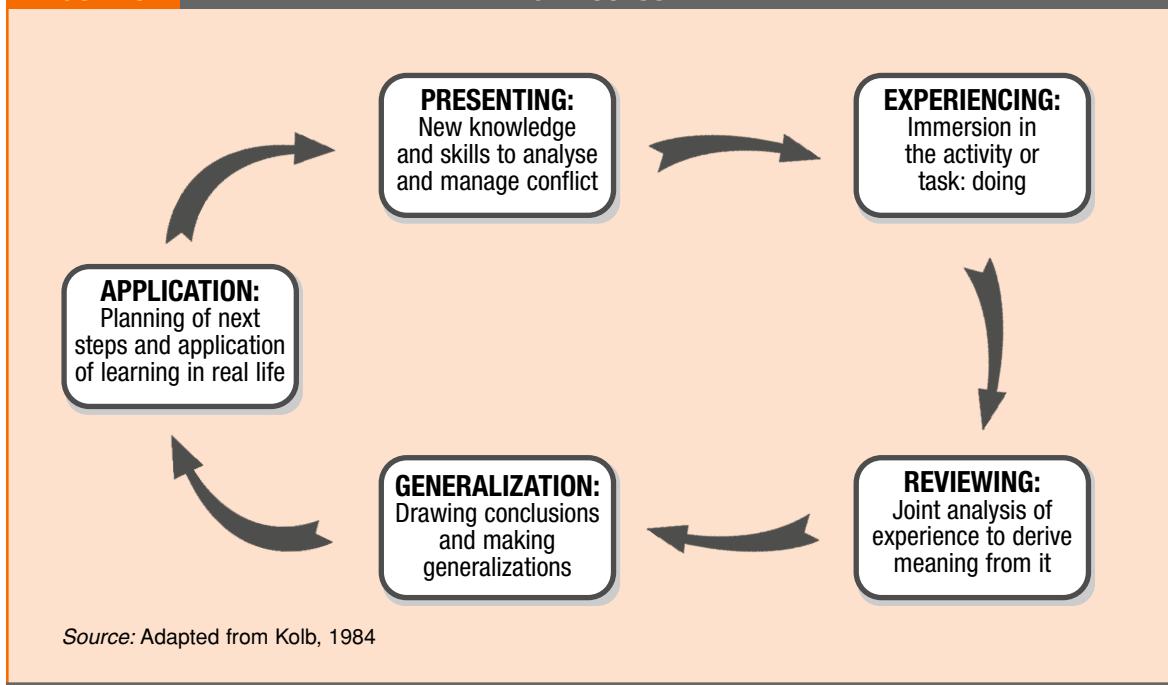
- *Creation of better relationships among the participants:* Consensual negotiation procedures foster improved relations among the disputants. The focus is not simply on obtaining interests, but on reaching a mutually acceptable solution. In contrast to other conflict management approaches, this tends to promote reconciliation among the parties.
- *Possible higher rate of compliance:* Participants who have voluntarily reached an agreement together are more likely to fulfil the terms of that agreement than are those who have settlements imposed on them. This also increases the possibility of avoiding costly litigation later on.
- *Reduced risk in planning:* For administration and project contractors, the timely use of collaborative management may reduce the risk of troubles later.

THE TRAINING PROGRAMME: SOME REFLECTIONS

It is beyond the scope of this document to provide a comprehensive review of LSP's training programmes. Rather, the intention is to provide general observations and lessons learned about the programme's approach to training, accomplishments and limitations, for those interested in carrying out similar tasks.

It must be emphasized that LSP training programmes are characterized by some distinctive features. First, they are based on an *experiential learning approach* "whereby knowledge is created through the transformation of experience" (Hiyama and Keen, 2004). According to the widely known principle "I hear – I forget; I see – I remember; and I do – I understand", LSP training programmes combine learning by doing with reflection on learning for improved action.

The idea of an experiential learning process is based on Kolb's famous learning circle. As shown in Figure 5, the adopted experiential learning process has five main stages. These are structure around participants' ability to learn new knowledge and skills for analysing and managing conflicts; making concrete experiences in applying this knowledge and skills; reflecting upon this experience; and drawing conclusions for improved action. The experiential learning process often results in new answers to old questions, and enhances understanding of how to address conflicts. Three aspects can be seen as especially noteworthy about experiential learning: (1) the use of concrete, 'here-and-now' experience to test new information and methods; (2) use of feedback to change practices and theories and (3) the understanding of the learning cycle that can begin at any one of the five points - but should really be approached as a continuous spiral.

FIGURE 5 THE EXPERIENTIAL LEARNING PROCESS

A second distinctive feature of LSP training programmes is that they have converted the experiential learning approach into a *multiple, integrated phased programme* that combines classroom training with appropriate mentor-supported field practice.

Training programmes usually run for between six and twelve months. Classroom training is conducted at various stages of a programme; between classroom sessions, participants are expected to apply their new knowledge and skills to real-life conflict situations in their own work context.

During these periods of application, participants are coached/mentored by the trainer, who assists with specific conflict management or training methods and concepts; responds to questions and supports problem solving; and provides constructive feedback on participants' performance, encouraging reflection and self-assessment.

At the end of a programme, a lessons learned workshop provides participants with an opportunity to share and evaluate their experiences and learning from classroom training and conflict interventions.

Participation in the programmes is based on a cost-sharing arrangement with the projects and institutions whose staff are to be trained. Participants' organizations must commit themselves to supporting their staff during conflict interventions and case study write-up, and to covering any costs arising from conflict management processes in the field.

Multiple and integrated phased training programmes have proved to be appropriate and effective for skill building. The combination of classroom training and mentor-supported field practice has resulted in effective learning through practice and increased appreciation of the relevance of conflict management to participants' work in natural resource management.

The success of skill building training programmes for conflict management depends on a number of critical factors, however. These include the following lessons learned by LSP.

Selection of participants

- Training is more effective when it is directed to a group of affiliated people, rather than to individuals. The training of individuals often results in the random application of skills. It is better to train a cadre of two or more people, who can then work together to support each other in the development of strategies for resolving conflicts.
- It is more effective to train a group of people working in a single organization – NGO or government agency – as this promotes the institutionalization of procedures.
- Training should target NGO and government staff together, so that they can coordinate their conflict management activities.
- Training a small group of people in a small geographic area effectively is better than training a larger group in a wider area where lack of resources, isolation or inability to enter a dispute will reduce the training's effectiveness.
- It is worth developing a participant selection process that identifies participants who are already helping parties in disputes and have facilitation and field-based experience in conflict management. Ideally, the training group should include participants who are already linked to disputants' social networks and have credibility with the parties or people in authority who can provide assistance.

Ongoing support mechanism

- Skill building training needs to be well integrated in participants' organizations to ensure that participants obtain the required organizational support for their work.
- New intermediaries in a conflict need support, encouragement and strategy assistance. It is useful to provide periodic mentoring/coaching – via e-mail, telephone and most importantly via site visits – as an integral part of training.
- New trainees are required to travel to conflict sites, meet stakeholders and conduct conflict management work. It is therefore important that conflict interventions do not have to be abandoned because resources have started to run out. Mechanisms should be put in place to ensure that adequate resources are provided to allow conflict management processes to be sustained over extended periods.
- Suitable local training institutions should be involved in training and post-training mentoring from the outset, to build local capacity for the replication of training.

- The contextual understanding of natural resource conflicts is important. Documented conflict management processes and resolution outcomes can considerably enhance the material for future training courses. Mechanisms that support the documentation of conflict cases from training – such as coaching and editorial support – should therefore be considered.

Training process

- Training is more effective when it is underpinned by participatory, learning-centred and adult education principles.
- For skill building purposes, it is worth considering a multiple and integrated phased programme that combines both classroom training and adequate and appropriate mentor-supported field practice.

The African programme was unusual in that it targeted trainers-cum-practitioners. Although it was difficult to find people with both the required sets of skills, efforts to identify trainers who are also working in the context of participatory resource management projects was worthwhile considering the potential outreach. The African training-of-trainers had an impressive multiplying effect. In about 15 months, the trained trainers had replicated the training 11 times in five African countries. The programme has initiated second- and third-generation training, directly benefiting more than 250 natural resource practitioners. This high number of trainees was reached despite major difficulties in identifying and securing funding for the replication of training. In some cases, funding was not forthcoming from participants' organizations because conflict management was viewed as a new field whose immediate benefits have yet to be demonstrated. For most of the participating organizations, the training provided a first exposure to conflict management approaches, techniques and skills.

When participants were asked to assess their overall satisfaction with the training, all rated it very highly in terms of meeting the stated training objectives, relevance to their jobs and meeting their expectations. Participants especially valued the opportunity to apply the knowledge and skills imparted in the training to a real-life conflict; in fact, they identified this as the most important component of the programme. At the same time, they felt it was the most difficult of all the training programme components to realize. These hands-on applications provided invaluable insights into the scope and limitations of conflict management approaches, skills and techniques. They also furnished participants with insights into their own abilities, capacities and interests as conflict mediators.

While hands-on application is of value to all trainees, this component of the training programme works best for those who are dealing with conflict as part of their regular work activities, because conflict management activities require a high level of commitment from mediators and communities. As noted in the two case studies, conflicts are often characterized by considerable social complexity, which calls for much effort to build rapport for stakeholder engagement, facilitate conflict analysis, mediate negotiations, prepare agreements, etc. Such work also tends to take place in emotionally

charged settings. Addressing conflicts can be extremely time-consuming, and emotionally draining. Shuttle negotiations, for example, can require substantial resources for meetings, transport, materials and other logistics.

Conflict management processes require mediators and communities to commit themselves fully to the process, and such commitment can occur only if conflict management is a priority for the trainee's organization. Many participants came to realize that engaging in conflict management on a part-time basis is very difficult, given the social dynamics of building collaborative relationships, analysing conflicts, etc.

CONCLUSION

In conclusion, the case studies confirmed how much can be accomplished from relatively modest financial and other resources. Effective problem solving requires resources and skills, but it depends even more on the commitment of all parties, including decision-makers, to find solutions to problems in natural resources management before those problems grow and escalate. The outcomes suggest that a great deal could be achieved in addressing many of Africa's pressing natural resource conflicts with similarly modest but effective investment of resources in training for and logistical support of informal conflict management procedures.

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This publication increases understanding of natural resource conflicts and their effects on local livelihoods by sharing recent, real-life experiences of Africans who have used the processes and principles of consensual negotiation and mediation to address natural resource conflicts.

Readers are presented with the contexts, problems and experiences of mediators and other stakeholders from diverse locations (West and Southern Africa) and sectors (forestry and wildlife).

The publication is the result of a programme on building local capacity in natural resource conflict management. It provides reflections and lessons learned from this process, for those interested in carrying out similar tasks.

The findings suggest that much can be achieved to address pressing natural resource conflicts through the effective deployment of modest investments in training and continued support for informal conflict solving procedures.

