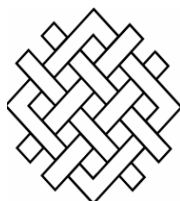


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**Panel 1: Institutional Choice and Recognition in Natural Resource Management:  
Competition, Cooperation and Conflict among Local Institutions**

**Paper title:** Institutional Pluralism in charcoal chain in a context of  
Decentralization in Senegal: The Stakes for Local Democracy.

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## I. Introduction

As African and third-world States, politics of decentralization has been engaged in Senegal, early in the last century (Diagne 2003). But, the phase which interest us starts at the local “collectivities code” promulgation in 1996. By this code, government of Senegal settles three forms of “local collectivities”: rural communities, communes and regions in urban areas. In the nine powers they have received was the management of environment and natural resources. So the code the former code of 1993 which doesn’t integrated decentralization considerations was called to be reviewed in 1998.

The particularity of the Senegalese political decentralization reforms is first, the fact that it will be accompanied by an administrative decentralization – “deconcentration”–process. Second, the forestry service needed projects and programs to embody the “new inclusive” politics (RDS Communication of 1980). So, PROGEDE was the model designed by the national forestry service to be tried out. As other projects in forestry, it created its own institutions: villagers committees of management and development (CVGD)<sup>1</sup> and inter villagers committees of management and development (CIVGD) in addition to the pre-existing institutions –traditional like village chiefs–. The studies on decentralization in Senegal reveal situations of institutional superimposition, “institutional sedimentation” or “multicentricity” because of the creation of new institutions without abolishing the formers (Jacob and al. 1997: 5; Fall, 1998; 1999). The institutional arrangements done in this context of plurality and in the name of decentralization do not provide or reinforce democratization, –one of the objective of decentralization reform according to some authors (de Villiers 2000; Mback 2003; Ribot and Larson 2004; Ribot 2004b). This article discusses the effects of this institutional sedimentation on the embodiment of decentralization reform objectives such as efficiency, participation, citizenship, development and democracy (Ribot 1996; Ribot 2004a; Rothchild 1994; Mbassi 1995; see either Crook and Manor 1998 cited by Ribot 2004b; World Bank 1989).

In this article, decentralization is defined as « any act by which a central government formally cedes powers to actors and institutions at lower levels in a political-administrative and territorial hierarchy » (Ribot 2004b:9). To distinguish democratic decentralization, sometimes, called political decentralization or devolution, to administrative decentralization, we’ll also refer to Ribot (2004b). "Democratic decentralization happens when powers and resources are transferred by the State to downwardly accountable representative institutions. These are typically elected local governments". Defined so, transfer of power from project or ONG cannot be considered as democratic decentralization: « the transfer of powers to any non-state entity, including individuals, corporations, and NGOs » is privatization (Ribot 2004b:9). According to many other authors, downward accountability those who embody the local institutions is the essence of democracy (Ribot 2004a, 2004b; Moore 1998; Larson 2004).

Nevertheless, the implementation of upward accountability is the strategy kept by central governments to better control forestry resources management and natural resources writ large (Ribot and Larson 2004). In the same way, NGOs and projects transfer powers to non-representative institutions –traditional one or those they have created– in the name of pluralism or, civil society (Ribot and Oyono, forthcoming cited by Larson and Ribot 2004. In Senegal environmental and forestry projects actions, seen elsewhere, as “anti-democratic” by some advocates of democratic decentralisation such as Ribot and Larson (2004), Namara and Nsabagasani [(2003) see especially Ntsebesa 2003, Manor 2003]] go round rural councils when they transfer powers on forestry resources. This fact blocks democratization of decentralized

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<sup>1</sup> In French, CVGD stands for “comité villageois de gestion et de développement” and CIVGD “comité inter villageois de gestion et de développement.”

forestry management: it requires transfers of discretionary and secure powers from the state to local elected entities (Ribot 2004a; Ribot and Larson 2004).

In this article, pluralism is defined neither as political practices consisting to justify the intervention of many institutions which are often upwardly accountable (Larson and Ribot 2004) nor as an ethical doctrine or theory which principal goal is reaching all individuals welfare by finding the best way of different interests and values –settling “a basis for cooperation though all things differ”<sup>2</sup> (Wollenberg, Anderson and López 2005). Here pluralism is the result of the combination of many institutions of different legitimacies in the context of decentralization particularly in local forestry resources management: deconcentrated authorities, rural councillors and their president, local forestry service agents, members of committees and village chiefs). The fact that it confronts diversity of institutions leads us to use the adjective “institutional” to better distinguish it from pre-existed “value pluralism”, “interest pluralism”. Democratic institutional pluralism occurs, in the context of forestry decentralization, when rural councillors and their president are involved in all the decision-making engaging local management activities. The freedom local elected institutions have in exercising powers transferred by the forestry code and the financial profit access they benefit are the indicators this study will examine.

Senegalese governors, especially foresters, in consistence with international meetings and conferences agendas, adopted in the middle of years 90’ a new approach of administrating forestry resources. In this way, PROGEDE can be considered as a program of testing an implicative forest management in which many actors are involved. Local committees theoretically have been created in the goal of extending institutional arrangements given rural communities have already been empowers by decentralization laws. Ten years ago, we find the importance of studying effects this pluralist approach have on decentralized forest management given, one of its objectives was most access and profits for local people and more through more democracy in their resource management.

This study concerns many rural Communities, but it focuses on Missirah. The rural community of Missirah is located in Tambacounda, a forested region in the eastern Senegal. Missirah is the greatest zone of charcoal production of this region. Its communitarian forests are parted into three essential zones: a zone managed by PROGEDE said Managed (*ZA-zone aménagée*), a non managed zone (*ZNA-zone non aménagée*) and a zone which is between the hands of forestry agents, controlled production zone (*ZPC*). The first experimentation of the ZPC is currently happening in Missirah’s forests. Patterns of democratic institutional pluralism will be explored through three decision-makings: the signature of the prime license, the “protocole d’accords” and the “protocole d’entente”. The prime license is the decision whose validity occurs after the PCR signature. Without it, charcoal production isn’t theoretically allowed in the forests of a rural community. The “protocole d’accords” is an agreement on charcoal production in a rural community which is signed between the president(s) of CIVDG and the forestry operators’ president. It is approved by the Sub-Prefect and the Director of regional forestry agency. The “protocole d’entente”) is an agreement signed between the forestry operators’ president, the PCR and the Director of the regional forestry agency.

The material analysed in this article is based on interviews, participant observation and surveys we’ve conducted from the end of June 2004 to December 2005 in many rural communities, especially at Missirah. In addition to that, we have carried out a review of laws and literature on decentralization, PROGEDE’s rapid rural appraisal (RRA) reports, and rural councils deliberative PVs. The surveys took place in twelve villages of the rural community of Missirah. Village chiefs, rural councillors, Sud-Prefects, forestry service agents, PROGEDE fellows, committees’

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<sup>2</sup> The subtitle of their book is “Pluralism as a basis for cooperation in forests”. The thesis they defend in this guide turn around the way people can positively use pluralism in forestry.

members, “forestry operators”<sup>3</sup>, regional council and regional agency of development (ARD) members, and villagers were interviewed in each village.

“Actors-Powers-Accountability” model adopted by Agrawal and Ribot (1999) inspired this analysis. We have found in their model opportunities to determine the powers of each institution –actor– and to see how their nature and origins inform the accountability they hold. We hope to find in task the limits and the advantages of the pluralist management of the massif in the name of decentralization.

The next section deals with decentralization laws review in order to determine the powers transferred, in theory, to each institution. This is followed by a section on the practices of institutional pluralism in the forest administration in Missirah’s communitarian forest, particularly through charcoal production decision-making. The links between these two sections is the assessment of theories and practices of decentralization. The subsequent section examines the effects of the institutional pluralism on local democracy establishment and democratic decentralization effectiveness. The last section presents conclusions and their political, economical and social implications, and the recommendations we propose.

## II. Laws on forestry decentralization review

Two main laws legalize Senegalese forestry decentralization: “code of local collectivities” of 1996 (RDS 1996a; 1996b) and forest law of 1998 (RDS 1998). These texts define the powers transferred to each actor and the modalities they may be exercised. This section is an essay of outlining: which institutions receive powers and what they really receive.

***Forestry service.*** Forestry agency seized, during a long time, the main powers in Senegalese forestry administration (Ribot 2001): since French colonization until the previous day of the decentralization laws promulgation in 1996. Seeing the economic importance of the exploitation of forestry resources, Senegalese government resists liberating the forests management. According to Boutinot (2002) –charcoal production generates 20 billions Fcfa the year–.

Forestry service is the technical agency that represents the central State and the Ministry of Environment and nature protection in forestry administration. As so, it is called to exercise their prerogatives in this sector.

The forestry service regulates resources access. It controls the legality of all deeds related to forestry exploitation and hunting (RDS 1998: R20). It issues the licences for forestry exploitation, forest product storage, and circulation of forestry products such as fruits, charcoal, wood, leaves, etc. (RDS 1998: R.22; see Bâ 2006 for details). It may approve all decision of the rural council concerning forestry management. On the basis of the previous licence signed by the president of the rural council, the regional forestry agency Inspector delivers the licence of “cutting-trees” to the “forestry operators” (RDS 1998: R.28).

There are four sub-national levels of government in Senegal. Senegal is organized into 11 regions which are repartitioned into Departments. The departments are divided into "*Arrondissements*" and each Arrondissement is divided into three or four rural communities. Each rural community

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<sup>3</sup> They are the big boos who buy the charcoal from villages and sell it at the urban cities like Dakar. They are the legal merchants of the charcoal chain because they get professional card for forestry business. The locally called by researchers “exploitants forestiers” and patrons by the charcoal chains actors and villagers.

regroups many villages and have an average population of 15.000 inhabitants. The Region and the Rural Community have elected councils. The Department and the Arrondissement are administrative units headed by the Prefect and Sub-Prefect who are appointed by the minister of the interior. The village is also an administrative unit with the chief of the village representing the most local level of the administration. Only regions, urban communes and rural communities have the status of local politico-administrative entity.

**The: Sub-Prefects.** Senegalese politic of democratic or political decentralization go with an administrative decentralization or deconcentration. *Sous-prefets* represent the State and especially the President of the Republic at the “arrondissement” (RDS 1996a: art. 361; see Bâ 2006).<sup>4</sup>

According to decentralization laws, the *sous-prefets* may assist daily the rural communities, advice and sustain development actions and programs (RDS 1996a: art. 31 and art. 365). Their role comes from a control of legality *a priori* from a control of legality *a posteriori*. The first form of control which weakened the powers of local elected has been abrogated since 1996 (RDS 1996a). As so, their function consists at approving the decision made by the rural councillors or its president (PCR). But, if asked by the PCR, “sous-prefets” can give them all information needed at their powers exercising. For instance, they help PCR in the rural tax collecting operations (RDS 96a-228: art. 29).

**Village chiefs.** Their function, according to many authors, is victim lot of changes though African political history: from French colonization to decentralization (see Ribot and Thiaw 2004; Fortes and Evans-Prichard 1987 [1940]; Bayard 1991; Faye 2003). Nowadays, chiefs’ functions and roles are defined by decree. In 1996, a decree (RDS 1996c) has been promulgated to modify the prior decree of 1972 (RDS 1972). This decree has clarified the place of village chiefs in Senegalese political administration hierarchy. They are placed under the authority of “sous-préfet” and main their role is collecting rural tax (Decree 96-228: art. 29). Their primary functions are to implement and enforce laws and to resolve conflicts among villagers. In forestry sector, no power has been transferred to them contrary to the past where they were, in some places, forestry chiefs (Thiaw and Ribot 2004).

**The: rural communities.** They are composed of two departments: a deliberative organ and an executive organ. The first one is formed by all the rural councillors elected at direct universal suffrage while the second is the personified by the rural council president (PCR)<sup>5</sup> elected by the councillors themselves two weeks after they have been elected (RDS 1996a).

Before decentralization reform, the rural community had no powers in forestry. It could only be invited by forestry service agents to participate in reforestation activities. It gets some powers in forestry resources management since the transfers of competence (RDS 1998; RDS 1996a; RDS 1996b). Among its powers are:

- ❖ The management of forests located in its area after an approved "plan d'aménagement"<sup>6</sup> by the forestry service agency and the sub-prefect” (RDS 1998a art. L7);
- ❖ The deliverance of previous licence to all cutting operation into the rural community area (RDS 1998a art. L4);

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<sup>4</sup> It is a Senegalese administrative district which contains at least four rural communities. It is the adaptation of the French administrative system.

<sup>5</sup> In French, PCR means "Président du Conseil Rural ou de la Communauté rurale"

<sup>6</sup> The "plan d'aménagement" is an instrument which criteria are defined by forestry agents in the code of 1998. The only condition of rural communities to receive the powers of managing their forests is the establishment of a "plan d'aménagement", otherwise forestry service retains the administration of resources.

- ❖ la quote-part d'amendes prévues par le code forestier (elle est constituée des sept dixième) (RDS 1998b art. R64) ;
- ❖ The constitution of committees of vigilance and the power of controlling them in order to fight against bush-fires (RDS 1998b art. R58) ;
- ❖ The creation of wood and protected areas;

To take on its responsibilities, the rural community leans on its two organs. Each of them has its own competences. However, the some contradictions between the laws lead at confusions of their powers. For instance, about the signature of the previous licence of cutting-trees, while the code of "local collectivities" transfers the power to the deliberative organ (RDS 1996a: art. 195), the "forestry code" designs the executive organ. Referring to the first texts, the rural council can also "*express its wishes on all regulating measures it things important to see its president realisation and which are necessary for natural resources exploitation and properties protection*"<sup>7</sup> (RDS 1996b : article 200).

Here, the PCR gets only the power to act upon the rural council deliberation. However, if the code of local collectivities allows the council a power of deliberating before the PCR signs the prior authorization, the forestry code indicates this one as the only one which is competent to decide.

### III. Institutional pluralism in Missirah forestry resources management in practice

This section examines the way in which the powers are exercised in this context of institutional pluralism. The analyse focuses on three main decision-makings related on charcoal production: the signature of the prior authorization in ZNA, of the *protocole d'entente*, in ZPC, and of the *protocole d'accords* in ZA. ZA are a forest or o a part of forest which is exploited under a "plan d'aménagement". Let us point out that only the signature for prior authorization is explicitly recognized by the laws on decentralization. The "*protocole d'accords*" can find its legal roots in the *plan d'aménagement* which has been defined the forestry code. At the opposite, the "*protocole d'entente*" is not mentioned by laws on decentralization. Forestry agent tried to identify it as a form of "*protocole d'accords*" in ZA at the moment the ZPC are simplified "*aménagement*". Along this papers signature processes, *sous-prefets*, PCR, village chiefs, forestry agents, and forestry operators use their powers and strategies to catch the related benefits to their profit (see Bierschenk and Olivier de Sardan 1995; 1998).

The most problematic reality of the communitarian forest of Missirah is the fact its public domain is divided into small kind of sub-forests which depend on different decision-makers or institutions which are not all public. The institutional competition with the rural council is largely provided by this fact.

According to the PCR, last year, one state representative asked him to respect the national policy of satisfying people in towns needs concerning charcoal defined by the President and the ministers. The state representative made him understand that not signing the prior authorization is like trying to obstruct this government's policy. If he did not sign, governors and the party members won't leave him alone (Interview of Faye 10/15/2005). Considering that the quotas are given out at central level before the regional council notifies them to forestry operators, what can do a PCR to refrain the decision? The quota is an instrument used by Senegalese foresters to

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<sup>7</sup> Translated from French to English by Papa Faye (2006). The original text is : il peut également émettre « *des vœux sur toutes mesures réglementaires qu'il juge utile de voir son président mettre en œuvre et qui sont nécessaires pour l'exploitation des ressources naturelles et la protection des biens* »

measure the quantity of wood and charcoal to be exploited each year. But, if quotas are thought to assure resource exploitation control by foresters, recent researches have demonstrated that the only reason of its existence is to maintain the forestry agency legitimacy and to preserve resources main profit for the State (Bâ 2006; Ribot 2006).

Some sub-prefect practices seem to sway the rural council decision-making. If laws allow the sub-prefect to exercise an *a posteriori* legality control competence on these decisions, they don't, therefore, give him the power to influence resolutions. The sub-prefect doesn't necessary have to take part at rural council meetings. But, in this case, his practices look like a survival of the former *a priori* legality control competence. As some councillors and the one state representative in development think: "the PCR is dependant on the sub-prefect because he ignores the laws and he doesn't have time to exercise his role, given he is a nurse at the regional capital hospital" (Extract from an interview with a head of local development service, le 09/05/04).

For councillors, the sub-prefect's presence at the rural council meetings and his intervention in the prior authorization signature are strictly deplored and pointed out as elements of dependency of the PCR to him. To reply to them, the sub-prefect thinks that the fact he intervene in the debates of rural councillors is an opportunity for him to exercise his competence of *a posteriori* legality control on their decisions. He also specifies that he takes part at the meetings when the question to discuss is very important such as passing of a budget. But here, the problem is, if the control is qualified as an *a posteriori* control of legality, it is because it happens after decisions are previously voted or taken by the councillors after deliberation. As so, all approval of decisions before they are already taken is called *a priori* legality control.

In the decision-making processes, village chiefs are now included by some forestry directors and the PCR, especially in decision on charcoal production. The regional forestry Inspector requires village chief's previous agreements before he signed the license of cutting trees for forestry operators (extract from interview of Faye with an IREF le 06/21/04). The PCR confesses that he requires their agreement on charcoal production (interview with the PCR, 05/28 /05). Village chiefs have succeeded to assert themselves in the resources exploitation even if legislation does not give them any powers –their powers are supported by forest service orders and decrees rather than the forestry or decentralization code–.

After notification of the quotas to forestry operators, these one are called to introduce themselves to chiefs of villages where their *sourgas*<sup>8</sup> (migrant woodcutters) may stay for charcoal production. Some village chiefs profit of the presence of these forestry operators to access in the resources benefits. In fact, a group of villagers argue that their village chief is party to resources overexploitation because of the gifts they receive from forestry operators: rice, oil, cola nuts, and money. The village chief replies to their purpose by specifying that he has never asked for something; what he used to receive is a *njègu guro*<sup>9</sup> (Faye's interview with a village chief 05/ 28 / 05) and the trees are not worth what he receives.

The PCR confirm the villagers' purpose on village chiefs' practices. He reveals he was terrified when some of them asked him they are ready to receive *sourgas* for charcoal production a few days after they came to manifest their disagreement on this activity. For him, the only justification is they have received some money (5000-15000) from the forestry operators (interview, PCR, 05/28/05; 12/08/05). However, this PCR was himself accused of being manipulated by the operators through the *union nationale des coopératives d'exploitants forestiers du Sénégal (UNCEFS)* when

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<sup>8</sup> Sourga is the name given to migrant charcoal makers in the Wolof at the sites of production. Charcoal is a form of coal made from the partial burning of wood.

<sup>9</sup> This term design the money someone gives to another one to think him after he has been of service to him. The word means "the price of the cola nuts"

he refused to sign up the prior authorization. Some of his colleagues say that he received more than 1000\$ before signing (interview, forestry operator). But, what is more important here is that the PCR and forestry agents seem to prevent conflicts and others disputes on resources exploitation as it happened at Thiowle Gnol.<sup>10</sup>

In the ZA, the CIVGD's powers are reinforced to the detriment of rural council's one in the process of *protocole d'accords* signature. The memo addressed to a regional Governor by an IREF at March the 16<sup>th</sup> 2005 analyse, shows some evidences of this phenomenon.

The first point of the memo stipulates that:

The inter villageous committee of management and development (CIVGD) which administrate each communitarian forest, signs up the "protocole d'accords" with the "union nationale des cooperatives d'exploitants forestiers" (UNCEFS) before the beginning of charcoal production by the approved organization. A tax of 200 f cfa is withheld on the price of each quintal of 50 kgs sold at 800 f cfa.

As for the second indicates:

For the zone of controlled production (ZPC), the rural community president signs up a "protocole d'entente" with the "union nationale des cooperatives d'exploitants forestiers" (UNCEFS) in order to rationalize the charcoal production and to allow villagers, to the local collectivity and to the forestry agency to have resources (tax of 200 f cfa)/quintal of charcoal) to realize development activities and to rehabilitate damaged zones.

These two points recognize two decision-makers for Missirah's communitarian forest. PROGEDE helped by the forestry agency, has succeeded to introduce the CIVGD as the administrator of the ZA and has legitimated it as the signatory of all contract on the planned forest management. The PCR remains being signatory in ZNA and in ZPC even if he is weakened by the Inspector who goes out on villages to convince people on advantage of ZPC model of exploitation. Both PROGEDE and forestry agency seem to shrink the rural council's powers while some non-public institutions (CIVGD) become more and more empowered. The risk related to this fact is that the CIVGD is under the dependency of the project even though its members come from local populations. The CIVGD has a delicate position: it half private and half public –it is really ambiguous–. Known that the project itself is composed by foresters, the CIVGD is also indirectly dependent to the forestry agency. This last dependency will probably increase at the end of this project are strengthened even when the rural council has specified an Environmental and natural resource management commission.

#### **IV. Are institutional pluralism incomes consistent with local democracy reinforcement?**

This section examines the effects of the pluralism on resources profits distribution such as charcoal chain access and its financial benefits. It focuses on socio-economical and socio-political aspects.

**Socio-economical outcomes.** Three ways of access to income are opened to local populations: exploitation activities; tax on charcoal produced in the ZA, and revenues from fines and the sale of confiscated products in community forests.

When local populations (rather than the migrants) are organized in CIVGD, the forest service permits them to produce charcoal for sale to charcoal merchants as do the "*sourgas*". But, unlike the *surga*, in practice, local people are not required to have a forestry exploitation professional

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<sup>10</sup> This name is used to protect our sources of information

card (interviews, local people August-September 2004). We call this kind of access direct integration. This is not effective as hoped partly because of people negative social representation on charcoal work: nobleman don't practice it (see Ribot and Thiaw, Ndiaye 2006), of lowness of its incomes, of non usefulness in charcoal production and attachment to traditional activities such as agriculture and breeding. This integration might lead to CVGD and CIVGD access to charcoal market. In this way, Missirah's CIVGD president, helped by PROGEDE, got five licenses of cutting from the forestry agency. He faced many difficulties held by operators who don't anyone integrate the chain (Faye's interview with the CIVGD president 2004-2005). According to Sonko, (the CIVGD president) forestry operators try to close the charcoal exploitation access. They argued during the meeting they have with PROGEDE members, the former Minister (Modou Diagne Fada) and the forestry agents that anybody is authorized to sell charcoal before he get a professional card of forestry operator as defined by the article \*\*\*\* of the forestry code. For him, he couldn't have licenses of commercial exploitation without PROGEDE's existence.

When local populations (CVGD) resist producing themselves, the CIVGD sign up a contract of production with forestry operators: this is called *contractualization*. The CIVGD represent the CVGD whose village are agree to welcome charcoal production. Then, the "*sourgas*" of operators work on CVGD coverage.

The other ways of accessing to forestry benefits is taxes withheld on resources commercialization: taxes agreed by PROGEDE and taxes indicated by the forestry code. For each form of charcoal production above, PROGEDE has established a key of apportionment for the main actors implicated. So, for direct integration, the benefits are parted as so: 20 % to local populations (10 % for the rural council, 7 % for the CVGD of the village, 3 % for the CIVGD), and the 80 % for the producer, her members who have produced). Concerning contractualization, 25 % come back to local populations (10 % for the rural council, 10 % for the CVGD, 5 % for the CIVGD), the remaining 75 % of the charcoal benefits return to Mor Dieng, the contractual operator.

According to the forestry code, the rural communities have competence to gain 70 % of the forestry receipts from finds and sale of confiscated products. The contentious receipts are consisted in receipts deducted on contraventions on communitarian forests. The receipts withheld on state forests are strictly national property, the reason why we call them national receipts. Taxes retained on charcoal chains are very important (50 % of national receipts) but they are considered as national receipts in "*zones non aménagées*". In 2005, the contribution of charcoal chain in the national receipts of Tambacouda's sector were estimated to 184 157 000 Fcfa in a total of 360 076 620 Fcfa. The national receipts are important but it weakly profit to rural communities where charcoal is produced. Even decentralization leads to the creation of local collectivities to which the State has engaged to strengthen their financial means for their powers exercising, why the government resists transferring them the power to establish taxes on all resources exploitation? It is known that the national forestry receipts are more important than contentious one. In the case of Tambacounda department –sector–, during the year 2005, 360 076 000 Fcfa of national receipts have been collected against 50 853 975 of contraventions amounts.

As the rural communities part in forestry receipts is insignificant, their financial administration is also cloudy and opaque. None of the PCR has received a payment receipt, and then, can not verify their amount at the treasure department where funds are deposited among all type of taxes collected for the rural community. As so, the PCR ignores all of that and asserts not having opportunities to access to these funds (interviews 2004-2005 with PCRs). It is the same on receipts collected on charcoal commercialization in ZA where, sometimes they are paid to the rural community itself, sometimes to the treasure department, sometimes to the CIVGD or the

local forestry agent. There are really problems of transparency on the forestry receipts management which may be improved. It seems that none of the responsible of the non transparency wants to clarify the situation. While Treasury agents do not want to cut forestry receipts amounts off other forms of taxes, foresters do not notify to rural communities their receipts amount. Last but not least, the most of the PCR and rural councillors we have interviewed, do not assume their role and responsibilities. They have all affirm not having tried to verify. During our field stay, we have consulted the departmental treasury registrations in order to find out the PCR and councillors ignorance on these receipts.

**Socio-political outcomes.** This sub-section focuses on the problematic of local institutions accountability in communitarian forests management. It examines how locally-elected authorities respond to local populations, the sanctions mechanisms they use and the effects of institutional arrangements on this.

Sometimes, PCR responsiveness is blocked by some state representatives such as the sub-prefect and some high forestry officials. When they made him know that towns need charcoal for cooking and the Government is obliged to satisfy their requirement and that any PCR will be allowed to obstruct this national politic, the PCR loses the power to impede charcoal production because decentralization, as said these state representatives “does not mean independence of local *collectivities*”. The pressures exercised on the local representatives by state one contribute to their non downward accountability. Worst, it leads to neutralization of local populations sanctions on their representatives. We know that village chiefs and rural councillors had ordered to their PCR to not sign the prime authorisation. Another income of this fact is that local populations will no longer trust PCR and other institutions. They accuse them with corruption and political inefficiency.

The analysis of the case of two villages which, contrary to the majority, accepted charcoal production reveals some proves to PCR opportunities to be responsible when he want. The village chiefs of these villages came to inform the PCR they agree with this activity. The reason undertaking their position was the fact many of them were implicated in charcoal production. The following year, the same village chiefs come to tell him they disagree now because charcoal production defaces forests. The real reason after investigation was a new project (Senegalese ecosystems integrated management project, *PGIES*) intervened around their forests with an objective of creating natural communitarian reserves (NCR) all along the park of Niokolo Koba. Provides these villages surrounded the park, they were obliged to stop this activity in order to be integrated by the project. The PCR responded at theirs whole demands without protesting against any form of pressure or threat.

There are other factors limits to local political representativity. Some of them is the PROGEDE way of intervening. At the beginning, PROGEDE decided to be more democratic nearer to local populations. So, the method adopted was to permit villagers establish their own committees through free elections. The PROGEDE local agent look after the organization chart respect. The perverted outcome is that village chiefs has appointed their parents (nephews, sons, brothers), and people of low social standing (black smiths) to better control the new empowered institutions. In practices, the parental relationships which implicate obedience of younger to the elders are not dissociated from strict institutional one because in villages, the politic system is embedded with the social one (see Bierschenk and Olivier de Sardan 1998). Finally, most of the presidents of CVGD act with permission of village chiefs. Provided decentralization requires transfer by state of public powers to elected representatives, the transfer of powers from the project to non-public institutions can not be called decentralization. So, committees exercising powers in the name of decentralization and pluralism is a political illusion adopted by governors to respond this reform’s defenders such as theorists, backers, citizens.

## V. Conclusion and recommendations

Practices in decentralization have not yet created conditions and opportunities under which local democracy is being reinforced by forest resource management. Even laws have transferred important powers to rural councillors; some state representatives (sub prefect and forestry agents) exercise manipulation strategies to change these powers direction, especially in charcoal decision-makings. As income, the rural councillors' weakness –lack of powers– leads to subordination and dependency to locally State representatives particularly sub-prefects. Obedience to sub-prefect becomes for them an issue for protection and security. Sometimes, if the PCR fails to valid their choices in forestry resource management because of some State administrative representatives, the develop strategies of catching some benefits from their little sphere of powers and thus, corruption becomes one of the greatest corollary of decentralisation.

In addition to state representatives' actions, PROGEDE has transferred important powers resources administration to non-downwardly accountable institutions even if democratic decentralization requires that public powers may be exercised by elected (public) institutions (Ribot 2004a; 2004b). In practice, the exercise of the powers related to this public domain benefit from ambiguous institutions which non public even though they aren't private. We mean that those actors created and empowered, are in the middle of private domain and public domain. They come from the local populations but most of the time they representatives are not elected; they are appointed by villagers' authorities and elders. Caste members, foreign people, and women are excluded from the main decisions. In the exceptional cases that some of them are chosen, they are obliged to be village chiefs "surety" otherwise they loose their privileges. In conclusion, institutional pluralism seems to shrink the communitarian public domain and blocks democratization process. New socio-political hierarchies have appeared in the local arena: the CIVGD is being more and more strengthened and CVGD are subordinated to village chiefs.

We suppose that if the Senegalese mode of pluralism in forests does not provide democracy, it is partly because governors have not internalized the project. They have adopted the model as it was defined during international meetings and conferences just to be in consistence with backers' needs and willing. The choice of non public institutions is, in this way, an instrument to remove towards the centre –State– the most important powers.

However, PROGEDE intervention is not wholly negative. It has permitted local populations (rural council, villagers) access to charcoal commercialization incomes even if their part is insignificant and bad-administrated. It allows them again integrate charcoal chain. Nevertheless, the fact that CVGD or CIVGD become *sourgas* or "forestry operators" is inconsistent with actual laws on forestry decentralization which indicate professional card of operators as necessary.

The conclusions above, although they are related in a specific social, legal and politico-administrative context, have allowed as suggest few recommendations which pretend to be useful for a democratic reform strategy of the Senegalese public politics concerning forestry resources management.

1) *Increasing of the rural council self-government in forestry resources management to ensure democratic decentralization effectiveness.*

- According a legislative reform, the previous license may be substituted for a PV of deliberation signed up by, at least  $\frac{3}{4}$  of the rural councillors, expressing their acceptance or refusal to charcoal production in their communitarian forest.

- A decree of the Minister of Environment and the nature protection may turn down village chiefs in forests management and exploitation in order to eliminate opportunities of local corruption.
- According a legislative reform, rural communities may have the power of recruiting technico-administrative staff (forestry agents, development agents, researchers and consultants, etc.) and help for its payment by attributing annual financial supports.

2) *Civic education:*

- The state may create some projects of formation and empowerment of rural councillors and all other members of the civil society (village chiefs, peasants' organizations, etc.).
- Forestry or environmental projects may include in their activities civic education and formation of locally elected institutions and the civil society.

3) *Public representation and public domain reinforcement:*

- Forestry projects may substitute the CIVGD for the rural council committee of Environment and natural resources management to ensure an efficient cooperation and conservation of the public domain uniqueness.
- All forestry projects may establish an organization for supervising the elections of committee's members; it will be composed of some members of the communitarian committee of Environment and natural management, some projects members, in order to resolve their subordination to village chiefs.

4) *Establishment of transparency in forestry receipts administration*

- Following a directive of the national Director of the Public Treasure, departmental treasures may specify the source and the amount of rural communities' forestry incomes and separate them from the other kinds of taxes.
- Following a directive of the national Director of the Public Treasure, departmental treasures may create a monthly journal of forestry incomes and give a copy to each national representatives working in the local area and to each rural community concerned.
- The state and forestry projects may consider the president of the rural council's committee of Environment and natural resources management the gatherer of taxes deducted on charcoal exploitation.

5) *Increasing rural communities' financial means*

- The state may be behind a legislative conjoint review of the forestry code by the forestry agency and the PCRs in order to establish a national tax on the charcoal chain without distinguishing forms of production zones.
- The rural communities may work together their associations and national representatives for demanding the establishment of equal taxes on all forestry products extracted from their forests.
- Remove the funds the state allocates to the « Governor » by creating a regional committee which will be formed of PCRs, the regional council's president and secretary,

regional agency for development members, the regional Director of rural development, the « Governor » himself, the Inspector of the regional forestry service, chiefs of forestry sectors, and chiefs of « centres d'expansion ruraux polyvalents » for rural communities' forestry projects funding.

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