

# **Tinkering Methodology**

## **- Some Considerations Concerning the Study of Access to and Control over Natural Resources**

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### **I. Agrarian Change**

Immense challenges are facing African rural communities. While urbanization processes are fast in Africa, population pressure is increasing in many rural areas. Concurrently, unfavorable world market and often also local market conditions have worked against agricultural intensification. The struggle to secure land and other natural resources has therefore, it seems, intensified.

The process of increasing pressure on land and competition over other resources, change in access to and control over them, and subsequent change or development of management practices is, however, all but uniform throughout sub-Saharan Africa. A wide range of factors and dynamics are at play and natural as well as economic, social and political processes are in complex ways molding the rural change. This provides a sizable challenge for researchers of change in rural sub-Saharan Africa to develop methods and concepts by which we can elicit clearer understandings of these processes.

In the following I will discuss a few aspects of methodological challenges facing this type of research.

## **2. Identifying Relevant Factors, Diagnostic Events and Processes**

When studying rural people's access to and control over natural resources, one is inclined to give priority to certain factors as most important causes or catalysts of change. Neo-classic and Marxist inspired theories have led us to consider material, i.e. economic, factors as the most important; at least in the last instance. This perspective has been very powerful even though structural Marxists have recognized that "the lonely hour of the "last instance" never comes". And admittedly, focussing on natural resources accords some kind of primacy to material factors. The means by which people access and control these material resources are, however, not necessarily material also. Moreover, the same factors are not equally important in all circumstances and at all times. This entails two methodological considerations: First, it suggests that we focus on **combinations of factors** rather than seeking out single ones as wholly determinant. Second, it suggests that a **process perspective** is relevant.

Regarding the combination of various factors, for a household, for example, the conjunction of some ambiguous legal rights and some financial resources may outweigh clear legal rights or ample economic resources depending on the context. The different resources are thus put to use at various stages - at one point in time knowledge of the law is important, at another good relations with the traditional leaders must be conspicuously reconfirmed and at yet another moment money to bribe - or convince - a civil servant may be the vital resource to possess. Hence, the actors' social power in terms of knowledge, authority and economic resources and the tactic and strategic employment of these to retain, regain or transform their access and control over natural resources should be analyzed.

As indicated, this tactic-strategic manoeuvring points to a process perspective i.e. a dynamic analysis which identifies a transformational sequence or a sequence of repetitions. (Moore, 1994: 371) This perspective entails, however, more than merely an account of "something which happens". The unfolding of a particular process or event should bring about an intelligible picture of a general development or process. Some events do, however, possess **diagnostic qualities**, i.e. the unfolding of these particular events elicit the enacted interests and strategies of particular groups and discloses a series of processes which ap-

pear less articulated elsewhere. A diagnostic event is, of course, not generalizable in itself, but it gives hints to certain patterns of processes which could and should be looked for.

My research on the socio-legal processes of resolving land tenure conflicts in Eastern Niger aiming at eliciting a broader picture of the socio-legal law formation process through the investigation of legal disputes was sparked off by such a diagnostic event.

A conflict had occurred in the Canton de Elrigima in the Arrondissement of Mirriah in Eastern Niger, between a Hausa farmer, Mamane Lawali, and a Fulani herder, Bakoua Abba. Mamane Lawali was cultivating a new field which Bakoua Abba, however, claimed to be pasture. The dispute could not be concluded satisfactorily by the parties themselves, and Bakoua Abba addressed himself to the Sub-Prefect of the Arrondissement. The Sub-Prefect composed a small team of extension agents and ordered them to the disputed area to investigate the affair.

Mamane Lawali declared that he had had to abandon two fields in the village because a neighbour had successfully claimed them as his heritage. He had then addressed himself to the Chef de Canton to ask him to grant him some land to cultivate. Mamane Lawali thus based his request on the recognition of the Chef de Canton's licence to allocate land in the Canton.

The team of extension agents, nonetheless, found that a Chef de Canton had no right to govern pastures and subsequently asked Mamane Lawali to abandon his fields. The team backed its decision with Bakoua Abba's time honored rights to use the pastures. Then Mamane Lawali declared that he had actually paid for the land, and he produced a hand written deed with the Canton chief's signature and stamp. Mamane Lawali now based his argument on the validity of the written contract. The team of extension agents still found he should abandon his fields, however, but not without a suitable compensation. Basically, the time honored rights of Bakoua Abba were still to be respected, but not at the expense of Mamane Lawali who, apparently, had been in good faith. The Chef de Canton maintained that he had the right to allocate the unoccupied land of the Canton - and that pastures were by his definition unoccupied. He, nevertheless, denied having sold land to Mamane Lawali and claimed the deed to be a forgery; he argued that one of his courtiers must have used his stamp and imitated his signature behind his back. Mamane Lawali could confirm that the deed

had not been delivered to him by the chief himself, nor had the money been transferred directly. The transaction had taken place by the help of the chiefs trusted man - Maï Moussa. He had, however, unfortunately now disappeared, and Mamane Lawali could not get his money back. The Chef de Canton would not hear of paying back what the fraudulent Maï Moussa had snatched.

Incapable of assuring Mamane Lawali compensation, the team of extension agents decided to let Mamane Lawali keep his fields providing that he did not extend them further onto the pastures. Here, the team referred to the principle of time honored rights, though this time not Bakoua Abba's but Mamane Lawali's. Bakoua Abba later complained to the judge and the case was reviewed again the year after when Mamane Lawali had extended his fields somewhat, and the affair has since ping-ponged between the Sub-Prefect, the Chef de Canton, the judge, and the traditional leaders of the pastoral groups.

This event made me focus on people's strategies in legal processes; the co-existence of multiple norms and procedures and the perpetuation of the disputes through their constant institutional transfer, as an entry to the study of access and control over natural resources.

By first appearance, the manifold ways in which people act to secure access seemed, however, to deny the existence of certain patterns and structures. My research thus suggests a collapse of the legal institutions and a proliferation of new institutional arenas where interested parties "shop" with varied success for legal backing for any claim. Nevertheless, by *deconstruction* into process-sequences contours of patterns emerge: people often prepare for a potential conflict by cultivating relationships with specifically powerful social actors - the traditional chiefs, the sub-prefect, rural businessmen etc. In the eventuality of a conflict they then already have an advocate. The way advocacy is secured is thus yielding a pattern which cuts across the different nature of the many institutions. Basically money gifts are offered, not as blunt bribes but couched traditionalistic symbolism of gifts to demonstrate respect and allegiance. Conversely, an overall *reconstruction* of the whole range of cases also suggests a pattern. No case is ever definitively resolved but is, in the presence of multiple institutions, perpetually appealed to a higher, parallel or lower instance. This also indicates that a certain competition over jurisdictions between the different institutions prevails.

### Processes of Reproduction and Processes of Change

A related methodological challenge, I shall briefly mention, concerns the distinction between processes of reproduction and processes of change. If f.ex. one takes the point of departure with individuals or households, their access and control situation may change considerably over time. This, however, may simply be a "Chayanovian cycle" where a young household starts out with few means but over time consolidates itself. In a larger perspective this will appear as a process of reproduction. One may also encounter situations where processes like inheritance may persist and be reproduced while agricultural extensification or intensification represent processes of change which may again change the meaning and significance of the inheritance processes.

What I am trying to say is that larger processes are made up by smaller processes and they interact, just as parallel, seemingly separate, processes "spill over" and influence each other. Accordingly the choice of *unit* of analysis and *time perspective* will heavily influence whether we acknowledge change or reproduction as the predominant feature of the studied society. A combination of several units of analysis and a plural time perspective seems advisable, but it also hands us the dilemma of depth vs. sufficient background to interpret the case.

### 3. Actors, Structures and Context

The process perspective of peoples strategies encourages the employment of an *actor's perspective*, or what Weber termed *Verstehen*, i.e. a perspective which focusses on the constraints the actor is facing as well as the opportunities enabling him to pursue interests. However, agrarian change is more than change in individual strategies and how actions are influenced by structures and institutions. It is central to understand actions as inscribed in social relations of cooperation, negotiation, competition and power and to study them as they are translated into reproduction and transformation of social institutions controlling labour, capital and land.

Researching the present in terms of processes creates a challenge stemming from the obvious conditions under which we are doing research. How is it possible through a period of fieldwork to uncover change, when even extended fieldwork is punctual in a historical perspective ? Which analytical tools

lend themselves to linking the fieldwork with the larger historical background ?

I believe in a combination of a process and structural analysis. The **structural analysis** will thus serve as a **contextual backdrop** upon which case studies of concrete conflicts displaying the tactic-strategic options of the involved parties can be interpreted. Concretely it entails analyses of social relations between and within production systems encompassing farmers and herders in terms of control over economic and authoritative resources as well as the social relations between local government and other political institutions and the contesting social actors.

### **Types of Context**

Two types of context generally present themselves: On one hand **ethnographic** data in the form of - often historical - monographs on the society in question; on the other more fragmented data which can be constructed into a **broad contemporary socio-political fabric**.

Ethnographic data are treacherous. Suggesting verity through meticulous compilation of norms and values, of rites and cosmologies, ethnographic monographs hold almost mythical esteem within Development Studies and other social sciences. Often they are objects of envy, because the time required for conducting such studies are not granted the envious researcher working with a specific and different problematique related to the society in question. Short of doing the work oneself, it is tempting to "borrow" insights as were they encyclopedic facts readily transplantable from e.g. "The Work on the Hausa" to other social research. It is right here, ethnographic data becomes treacherous.

As for all other social research, anthropological and ethnographic works are, of course, made in points of time and are therefore not universally valid descriptions transcending historical conjunctures. Moreover, they are made from a point of view. Certain features have attracted the attention of the researcher while others have been considered trivial or not "discovered". For some anthropologists and ethnographers continuity with the past has been the primary focus whereas contemporary social transformation has been "minor distortions" within a stable and balanced society. Others again have focussed intensely on conflict and change regarding persistence of certain social modes as mere time lags.

While cautious handling of this type of data is therefore advisable, one is, nevertheless, often confined to it for historical accounts as well as for comprehensive analyses of norms and values and their relations to social structure and political action. The context described by an anthropologist doing his or her fieldwork often points to certain relations of authority, certain rights and liabilities, certain myths and codes which exist in the local culture. Whether they are contested, waning, or highly actualized is, however, for the contemporary analysis to ascertain. A critical discussion and interpretation of the existing work can therefore develop the contours of the "normative landscape" while its "topography" in terms of effective power and authority depends on the case-analyses.

An example from my own research is the Hausa notion of force - *Arziki* - which enables the individual to transcend fixed social boundaries. *Arziki* is described in the ethnographic literature as a personal and non-transmittable gift of possessing the virtues of prosperity, power, wealth, esteem, good fortune and luck. (Nicolas, 1975) Blessed with *Arziki* a man may step outside his structurally defined social position and act with less socio-cultural constraints. *Arziki* is a male attribute but is not confined to certain clans, age sets or socio-economic categories. However, since excellence, success or the transgression of normative boundaries are the only valid signs of *Arziki* - i.e. the transgression is in itself its absolution - there is a tendency that to he who has, more shall be given. An important element in this is style. To merit social recognition for *Arziki*, it must be appropriated with a self-asserting, self-confident air.

While the Hausa society is hierarchically structured, the notion of *Arziki* is an inbuilt provision for social mobility and transcendence of social norms and boundaries. The knowledge of the notion of *Arziki* is obviously valuable when case studies of conflicts over authority are to be interpreted. Commoners' contestation of the authority of the nobility is thus not necessarily a break with the cultural values, but may be a reconfirmation of one of the most popular ones and mix well with traditionalistic discourse.

The other kind of context I will mention is the broad socio-political analysis. As discussed by Moore, concentration on a single institutional domain like e.g. economy, politics, law, etc. has traditionally been advocated. However, increasing awareness by scholars of African societies of the fact that "institutional sub-systems of different purpose overlap, intersect [and] be-

come one another" (Moore, 1985:8) makes it difficult to focus properly without at the same time writing off important elements of understanding. Important things might go on within the institution next door, so to speak.

Hence for the study of the law formation process, the National Assembly and the Ministry of Justice can be barren places to look if not combined with a broader societal perspective. My research in Niger exemplifies this. During the military regime from 1974 to 1991 only the military's party - Mouvement National pour la Société de Développement (MNSD) - was authorized to conduct politics. However, towards the end of the military regime, a number of organizations began to operate under politically innocent names and programs. One of these, the Association Mutualiste d'Animation Culturelle et Artistique (AMACA), was brought into being in 1989 by intellectuals from the country's second city - Zinder. The real objectives were to protect the interests of these predominantly Zinder-Hausa civil servants against the historic Western-Djerma favoritism prevailing in the state apparatus and to favor their region - Zinder - in the national planning. The modus operandus of this organization quickly became one of mutual help and defense against abuse from the authorities and AMACA recruited extensively among non-intellectuals. Thus, farmers found in AMACA intellectuals who would assist them when they encountered trouble with government officials or traditional chiefs; with an AMACA-militant by the side, a farmer was less liable to be subjected to the arbitrariness of a bribe-hungry gendarme or Canton chief trying to expropriate their land. Furthermore, if a farmer was arrested with illegally cut wood and had had his donkey confiscated by the patrols of the Service de l'Environnement, the leaders of AMACA in Zinder would raise the funds among members to pay the fine. This was facilitated by the membership of businessmen from Zinder town. They would pay the small fine of 2.000 FCFA (6-7 USD) and get the wood poacher out of his deep trouble and receive his loyalty. The businessman, on the other hand, could count on AMACA if his truck full of goods from Nigeria was "held back" at the customs office. In a matter of hours AMACA could mobilize hundreds of militants who would harass the customs officers to release the goods and not report further. This set-up was very dynamic and AMACA delivered what the members needed without being too nitty-gritty about the strict legality of its actions.



In 1993 multi party elections were held for the first time in decades and AMACA converted itself into a political party -Convention Démocratique et Sociale (CDS). And won. CDS won the presidential elections and in a coalition with two other parties the majority in parliament and subsequently participated in government. In its nomination of Prefects, Sub-Prefects and other important civil servants in the administration, party members were preferred and a tacit quotation system between the coalition parties was established - this was no different during the earlier MNSD-rule. The Sub-Prefect put into office in the Arrondissement of Mirriah was accordingly a member of the CDS. The Sub-Prefects have since colonial times occupied a position in the Arrondissements where their de facto discretionary powers largely exceeded their formal attributions.

The combination of a very dynamic, delivering, popular organization and a local administrator with extensive and blurred responsibilities has thus erected a kind of parallel legal structure where land tenure conflicts are processed. And research into the processing of tenure conflicts must incorporate this dimension to make what happens within the formal legal system intelligible. This also gives an idea of two interconnected levels of conflict and competition: one at an individual level where resource users in litigation try to have the case processed in an institutional arena which is favorable to them, and another at an institutional level, where different societal institutions compete over jurisdictions -which institution is to process land tenure disputes ?

#### **4. ... and Contingency**

What, then determines which interest is articulated and pursued, which powers employed and which strategies developed ? Operating with an actor as constituted by a (vast) number of social positions one is easily lured into conceptualizing positions in terms of interests, and objective ones at that. While one can argue that an interest is embedded in a structural position, occupying several positions simultaneously, provides the actor with several and potentially contradictory interest. Operating with the actor as, to a certain extent, knowledgeable, reflexive, rational and purposive self-interested person still makes it possible to potentially pursue several contradictory interests.

As indicated above, I believe the answer lies in the **conjunctural context** of the social field in question. And this calls for a conceptualizing of events. The social fields do not constitute equally contested fields at all times. **Contingent events** actualize the tension and struggle over social positions in particular fields. A tenure reform can thus be understood as a contingent event actualizing social competition over land stimulating interests in securing access to and control over it. Sayer (1992:104) operates with the concept of "causal powers" and "liabilities". Both powers and liabilities can exist without being exercised or endured. Hence, a number of causal powers exist in the social and political structure in rural Niger as do a number of potential outcomes or liabilities. Which of the causal powers that are released and which of the liabilities that are realized is thus not pre-determined, but the result of contingent historical events. The challenge is thus to avoid both destructured accidentalism and retrospective determinism. It is not the case that anything can happen, but things are not as they are because they could not have happened otherwise.

The various social positions of the contending actors are therefore articulated vis à vis the socio-political (battle-) field where the struggle is played out. The *social field actualized and partly constituted by the contingent event* therefore also partly determines the actual power of the actors since only the powers which can be put to use in that particular field "counts". The social field outlines specific hierarchies, codes, rules and processes and thereby certain possible strategies. When the contingent event in the form of a tenure law reform determines the social field the processes of law formation also stipulates certain key resources as well as certain promising modes of operation. The endowment with these resources and the mastery of the right strategies are thus the keys to social success while "ignorance" of the characteristics of a social field ushers defeat. In the wake of another contingent event - a devaluation, a religious revival, a political revolution etc. - other social fields would be actualized and constituted, other sets of social resources and their employment become important and other social strategies opportune. The success of an actor or group of actors is thus not pre-determined by the volume or composition of power resources - they indicate potential - but the contingent event actualizing specific interests is decisive for the powers which can be put into use.

In the Canton de Elrigima in the Arrondissement of Mirriah in Niger, a contingent event thus changed the traditional chief's lineage. This had considerable consequences for the local power structure and subsequently for who became the more exposed for "wild" land claims.

A French film crew had rendered itself to Niger to document traditional festivals, rites and ceremonies. Their schedule did, however, not match with the death of any Chef de Canton and the subsequent crowning of his successor, wherefor they decided to stage one. They asked the Chef de Canton de Elrigima if he would concede to let his son act his future crowning in the documentary. But the chief was dismayed - he would not allow this hocus pocus. Finally, he did, nevertheless, accept to let his Galadima, his first confidant, wear the crowning outfit and promenade on a horse before the camera. The scenes were shot and the film crew left.

The chief had previously had some controversy with the Sultan of Zinder - the latter considered that the Chef de Canton owed him 900 measures of 2,5 kg. of millet. The chief did not recognize this. It was by no way an unusual occurrence, but it was successfully exploited by the ambitious Galadima when the real death of the Chef de Canton occurred. When the three sons of the departed chief campaigned among the village chiefs in the canton to become their father's successor, he went to the Sultan. There he struck a bargain: He would pledge loyalty with the Sultan and deliver the 900 measures of millet if the Sultan would support his candidature. While the Galadima was not of the noblest blood, the earlier documentary proved to the government authorities that he was indeed the dauphin and rightful heir to the title. Subsequently, he was inscribed in the register as the State recognized traditional chief with corresponding prerogatives, notably to collect taxes, supervise land transactions and resolve local disputes.

The followers of the previous chief soon found their pastures and fallowed fields under the control of this new energetic chief who was eager to make money by granting-cum-selling access to alleged unoccupied land.

This event can of course be considered a mere curious anecdote. For the people subjected to this anecdote, however, it signified a far from negligible change in the local power structure and its history is an important element to the understanding of the configuration of political rivalry and social struggle in the canton. As a diagnostic event, it indicated that the "traditional

structure" hardly is a mere fossilized pre-modern phenomenon but rather a dynamic modern vehicle in the contemporary competition for social power.

## **5. Tinkering Methodology**

The preceding methodological considerations may appear very pragmatic if not eclectic. I submit, nonetheless, that **complex questions** are best researched with a **broad societal perspective and through composite methodologies.**

Access and control over natural resources in societies where the population is immediately dependant upon them is not confined to a single institutional domain but is affected by the rules and procedures in several semi autonomous social fields simultaneously. In order to understand the complex interaction of the different social fields, a broad contextual analysis which recognizes contingent events as more than mere distortions, is necessary.

The composite nature of the analysis - operating simultaneously with an actor-structure-process perspective as well as several time perspectives - is required because the social struggle for access and control over natural resources contains several layers of significance which each inform each other but cannot all be grasped through a single perspective. Simple events can therefore often be unfolded with increasing insight as a result. The recognition of this richness is, I believe, the first step towards making sense of reality.

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