

SPONTANEOUS PRIVATIZATION OF RANGELANDS AS A MEANS OF PASTORAL SELF DEFENSE: THE CASE OF NORTHERN SENEGAL

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Devolution of power is often seen as one of the principal remedies for sound resource management at the local level. The assumption is, that if local control is derived from state to appropriate local level, resource management will become more efficient, more sustainable and more responsive to local needs.

Although one can have much sympathy with this line of thought the present case illustrates some of the difficulties and constraints which are likely to arise in this process of devolution.

In Senegal as well as in other francophone countries, the state is the legal owner of 95% of all lands. Land can be attributed individually only in the form of leasehold to producers who will assure its productive use either by physical or financial investment in the land (*mise en valeur*). These leaseholds are attributed through the rural council, a locally elected body responsible for the development activities in the municipality. Grazing as such is not considered as a form of productive land use and can therefore not serve as justification for obtaining private leaseholds.

Seen in this context it was certainly surprising when in 1990 large numbers of herders from the Barkédji/Velingara area in north-western Senegal started soliciting private leaseholds for large parcels of land formerly managed as open access.

But what has pushed the herders to initiate this movement of privatization? Does it constitute a rupture with the traditional extensive Sahelian grazing systems or does it merely reflect a growing

frustration in the herder community disposing of few legal means to protect their pastures from the encroachment of agricultural production taking place, in most cases, with the blessing of the state?

Changing conditions of cohabitation.

The case area, the arrondissement of Barkédji, is located in the southwestern part of the Ferlo region on the borderline between the southern, mainly agricultural, zones and the northern, predominantly pastoral, production systems. Traditionally the area has been inhabited by semi-sedentarized Fulanis combining pastoral production with a limited agricultural production to cover part of the family's consumption of cereals. Alongside with these, Wolof farmers have produced millet and groundnuts on a larger scale while a small minority of black maures, former serfs of the arabo-berber Mauritians, have specialized in the extraction of gum arabic from the *Acacia senegal* tree in combination with small-scale agro-pastoralism.

Conflicts between herders and agriculturalists, between herders and gum extractors or between herders practicing various degrees of mobility are of course nothing new, but tensions on access to natural resources have become more severe as demographic pressure has increased and ethnic specializations have lost their former importance. In the study area competition for lands have become more pronounced as a result of the population movements following the great Sahelian droughts of 1972/73 and 1983/84.

On the one hand a large number of Fulani herders from the Fouta area, along the Senegal River Valley having moved southward in the aftermath's of the drought have decided to settle in these more abundant pasture lands. On the other hand Wolof peasants from the so-called Peanut Basin are moving northwards in search of virgin lands for groundnut production as the soils in their traditional territory are getting poorer and population pressure in the area higher. Both of these groups have introduced systems of production that challenge the traditional resource management systems.

The group causing the least problems at the moment are the herders from the Fouta region, the Foutankes. Contrary to the semi-sedentarized Fulani herders settled long ago in the area the Foutanke herders have a highly mobile and for the conditions also quite productive system of production. Most Foutanke herders own large herds of cattle but it is the small stock, of which they possess herds of 500 to 1000 heads, that determine their production strategy.

Since precipitation improved after 1985, most of these herders have given up former migrations over longer distances and now limit their sphere of action to a radius of 15 to 20 km around one of the deep wells that provide water for humans and beasts throughout the dry season. Within this area camps are moved several times during the year in order to secure access to fresh pastures to the young or weak animals.

This practice has however made them rather unpopular amongst the original population as it gives the 'newcomers' a clear advantage in the access to the grazing lands. By establishing of their camps in a fair distance from the deep-well herds belonging to the Foutankes may be watered at the deep-well every second day while the following day the animals can reach distant pastures in the opposite direction. Contrary to this, herds managed by the semi-sedentarized Fulani herders living closer to the deep-well graze in a centrifugal movement from the well. As the dry season progresses these herds are likely to end up in pastures already grazed by Foutanke herds. The effect of these diverging grazing strategies is that not only are these herds in much better shape than the 'resident' ones but they are also larger due to more rapid reproduction.

More problematic for the development of the range system is the influx of Wolof farmers. These can be divided in two groups: a) the farmers that settle individually and cultivate in the same ways as the original Wolof population and b) the ones who are part of the religiously organized farming communities, the so-called Mouride *daara*'s.

The Mourides and the groundnut economy.

The Mouride brotherhood is one of the 3 Sufi Muslim orders which between them claim spiritual allegiance to the Muslim population of Senegal. The rise of Senegalese Mouridism is closely connected to the expansion of the groundnut economy. This can partly be attributed to a particularity of the Mouride brotherhood i.e. the central role given to physical work, preferably for the Mouride saint, as a means of gaining access to paradise. This ideology proved to fit well with the colonial attempts to introduce peanut production in Senegal in the beginning of the century. Through a social, religious and economic organization of pioneer farming communities, the *daraa's*, the Mouride saints provided for a mass movement of agrarian settlement, which enabled them to expand their activities into vast hitherto sparsely cultivated areas. The key role played by the Mouride in the expansion of groundnut production has endowed its leaders not only with tremendous economic power, but also with considerable political capital.

Since its start Mouride colonization of new lands has followed a standard pattern where young, unmarried men set out in work groups to clear forests and establish large fields for groundnut production. No previous tenure rights were recognized, which caused regular and bloody conflicts to erupt between the settlers and the pastoralists of the area. As the official attitude of the colonial administration held that the peanut production of the Mourides contributed more to the national economy than pastoralist production, the pastoralists were usually forced out. In the rare cases where disputes were taken to court, or -the even rarer- where courts supported the Fulanis ancestral rights, the Mourides simply disregarded the decisions and continued cultivation. Casting a blind eye on Mouride transgressions in order not to antagonize the highly organized and economically productive Mouride brotherhood has been widely practiced both by the colonial and the post-colonial administration. As a result of the strong political pressure issued from the Mouride community on post-colonial administration large parts of the forest- and pastoral reserves established by the colonial

administration during the 1950'es have been declassified since independence.¹

Whereas the neighboring municipalities have dealt with the Mourides since the 1930'es, it is only during the last 10 years that the Mourides have started installing daaras within the limits of Velingara. Since then development has been fast. Only in the year of 1990 the Mourides submitted claims for more than 8000 ha. adding to requests presented the previous year of 5000 ha.

Herders response to Mouride encroachment.

Despite the vastness of the Velingara municipality (2611 km²) the Fulani herders are becoming increasingly worried by this perpetual diminishing of their grazing lands and by the lack of reaction by their elected leaders. So in the wake of the agricultural campaign of 1990, the rural council of Velingara was presented with no less than 100 requests for individual parcels of land. As can be seen in table 1 below, the area requested in a single year amounts to around 15 percent of the municipality². Whereas the 36 requests for plots of less than 0,1 km² all were requested by agricultural producers, the candidates applying for plots larger than 1 km² almost exclusively turned out to be Fulanis having livestock raising as their prime source of income.

¹ The forest and pastoral reserves were established by the colonial administration in order to limit the expansion of groundnut production and to protect some of the more fragile soils by reserving them for grazing. In these areas cash crop production is prohibited.

According to statistics from the forestry services close to 40.000 ha of the reserves located in central Senegal have officially been declassified since independence in 1960, in the large majority of cases to comply with demands from Mouride marabouts. The latest declassification of forest reserves took place in 1991 where 45.000 ha. were declassified through a presidential decree and handed over to the Khalife General of the Mouride for clearing and establishment of groundnut fields. The incident created some reaction in the donorcommunity as it coincided with the signature of a new phase of a 12 mio.\$ reforestation project covering a much smaller area than what was cleared by the Mourides.

Finally large areas are taken over by Mouride farmers without official declassification.

² i.e. communauté rurale, the lowest administrative level headed by a local elected rural council. 3 or 4 communautés rurales form an "arrondissement" headed by a centrally appointed civil administrator, the "Souspréfet" acting on behalf of the Ministry of Interior. Also on the higher administrative levels, the *départements* and the *regions*, power is concentrated with the *Préfet* and the governor.

Table 1: Distribution of plots requested
Rural Council of Velingara, May 1990.

Surface	no. requests	total surface
0-10 ha	36	203 ha
11-100 ha	3	108 ha
101-500 ha	30	11.060 ha
501-1000 ha	20	16.100 ha
> 1000 ha	8	12.440 ha
TOTAL	97	39.983 ha
Land requests by Mourides 1990:		8.140 ha
Total requests by Fulanis and Wolofs		31.843 ha
Total surface of Velingara mun.		261.170 ha

Obviously attribution of these allotments is neither in conformity with the spirit of the law on the national domain, nor with a sensible spatial distribution of the different forms of land use. Nonetheless the large majority of the attributions were granted and later approved by the departemental authorities (the *préfet*) during the year of 1991.

But what has brought about the present situation and why haven't the elected leaders who are mainly Fulani herders reacted in order to protect the rangelands? And why have the obviously illegal attributions of lands been approved by the regional authorities?

With a few exceptions the reaction of the Fulanis was until 1990 peaceful and calm. In order to avoid trespassing of animals into the unfenced fields of the Mourides, the herders have in most cases preferred to move their camps into less populated areas. But because of the rapid increase of the surface put under plough by the Mourides, this strategy is becoming increasingly problematic.

It is not only the size of the requests that poses problems to the herder communities. In many cases the land claimed is located within the limits of the forest reserves where cash production is

formally illegal. In other cases claims are made in areas where are situated the most important ponds used by the herders to water their animals during the rainy season. To this has to be added that due to the aggressive attitude of the Mouride talibé's³ in cases of trespassing into cultivated fields, the range of pastures lost is in fact much greater than what legally has been assigned. Trespassing as such are common sources of conflict in agro-pastoral societies. But due to the size of the Mouride holdings, the lack of fencing and surveillance⁴, as well as the location of several daaras in areas formerly used as rainy season pastures, it has become increasingly difficult for herders to avoid them. In several cases animals owned by Fulani herders grazing in the vicinities of Mouride cultivation zones have been captured by the talibé's. Taking the law into their own hands the animals are impounded and only released on payment of exorbitant fines fixed unilaterally by the talibé's. According to herders of the area this is practiced not only during the season of cultivation but also brought into effect during the dry season where grazing normally is permitted in all areas. On several occasions it has lead to the death of animals left without fodder or water while impounded.

To this adds a large number of individual Wolof farmers (in vast majority also devoted to Mouridism) who have installed themselves in the vicinities of the *daaras*, without any legal authorization. These farmers exploit the Islamic tradition of *Masalaha* (agreement on friendly terms), where, in case of dispute over land, the right to harvest sown grains is always granted to the intruder⁵.

The event that finally brought about a reaction from the Fulani herders was the attributions of a plot of 1400 ha. for a new *daara* to be used for extensive mechanized groundnut production. The daara was to be located in one of the most important wet season grazing areas, where the largest pools which can hold water several months

³ Disciples of the Mouride marabout (saint).

⁴ In most pastoral areas of Senegal it is the responsibility of the agriculturalist to survey their fields during daytime, while the herder has to pay for damages caused by his animals during nighttime. This customary rule is however not respected by the Mourides.

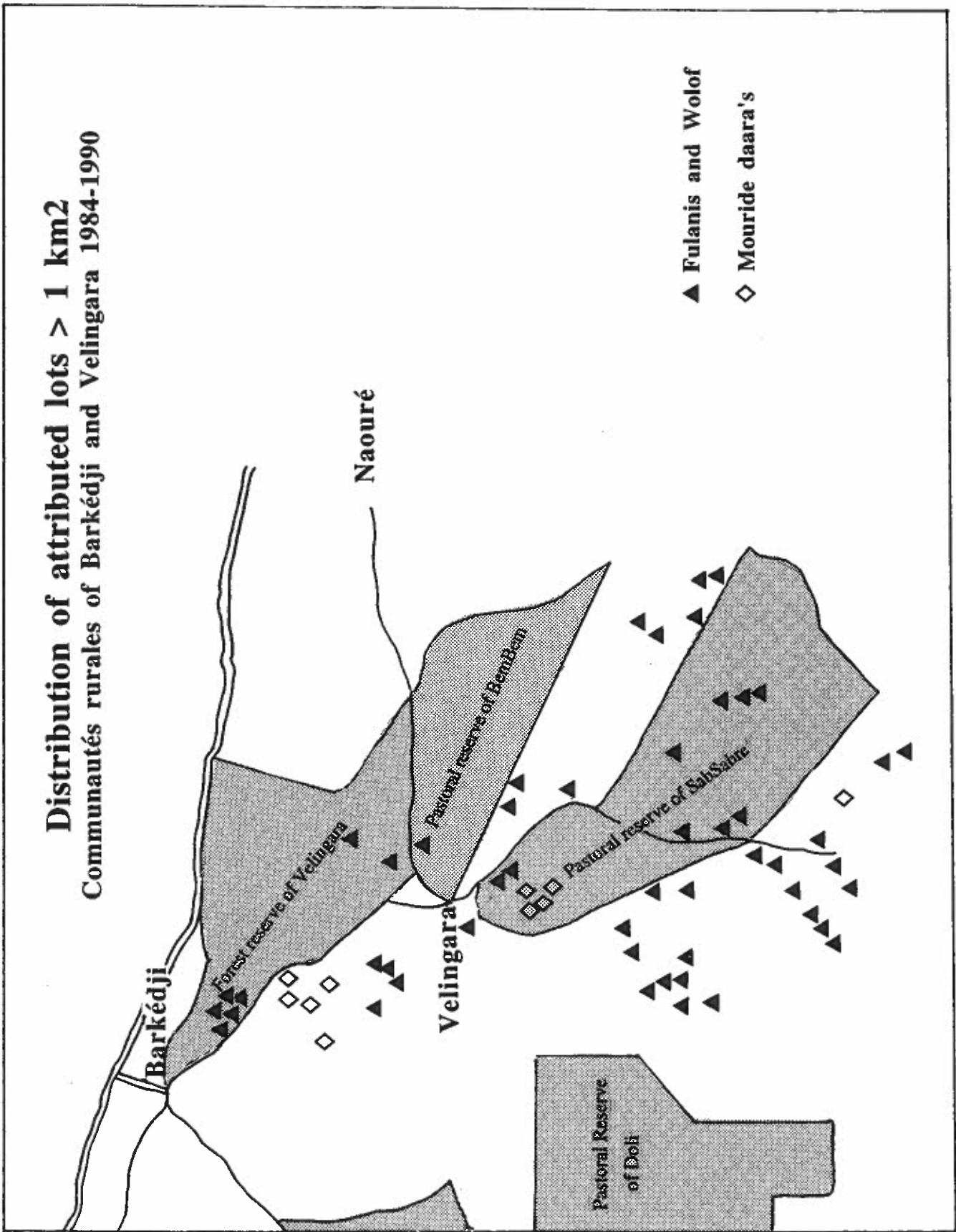
⁵ We were informed of cases where this practice was manipulated by the peasants in a very clever manner. Instead of sowing the field from one end to the other, they preferred sowing in small scattered dots over a large area. In case of disputes before the end of the sowing the authorities would be unable to control the extend of the area and they would be able the sow and harvest the entire field.

after the rainy season are situated. Although the question of the location was posed to the members of the rural council, the establishment of the *daara* was considered a great development opportunity for the area and was approved unanimously by the councillors.

Confronted with this lack of ability of their elected representatives, constituting the large majority of the council, to defend the interests of the herders, a group of herders from Velingara decided to react on their own and present requests for private titles to the coming meeting of the rural council.

As shown on the map on the following page, the large majority of Fulani claims were located in the southern part of the Communauté Rurale in the area most favored by the Mourides. As several of the herders are known to possess agricultural tool and manpower sufficient only for the cultivation of 1 or 2 hectares it was obviously not the cultivation opportunities that had been the prime motivation. Questioned on their priorities the Fulanis in fact unanimously expressed that their action was motivated more by a wish to halt the progression of the "Mouride colonization" than by any attempt to establish exclusive rights to the pastures. As a matter of fact all herders interviewed on the matter confirmed having no intentions of restricting access of other herders to their now private pastures, nor to intend to control the land through fencing. Indeed the allocation of the requested plots seemed driven more by the need to create a sort of buffer zone around the already established *daaras* than by securing for example ancestral rights to certain grazing lands. According to the herders the granting of individual titles only has importance as a means to secure that the land is not attributed to the Mourides.

Distribution of attributed lots > 1 km²
Communautés rurales de Barkédji and Velingara 1984-1990



Land use planning a difficult task for the rural councillors.

Despite growing pressure from their fellow herdsmen no request from the Mouride leaders has been turned down until very recently. This is due partly to the political pressure put by the Mourides on both the local councillors and the administrative authorities designated to support them in their planning and development activities. It is also due to the lack of means attributed to the rural councils as well as the ambiguity of the legal framework, making it almost impossible for the councillors to do a good job.

Compared with other Sahelian countries, Senegal has a fairly long tradition for decentralization, dating back to the 1972 administrative reform, which placed the responsibility of resource management on the locally elected rural councils. Despite a high degree of devolution of power, resource management at the local level is nevertheless far from perfect.

Part of the problem can be related to the agricultural bias of the legal framework. Even though the law provides the councillors with the legal means to reserve certain areas for pastures (areas near the ponds or on the track leading to the water points), the means to secure the free and open grazing lands are limited. As mentioned above, land cannot be attributed specifically for grazing, but a ministerial decree⁶ stipulates that rangelands should not be brought into cultivation. Nevertheless application of this decree is problematic as the criteria for what to be considered as rangelands remain unclear.

Another problem is related to the forest reserves. Although the legal framework is relatively clear, prohibiting cash crop production while permitting pastoral settlement and grazing, this prohibition has proven difficult to manage. In fact all forest- and pastoral reserves fall under the responsibility of the central administration through the forest department which disposes of very limited capacity to survey them. To this adds that in many cases the exact limits are known neither by the councillors nor by the local foresters. As a result a large number of plots have been attributed by the councillors within the limits of the reserves. Finally the possibilities of

⁶ Décret 80-268 of March 10th, 1980, Ministère du Développement Rural, Sénégal.

declassifying parts of the forest reserves, mentioned above, have been used frequently by the politically powerful Mouride leaders.

This also relates to the lack of registration of the attributed lands. As no tools are available to the councillors statement of size and location of the attributed plots can only be approximative. Furthermore most rural councils have, until recently, failed to keep records of the lands attributed⁷ despite its prescription by the law. This lack of recordings, of course, makes it extremely difficult to verify where and to whom land has formerly been attributed.

Finally the central concept of *mise en valeur* is difficult to handle for the councillors, a fact reflected in the minutes from council meetings by recurrent references to all applicants as "great workers". While it may be difficult enough for the councillors to determine the number of hectares which might be cultivated by a standard family with simple agricultural equipment, it becomes almost impossible to determine the productive capacity of more modern farming units as for example the *daaras* often disposing of tractors and other technical equipment⁸.

These shortcomings make it difficult for the councillors to turn down one proposal to the detriment of another. The matter is further complicated by the lack of training of the councillors of whom the majority are illiterate⁹, and of the absence of even the most elementary means to control land use and to make a more long term planning. The councillors dispose of no maps of the territory. They do not have access to reliable data concerning the soils, existing forms of land use or even the exact borders of the forest reserves. They do not dispose of vehicles to visit the areas of dispute and receive no salary or honorarium that could encourage them to invest themselves in the resolution of the local problems.

⁷ In most cases registration of decisions concerning attributions can only be found in the minutes kept from meetings in the rural councils. In several cases even these do not exist.

⁸ Caverivière 1991 p. 20.

⁹ In a survey from 1985 regarding the level of education of rural councillors, Vergroff and Johnston showed that only 8 % of the councillors had completed their primary education. 60% had attended coranic school while 24% had not participated in any form of formalized education. The elections for the rural councils held in october 1990 led to the election of younger and relatively more educated councillors, but the composition of the councils still reflect the relatively low level of formal education prevailing in the countryside.

The result is a completely chaotic policy of attribution where land is given to almost anybody presenting a claim. Clearly the problem in Velingara is not so much the attribution of large parcels of land, but the lack of any long term planning.

Privatization of rangelands- an adequate solution?

Despite the sympathy one might have with the herders' act of self-defense, the solution found by the Fulanis seems fairly shortsighted as it opposes one of the central pillars of the extensive Sahelian grazing systems - the free and open access. Indeed the granting of exclusive rights to a limited group of herders can easily turn out to be a double edged sword. The bloody xenophobic clashes between Senegalese and Mauritians in April 1989 which started as a dispute between herders and agriculturalists showed how quickly yearlong cohabitation between different ethnic groups can explode. Considering the already existing frictions between the richer and more efficient herders recently settled in the area, and the more sedentarized Fulanis, one might fear that the owner of 'private rangelands' will try to exclude these newcomers in times when pastures become scarce.

Privatization of rangelands is also likely to deliver the final blow to the control of black maures over the tapping of gum arabic already now under serious threat from Fulani herders moving into new spheres of economic activities. It is also liable to create serious problems for future cohabitation between different systems of production.

The decisions taken by the local and regional authorities to recognize attribution of individual grazing lands seem more the result of fear of political conflicts than an attempts to find a solution viable in the long run. If the land granting continues with its previous speed, the municipality is likely to end up with hardly any communal lands left.

Devolution of power to local institutions has been a key word in resource management during the eighties. Nevertheless the need for

appropriate training of the local decision makers as well as the need to reinforce the technical skills is largely overlooked. For the time being the existing local institutions in charge of managing the local resources do not dispose of sufficient means neither to make any long term planning nor to enforce existing regulations. Sensible spatial distribution of lands is, however, not obtained only through better access to information and other planning tools. More important are of course the possibilities given to each group of producers to express their needs and to negotiate regulations concerning use rights over resources used during different seasons. Here the actual composition of the rural councils is far from ensuring representation of all groups of producers.

As could be seen recently with the violent clashes between Fulanis and Hausas in Niger where more than hundred Fulanis were killed by Hausa agriculturalists, the consequences of the immense population movements which occurred in relation to the big Sahelian droughts are yet to be seen. Certainly, lack of clarity on tenure rights combined with ad hoc planning seems to be a dangerous cocktail.

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