

**Water and Ecosystem Resources in Regional Development- Balancing
Societal Needs and Wants and Natural Resources Systems
Sustainability in International River Basin Systems**

WP 5 : Local knowledge and Value Systems

Local Institutions and Natural Resource Management in Ngamiland

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1.0 Introduction

The discussion on the role of local institutions in natural resource management is a recurrent theme in southern Africa. These institutions play a significant role in sustainable development, particularly in poverty alleviation, empowerment of the rural population, and natural resource management. They are important custodians of indigenous knowledge systems and culture, and also intermediaries between the Government and the communities. Thus, the degradation of these institutions will, therefore, result in the degradation of indigenous knowledge systems as there will be no inter-generational transmission of such knowledge (Mutowanyika, 2000).

In Ngamiland, traditional institutions include traditional leadership, Village Development Committees (VDCs), Community Trusts, Farmers Committees, and Village Health Committees (Applied Development Research Consultants, 2001). The first three institutions are the key ones, and they are also found in other parts of Botswana as well as in other southern African countries, with the exception of VDCs which are only found in Namibia (Jones, 2001). In Botswana, VDCs were introduced after independence in 1968 in order to play a role in community development as self-help institutions (Republic of Botswana, 1991). The institution of traditional leadership has been in existence since pre-colonial times in most African countries, and still exists today in most African countries, though not in its pure form as it has been re-organised by the colonial Governments (Mutowanyika, 2000). Community trusts have proliferated in recent years, partly because of the development of the community based natural resource management programmes, and Ngamiland is one of the areas in Botswana where this programme is implemented.

This study focuses on the three institutions in Ngamiland, assessing their impact on natural resource management, and the extent to which they are indigenous. Other aspects discussed include issues of authority and local politics. This paper has mainly utilised secondary sources, but was supplemented by primary sources of information. Primary sources were in the form of informal interviews, which were conducted with traditional leaders, government officers, and members of VDCs and community trusts. The section following this one discusses the role of traditional leadership in natural resource management, followed by the sections on VDCs, and community trusts. The last section concludes the paper.

2.0 Traditional Leadership

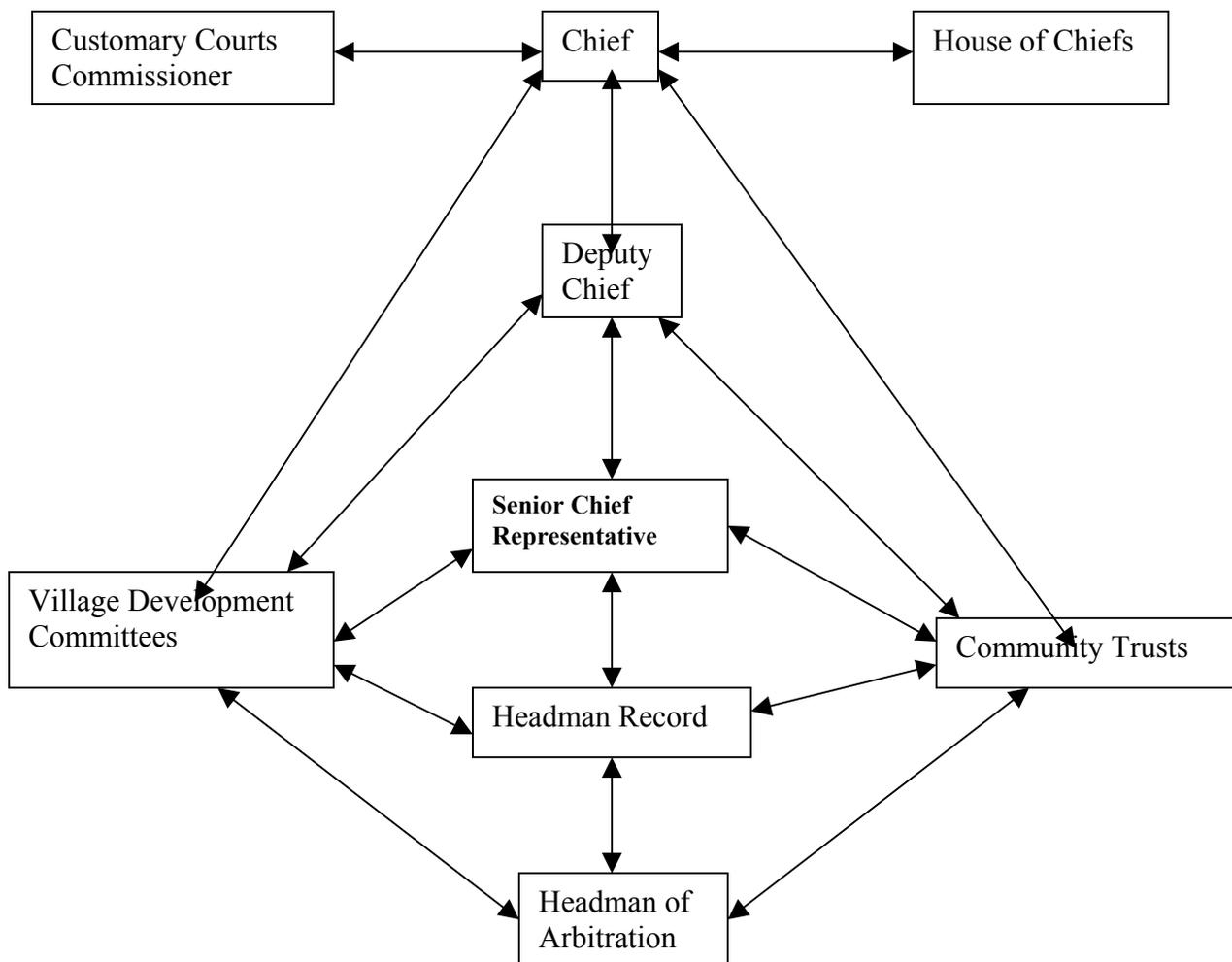
We now discuss the role of traditional leaders with particular reference to their appointment and structure, general functions, and the public assembly known as *Kgotla*.

2.1 Appointment and Organisational structure

There are various ranks of traditional leaders, the most senior being that of the chief. According to the Chieftainship Act of 1987, a chief is “an individual who- (a) has been designated as a Chief in accordance with customary law by his tribe assembled in the

kgotla; and (b) has been recognised as a Chief by the Minister” (Republic of Botswana 1987). The chief, assisted by the Deputy Chiefs, is the head of the district and is based in the district capital. Next to the Deputy Chief is the Senior Chief Representative who may assist the Deputy Chief in the District Capital or be in charge of the tribal administration in other large villages, assisted by the Chief representatives, headmen of record, and headmen of arbitration (Republic of Botswana, 1999).

Figure 1: Structure of Traditional Leadership in Ngamiland District, Botswana



Source: Developed by the authors

The Government has control over the recognition and removal of traditional leaders of all the ranks. As Gillet (1975 p105) puts it “apart from the fact that the Chiefs must still in practice be selected from the royal family of the tribe, their appointment and removal from office is as much the Government’s discretion as those of the rest of the civil service”. It is essential for the Government to have such control as the “system of promogeniture” may not necessarily appoint a suitable person (Tordoff *et al*, 1970). The

system of Government control over the appointment and removal of traditional leaders does not reflect an indigenous style of governance, but rather a western democratic system. Research undertaken by Viveló (1977) among the Herero of Western Botswana, which includes Ngamiland, the appointment of traditional leaders (*omuhona*) is increasingly determined by exogenous factors such as the standard of education. It is noted that the “decisive factor in the appointment of a headman is becoming a command of English (the language in which official forms are completed), and no one with less than standard seven education, no matter what his standing within the community, will be eligible” (Viveló, 1977 pp174). He further noted that in the pre-independence period, the Government tended to base the succession of traditional leaders on patrilineal lines rather than on education, and this made traditional leaders to be more acceptable to the people (Viveló, 1977). By increasingly basing the succession of traditional leadership on education helps to reduce tribalism (Viveló, 1977), but the main problem is that such a practice degrades indigenous knowledge systems

In Ngamiland, Chief Tawana II, who is based in Maun, is in charge of tribal administration in the district, assisted by Deputy Chief Mathiba. There are also 10 senior chief representatives, 10 chief representatives, 38 headmen of record, and 25 headmen of arbitration in the District. In the villages of Gomare, Tsau, Shorobe, Sehitiwa, Sepopa, Nokaneng, Shakawe and Seronga, traditional leaders are headed by senior chief representatives, whereas they are headed by chief representatives in Kareng, Chanoga, Matapana, and Toteng (Ngamiland District Council 1997). Traditional leaders are supported by the local police, who are actually a police force serving local rather than central Government. According to Viveló (1977), the use of local police by traditional leaders indicates that a traditional leader “is an official of the government more than he is a spokesman for his people”. This suggests that the institution is nowadays more modern than traditional. The Customary Courts Commissioner, who is based in the Ministry of Local Government supervises traditional leaders. Figure 1 depicts the relationship between traditional leaders of different ranks, and their links with key local institutions in Botswana.

2.2 General Functions

During the colonial period, the traditional leaders administered the tribal territories through the indirect rule system of Government. They administered the reserves (now called districts) without much interference from the colonial Government. They had the “right to regiment labour” and “custody of *matimela* cattle” (Tordoff *et al* 1970). In addition, they were responsible for the administration of the land and its allocation, and had stipulated common property institutional arrangements for the management of natural resources (Schapera, 1970).

In Ngamiland, at the beginning of the 19th century, the chiefs had introduced strict rules for regulating hunting and fishing among the BaYei and the Hambukushu tribes, and “each village had the right to designate fishing and hunting grounds” (Tlou, 2000, p25). In 1910, the Chief of the Batawana had introduced a regulation which prohibited the hunting of elephants without his permission. The hunting of giraffes, buffalos, elands,

rhinoceros and hippopotamus was also prohibited. In 1937, however, the hunting of giraffes was allowed, provided that the chief had given permission (Spinage 1991).

The powers of traditional leaders have declined over time as the institutions such as the District Councils and Land Boards have taken over their responsibilities after independence in 1966 (Temane *et al*, 1988 and Grant, 1980). The function of local administration was transferred from the Chiefs to the Councils by the District Council's Law of 1966. The institution was not abolished as in other African countries, but was instead retained (Temane *et al*, 1988). The land management role of traditional leaders was attenuated by the Tribal Land Acts of 1968 - 1970 as this authority was legally transferred to the Land Boards (Gillet, 1975). This institution was introduced by the Tribal Land Act of 1968 as a trustee of the tribal land (CCI, 1997). The Land Boards started the role of land allocation in 1970.

The chiefs, or their representatives, were ex-officio members of the Land Boards, but ceased to perform this function in 1989 since the Central Government wanted the process of land allocation to be de-politicised (CCI, 1997). The attenuation of the land management right of traditional leaders has eroded the traditional knowledge associated with the management of natural resources as the old customary laws of resource management are not currently practised. According to Gupta *et al* (1995 p124), the "erosion of knowledge is much more serious than the erosion of natural resources" as the latter can be reversed, whereas the former can not be. Such an erosion of knowledge may lead to the dis-empowerment of the rural poor, an important element and recipe for unsustainable development. In addition, the Government of Botswana did not build on the existing local knowledge systems, cultures, and institutions when creating new laws for land management (Moupo, 1987). A recent study undertaken in the Okavango Delta revealed that attempts are not usually made to consult the local communities when promulgating new laws, and this often results in conflicts in the use of natural resources (Applied Research Consultants, 2001).

Traditional leaders also served as spiritual leaders of their ethnic groups in the pre-colonial times in Ngamiland among the Herero, HaMbukushu and BaYei. They were involved in ritual activities such as rain-making and other cultural festivities (Vivelo, 1977 and Tlou, 1985). This symbolised the closeness of those communities to their natural environment and appreciation for the resources it provides. However, this function is no longer existent as it has been degraded by colonial and post-independence governments through their systems of education, religion, language, and economic development which undermined indigenous knowledge systems and promoted modern scientific knowledge. It remains unclear as to us about the extent to which the loss of such knowledge was advantageous or disadvantageous to natural resource management and whether it was necessary to conserve it.

Currently, the functions of traditional leaders include maintenance of law and order, trying and making judgements of civil and criminal cases (estimated at 593 and 680 respectively in Ngamiland in 2001/2002), informing the public about government policies, identification of development projects in the village in consultation with the District Councils and Village Development Committees, interpretation of traditional

culture, provision of advisory role to the national assembly through the House of Chiefs, and administration of authorised laws, including those relating to natural resource management (Republic of Botswana, 1999). Two of these functions will be elaborated upon as they are central to the theme of this paper. These are the role of traditional leaders in the House of Chiefs and in the administration of the laws relating to natural resource management.

2.2.1 Membership in the House of Chiefs

The House of Chiefs, composed of 15 members, advises the national assembly on a number of issues, particularly those relating to traditions and culture as its members are custodians of indigenous knowledge systems. Currently all the chiefs of the nine districts, plus the sub-districts of Tlokweng and Barolong are members of the House of chiefs. The chiefs of the eight “main” tribes are ex-officio members of the House. Elected members comprise the chiefs of the districts of Chobe, Kgalagadi, Ghanzi, Chobe, and North East and those specially elected by the 12 members of the House (Republic of Botswana, 2002).

Following the Balopi Commission, established by the President in July 2000 to review sections 77, 78, and 79 of the Constitution, as they were perceived to be discriminatory, the Government decided that the House of Chiefs should consist of 35 members. The members would be the 12 who are currently chiefs, 20 members designated from the districts, and 5 specially elected members. The members who are currently chiefs (all of them are Tswana) will have permanent membership, while the elected members (mainly non-Tswana) will be elected after every five years. Ngamiland will be represented by three members from the regions of Maun, Ngami, and Okavango (Republic of Botswana, 2002).

The Ngamiland based *BaYei* cultural group called Kanamakao Association and other members of the perceived minority groups in Botswana have voiced some displeasure about the new dispensation for membership in the House of Chiefs which they perceive to be also discriminatory. One of the concerns they have raised in their letter to President Mogae, dated 15/5/2002, is that “ the Tswana chiefs will be submitted to the House of Chiefs on the basis of their birthright as chiefs of their tribes, the non-Tswana will be elected to the House as sub-Chiefs, that is, of an inferior status” (Members of the Perceived Minority Groups, 2002). What they actually mean is that Tswana Chiefs, like Tswana II in Ngamiland, will have permanent membership of the House, whereas other non-Tswana chiefs will not have this privilege. However, the constitution is currently being amended to accommodate some of the issues raised by the Balopi Commission. Meanwhile, at its meeting of the 19th to 20th August 2002, the United Nations International Convention on the Elimination of All Forms of Racial Discrimination (CERD), advised the Botswana Government to review what it described as discriminatory sections of the constitution and laws (CERD, 2002).

The House of Chiefs is consulted by Parliament from time to time, particularly on the following issues: 1) review of the constitution, 2) law on customs, 3) family and personal

law, 4) ownership of land, and 5) certain aspects of civil law (Senat, 2002). The House of Chiefs therefore provides the chiefs with a forum for discussing issues of national importance, and therefore prevents ethnic conflicts (Senat, 2002). In addition, it is also a custodian of indigenous knowledge systems and culture (Senat, 2000). Thus, the House of Chiefs plays a significant role in natural resource management as it reviews the laws relating to their use, and provides traditional leaders with a forum to discuss these issues. It is therefore important for the institution to be perceived to be democratic, otherwise it may fail to carry out its important functions as a result of political instability.

2.2.2 Regulatory Instruments and Environmental Politics

The traditional leaders implement regulatory instruments for natural resources management. The Herbage Preservation (Prevention of Fires) Act is one of the legal instruments they implement. According to this Act “no person shall, without the permission in writing of Herbage Conservation Committee, set fire to any vegetation on land of which he is not the owner or in lawful occupation” and “no person shall wilfully or negligently light a fire which by spreading damages or destroys, or threatens to damage or destroy, the property of another person.” (Republic of Botswana, 1978 p38:156). Our research revealed that traditional leaders actively implement the this Act, and bring to book those who break this law. In Shorobe, the traditional court sentenced one person from Mababe on the 15/10/2001 for four months imprisonment, wholly suspended for twelve months without committing a similar offence, for setting fire to vegetation. Another case was laid on five male persons of Shorobe on the 13/9/2001 for failing to assist in putting off vegetation, and it is still under investigation (Shorobe Traditional Court, 2002).

2.3 The Kgotla or Public Assembly

The *Kgotla* is an indigenous public assembly used as a traditional court and also as a forum for discussing development issues (Republic of Botswana, 1999; Schapera, 1994). The *kgotla* has mechanisms for solving disputes in the public. Traditional leaders preside over court cases and meetings. In theory, the *Kgotla* is a democratic institution, and as such, the community discusses issues in the assembly without any hindrance (Schapera, 1994). However, the experience of Kuru Development Trust, an NGO based in Shakawe in Ngamiland, is that minority groups such as Basarwa tend not to express their views, probably because they feel inferior. As a result of this, the method of participatory rural appraisal was utilised in order to assist the Jakotsha Community Trust to formulate a management plan appropriate for land-use planning (HOORC, ECOSURV and IUCN, 2001). A number of development committees are elected in the *Kgotla* such as the Village Development Committees (VDCs), Village Trust Committees (VTCs), and Farmers Committees (FCs). These institutions, discussed fully in subsequent sections, are therefore sub-committees of the *Kgotla*.

Nowadays, the *Kgotla* plays a minor, but important, role in natural resource management. It is used as a forum for providing information on conservation/environmental issues, and for advising the communities about sustainable practices of managing natural resources.

The Senior Chief Representative of Shorobe village in Ngamiland revealed that in areas under his jurisdiction, the communities are advised not to set fires on vegetation and also not to litter as such practices are associated with adverse effects on the environment (Dingalo 2002, pers comm). Another example about the role of the *Kgotla* in Ngamiland is the way it informs the communities about major development and environmental issues. In the past, it has been used as a forum for informing the communities in Ngamiland about issues such as the Tsetse Fly Eradication Campaign in 2001, killing of all cattle in Ngamiland in 1996 so as to eradicate the cattle lung disease (Contagious Bovine Pleuro Pneumonia, CBPP), and the ban on the hunting of lions in 2001. Regarding the 2001 Integrated Tsetse Eradication Campaign in Ngamiland, the Government held meetings in ten villages to obtain the perceptions of the communities about the exercise (Bendsen, 2001).

3.0 Village Development Committees (VDCs)

3.1 Definition and Origin

Village development committees (VDCs) can be defined as local community structures that are meant to ensure community participation, at the formulation and implementation stages of National Development Plans, through input into district development plans and direct participation in development projects at the village level. They are “..the main institution charged with responsibility for community development activities within a village/ward/section of village through participatory decision-making of a community or section thereof” (Republic of Botswana, 2001). They were set-up in various parts of the country, including Ngamiland, following a Presidential Directive of 1968, with a view to implementing development projects in rural areas, where the majority of the country’s population live (Republic of Botswana, 1991).

VDCs were formed at a time when most traditional structures which played developmental roles were no longer in place following the abandonment of the traditional system of regiments and initiation schools. They were, therefore, formed in the spirit of self-help and volunteerism that epitomised the traditional structures of that period. This spirit of group action and self-help existed among traditional societies during the pre-independence period in the form of *mephato* (regiments) which were responsible, *inter alia*, for the construction of public infrastructure (Schapera, 1994). The system is no longer existent, and there are now more opportunities for paid labour in Botswana. While the origin of VDCs is from the top, their character and style of work have indigenous characteristics which qualify the institution to be classified as a hybrid of modern and traditional knowledge. They are directly linked to the *Kgotla*. VDC members and their chairpersons are not paid a salary, but are currently given sitting allowances of P 96.25 and P115.50, respectively (Republic of Botswana, 2002).

3.2 Composition

The membership of VDCs is made up of 10 publicly and democratically elected members, 5 of whom make up the executive committee and the other 5 being additional members (Republic of Botswana, 1991). Some *ex-officio* members of these committees include the chief, the ward councillor and some village extension workers such as the assistant community development officer, community development assistant or the village development assistant (Republic of Botswana, 1979). In the past some extension workers such as ‘[t]he Community Development worker[s] would normally be the VDC secretary/treasurer...’ (Republic of Botswana, 1979). Currently, however, the executive committees of some VDCs, such as the ones in Shorobe and Maun, are exclusively made up of the villagers themselves.

The election of VDC members is carried out at the *Kgotla*, and they are usually presided by the chief community development officer (CCDO), where such an election directly involves the local community in a voting process (Republic of Botswana, 2001). The elected members usually have a 2-year tenure of office and should necessarily be ‘permanent’ residents of the respective villages. They should have special interest in the development of their villages, be aged 21 years and above and should be nominated and seconded by two members of the *Kgotla* (Republic of Botswana, 2001). There is no threshold educational qualification for nomination or entry to VDC positions other than to read and write. As a result, VDC members are elected from average village members. Given the low literacy rates in Ngamiland (Ndozi, Nthibe, and Bandeke, 1999), like other remote areas in Botswana, VDC members tend to have very low literacy rates. Most youthful and literate members of the community prefer to live and work in the more economically vibrant major villages, than do voluntary work.

In addition to elected and *ex-officio* members, some people may be co-opted to VDCs to serve as advisors in specific projects. These are usually people with specific technical knowledge or experience. Their membership is usually determined by the life of the projects they may have been co-opted for or may be limited only to specific meetings on particular projects. Both the co-opted and the *ex-officio* members of VDCs do not have the power to vote. Other members of the VDC may be representatives of settlement development groups from small settlements most of which do not have the threshold population to be recognised as villages. These groups are variously referred to as ‘non-formal VDCs’ or ‘unofficial VDCs’ (van Hoof *et al* 1991). Settlement development groups also perform the same functions as VDCs, but do not enjoy the same status and recognition as do VDCs. They work directly under the supervision of VDCs of associated major settlements.

The election of VDC members is theoretically a fair process that is meant to instil trust and proper workmanship among the members, and within the community. However, some community members with certain political affiliations, usually attempt to pre-determine VDC membership through pre-election caucuses (Semunka, 2002 pers. com.). Where the lobbying for “political” votes of VDC membership becomes successful, more capable non-partisan members of the community may be denied an opportunity to lead

and participate in the development of their villages. Where this happens, cooperation among VDC members is jeopardised (Semunka, 2002 pers. com). It is however noted in the National Development Plan 8 that VDCs have become institutionalised, politicised, influential, and that “there is an overlap of membership between VDC members and office bearers in political parties at the local level” (Republic of Botswana, 1997, p). This explains the political power dynamics at play within the VDCs in the main settlements such as Maun and those in the less politically powerful settlements in the periphery. The VDC as an institution, therefore, may be viewed as forming a power unit that works to strengthen or weaken the Government policy initiatives, depending on its political allegiance.

3.3 Functions

VDCs play a significant role in community development, contributing to the alleviation of rural poverty. This may have a positive impact on environmental sustainability since an improvement in the livelihoods of the people leads to a reduction in the use of natural resources.

In Ngamiland, VDCs perform almost similar functions as in other parts of Botswana. Their general functions include, inter *alia*; to identify, discuss and propose solutions to needs of communities; develop a plan of action for their villages; “solicit assistance of donors and other development agencies”; mobilize communities and institutions for development action, and “provide forum of contact between village leaders, politicians and district authorities to enhance development information flow” (Republic of Botswana, 1991 and Republic of Botswana, 2001). VDCs are, therefore, responsible for all development issues in their villages, and also coordinate the activities of other village committees. In the subsequent paragraphs of this section, an attempt is made to further discuss three of the above functions considered to be critical in this paper. These are: (1) the roles of VDCs in proposing solutions to the problems of communities, (2) the development of action plans (3) the mobilisation of communities and institutions for development purposes.

In order to identify and seek solutions for the various problems faced by the communities, VDCs organise meetings to gather opinion on various issues. In such meetings, communities can identify various issues affecting their day-to-day lives and come up with solutions. For instance, a concern was raised in one of the *Kgotla* meetings in Shorobe on noise pollution resulting from beer parties in the village, particularly during the night. It was agreed that there be a village-wide ban on such activities. The VDC members enforce this restriction, and action may be taken against perpetrators, including prosecution at the *Kgotla* (Semunka, 2002, pers comm). Other issues of community concern including those relating to natural resources management, are dealt with in the same consultative approach (Semunka, 2002, pers. comm.). In addition, VDCs also play a fundamental role in identifying individuals (destitutes and orphans) eligible for government assistance under poverty alleviation schemes (Kgathi, 2000, pers Comm.). The VDC chairperson is usually given a chance to speak at *Kgotla* meetings addressed by village councillors, members of parliament, Government ministers and the

state President in all villages in Ngamiland (Kgathi, 2002, pers com). This assists in the direct flow of information from the community to the top offices of the local and central governments, so that appropriate actions may be taken.

In developing action plans, VDCs work in close consultation with village extension workers, councillors, NGOs, and the community through the *Kgotla*. Ideas on various development projects are usually brought to the attention of the community for consideration, as VDCs are a development sub-committee of the *Kgotla* answerable to the traditional leader of the village. The community makes the final decision on whether development projects should be undertaken or not. It has the power to accept or reject the VDC's decision (Semunka, 2002, pers. com.). In Ngamiland, VDCs are mostly involved in development activities such as the construction of primary schools, clinics, roads, living quarters for extension and other workers, village water supply, and provision of public restrooms (Childers, Stanley, and Morgan, 1982; Semunka, 2002, pers com; and Kgathi, 2002, pers com.). Most projects carried out by VDCs are funded by the district council, however, VDCs still have to secure funding through self-help fund raising activities.

In mobilising communities and institutions for development action VDCs stimulate debates at *Kgotla* act through various sector-based committees in the village. The VDCs may mobilise the community for major events such as major ceremonies and public meetings VDCs are therefore highly recognised by both local and central governments. The district council consults them on all development matters. It is also worthy to note that VDCs play a vital role in complementing shortage of supervisory manpower for labour intensive works carried out by district councils. The district council may devolve responsibilities of selecting participants for projects, including their supervision, to the VDCs (MFDP, 1997).

3.4 Links with other institutions

In carrying out the afore-mentioned functions, VDCs work in close consultation with the communities through the *Kgotla*. As mentioned earlier, VDCs are a development sub-committee of the *Kgotla*. They report directly to the village traditional leader, who is also a member of the committee. However, their activities, especially those directly involving development infrastructure, are supervised by the district council. In the case of Ngamiland, all VDCs are supervised by the Northwest District Council based either in Maun, as the headquarters of the district, or the sub-district office in Gumare through the department of social and community development (S&CD). The ward or village councillor, being the *ex-officio* member of the VDC, provides a political link between the committee, the community and the district council (Republic of Botswana, 2001). VDCs work closely with, and coordinate the work of the village extension teams (VET), village health committees (VHCs), farmers committees, womens organisations, youth committees and other non-government organisations. Some members of the above mentioned committees are also members of VDCs through co-option as earlier indicated.

VDCs in Ngamiland somewhat differ from others elsewhere in the country, in terms of the socio-economic set-up within which they operate. Unlike in most parts of the country, save for Chobe, tourism is the main driving force of development. In this area, the VDCs exist side by side with community-based organisations (CBOs) that are meant to manage natural resources especially wildlife. In some villages such as Ditshiping, about 60km west of Maun, there is a direct link between the VDC and the village trust committee (VTC) which is the CBO at the village level. The VDC chairperson is the *ex-officio* member of the VTC (Tshekonyana 2001, pers. com.). Since the village chief is the *ex-officio* in the VDC there is link between the VTC and the *Kgotla*. VDCs in Ngamiland have a high potential to develop their villages particularly through the Community-Based Natural Resources Management (CBNRM) programme by clearly identifying their goals in conjunction with CBOs. In some villages, the activities of the VTC are not clearly separate from those of the VDC, such that the decision-making process within the VTC appears more over ruled by the VDC. The VTC plays the CBNRM funds management role. The VTC decision on what project to invest in, is usually what the VDC wants them to do.

4.0 Community Trusts

4.1 The Origin of Trusts

Community Trusts or community Based Organisations (CBOs) are an institution created by the communities to implement the activities of Community Based Natural Resources Management (CBNRM) programme (DWNP, 1999). CBNRM is a concept used to explain “the way in which communities organise themselves” to sustainably manage their natural resources” (DWNP, 1999, p7). It is premised on the assumption that the communities will have an incentive to manage natural resources since the perceived benefits from natural resources exceed the perceived costs (Rihoy, 1995). Trusts are, thus, formed by the groups of people living in the same area and sharing common interests in order to benefit from natural resources around them (DWNP, 1999). They might, therefore, be made up of one or more villages whose aims are to utilise a hunting quota to generate jobs, revenues and meat for the benefit of the members of the community. They are registered legal entities, and are formed in accordance with the laws of Botswana to represent the interests of the communities and implement their management decisions in natural resources use.

The CBNRM policy framework is actually a reform of the conventional “protectionist conservation philosophy” and “top down” approaches to development, and it is based on common property theory which discourages open access resource management, and promotes resource use rights of the local communities (Rihoy, 1995, pp 13-14, Berkes, 1995). The driving forces behind the introduction of this policy in southern Africa are problems such as depletion of wildlife species, conflicts in land-use, and scarcity of resources for wildlife management (Rihoy, 1995). Other commentators on the origins of CBNRM are of the opinion that the programme is a hybrid of the modern system of development and the indigenous knowledge systems. For instance, the ADMADE programme of the Department of National Parks and Wildlife Services, in Zambia, is

seen as restoration of the resource use rights for wildlife resources in game management areas to the local communities, through their traditional leaders (Mwenya *et al* 1990). The above idea is consistent with the view held by George and Dei (1995, p149) that many societies are experiencing “a renewal and revitalization of indigenous knowledge systems and traditions for social development and co-existence with nature”

In Botswana, the WMAs still remain under the control of the state, and the community trusts are its “custodians and managers” (Rihoy 1995, p28). These are sub-divided into CHAs which become the “unit of production” (Rozemeijer and van der Jagt, 2000). As a result, CHAs are administrative blocks used by DWNP to allocate country quotas (Rozemeijer and van der Jagt 2000). Botswana is divided into 163 CHAs which are zoned for various types of wildlife utilisation (both consumptive and non-consumptive uses), under commercial or community management (Rozemeijer and van der Jagt, 2000). In Ngamiland CHAs are zoned around existing settlements, Moremi Game Reserve and the Okavango delta. The idea of WMAs in Botswana arose from a need for conservation and controlled utilisation of wildlife and other natural resources outside protected areas, along with the desirability of creating better zones between protected areas and human settlement areas (Figure 1).

Figure 1

4.2 Types and Functions of Community Trusts

Community trusts have become an important village institution. In most cases, trusts are regarded as representatives of the interests of their constituents. They are increasingly recognised by the Government and other agencies as partners in development, who can take up planning and management responsibilities (Rozeimejer and van der Jagt, 1999). As a result, the main function of community trusts in Ngamiland is to ensure that their respective communities participate and benefit from consumptive and non-consumptive wildlife-based tourism activities (Mbaiwa, 2002). They are, therefore, expected to satisfy the Government that they are accountable and representative, able to obtain head leases for giving them tenure of access, use resources efficiently, issue sub-leases to joint venture partners, sign contracts with the private sector, and raise funds from the donor community.

Table 1: Basic Information on community Trusts in Ngamiland.

Name of Community Trust	Date of Registration	Villages Covered	CHAs Used	Types of Activities (2001)	Revenue Generated (2001) (P)	No. of People Employed (2001)
CGAECGAE TLHABOLOLO TRUST	1997	XaiXai	NG 4 NG5	Selling concession, Subsistence hunting, Cultural Tourism, Craft Marketing, Village Shop.	215.000	30
KHWAI COMMUNITY TRUST	2000	Khwai	NG 18	Marketing Hunts, Subsistence hunting, Grass and Crafts.	600.000	3
OKAVANGO CUMMUNITY TRUST	1995	Beetsha, Eretsha, Gudigwa, Seronga, Gunitsoga.	NG22, NG 23.	Selling concessions	Not Stated	130
OKAVANGO JAKOTSHA COMMUNITY TRUST	2000	Etsha 1- 13, Ikoga, Jao Flats	NG24	Photographic Tourism, Development of camp site.	Not stated	Not stated
NGWAO BOSWA WOMENS CO-OPERATIVE	Not started	Gumare, Danega, Nokaneng.	None	Marketing of baskets, Domestication of palm, Woodcarving.	Not stated	96
OKAVANGO KOPANO MOKORO TRUST	1997	Ditshiping, Quxau, Daonara, Boro+ Associated settlements.	NG32	Selling Concession, Marketing of campsite, Mokoro, grass, reeds, and Fish.	1.200.000	100
BOKAMOSO WOMENS CO-OPERATIVE	Not started	Shorobe	None	Basket-marketing	Not stated	Not stated
BUKAKHWE CULTURAL CONSERVATION TRUST	2000	Gudigwa	Part of NG12	Eco-cultural tourism	Not stated	Not Stated
SANKUYO TSHWARAGANO MANEGEMENT TRUST	1995	Sankuyo	NG34	Selling concession, Thatching grass, Subsistence hunting, Campsite.	595.460	53
MABABE ZUKUTSHATM COMMUNITY TRUST	1998	Mababe	NG41	Selling concession, Subsistence hunting.	750.000	49
OKAVANGO POLERS TRUST	1999	Seronga and Gunitsoga	NG12	Tourism viewing, Sale of crafts, Restaurant.	750 000	100
TEEMASHANE TRUST	1999	Kaputura, Ngarange, Ncoagom, Sekondombo.	NG11	Cultural Tourism, Thatching grass, Development of CBNRM project Proposal for NG13.		278

Source: CBNRM Forum (2002a).

There were 45 registered community trusts Botswana in the year 2000, of which 12 or 27% were in Ngamiland (National CBNRM Forum, 2001). The Okavango Community Trust (OCT) in Seronga was the first to be registered in March 1995, followed by Sankuyo Tshwaragano Management Trust (STMT) in Sankuyo in Nov, 1995 (National CBNRM Forum, 2001) However, the STMT was the first to start operation in 1995. Despite the fact that Kwai was one of the first villages to be encouraged to participate in the CBNRM programme, it was amongst the last villages in Ngamiland to implement it (Taylor, 2001, Mbaiwa, 2002). This is mainly because the dominant tribe in this village,

the Basarwa, wanted a different model of CBNRM, whereby they would have full control of the land and other natural resources in the concession area. In addition, they wanted a concession for Basarwa only, an idea which the Government did not accept as such a concession would exclude other ethnic groups. This delayed the registration of the trust (Mbaiwa, 2002).

Guided by their constitutions and management plans, community trusts have become *de facto* owners of the wildlife resources in their respective community areas (Rozeimejer and van der Jagt, 2000). They are not directly involved in community based tourism but are rather passive participants in that they usually sub-lease their CHAs to safari companies (Mbaiwa, 2002). Interestingly, there are no trusts engaged in community-private sector joint venture partnerships in Ngamiland.

Most of the trusts in Ngamiland are engaged in activities such as selling their concessions to safari companies, managing of cultural tourism, marketing of baskets and crafts, photographic tourism, and marketing of reeds and grass (National CBNRM Forum, 2001, Table 1). As Table 1 shows, community trusts have three main distinctions: (1) there are those composed of a single community or village, such as Sankuyo Okavango Kopano Mokoro Trust (SOKMT) and Khwai Community Trust, (2) those composed of more than one community or village such as the Okavango Community Trust (OCT) and Okavango Kopano Mokoro Trust (OKMT), and (3) those composed of individuals within a community with relatively similar interests and skills such as the Okavango Poler's trust which is formed by the different polers from Seronga village.

4.3 Membership of Trusts

Community trusts are composed of all people who have resided in the concerned village (s) for more than five years (Rozeimejer and van der Jagt, 2000). As a result, the trusts usually include the entire community of a village, but sometimes their constitutions specify that they should include only adults who have resided in the village for more than five years (Rozeimejer, 2001). For instance, the automatic general members of the OCT and the OKMCT are all local people over 18 years of age, and living within their respective Controlled Hunting Area (CHA) (Mbaiwa, 2002).

It is worth noting that the Government does not allow the memberships of trusts to be based on ethnicity. For instance, attempts by the Basarwa of Gudigwa to form a concession area for Basarwa only, as in the village of Khwai, have not been successful as the practice was seen to militate against the constitution of Botswana which does not allow for ethnic distinctions in development projects (Taylor, 2001). The Basarwa of Gudigwa wanted to secede from the OCT, which serves the Basarwa village of Gudigwa and other four non-Basarwa villages, because they thought they were not "receiving their fair share of the benefits" from the trust (Taylor, 2001).

4.4 The Governance of Community Trusts

4.4.1 Structure

Most (69%) of communities involved in CBNRM followed the DWNP model of establishing community trusts when registering their community organisations as legal entities (Rozeimejer and van der Jagt, 2000). The remaining (31%) of the trusts have not been allocated CHAS and an annual wildlife quota by DWNP. As a result, they are not obliged by government to conform to DWNP requirements of registering their trusts. The structure of a trust is based on a legal arrangement created through a Deed of Trust in which trustees are bound to use resources provided by the benefactor to assist beneficiaries (Beebe, 2000). A community trust can apply for a head lease over their CHA from the Land Board (Gujadhur, 2001). The tenure of a community head lease for a CHA is 15 years, and it is renewable after every five years (Gujadhur 2000, 2001). As a result, the lease empowers trusts to sign sub-leases with the private sector, according to the conditions stipulated in the head lease (DWNP, 1999). A wildlife head lease, for example, may permit hunting, game capture and/or tourism related activities depending on whether the community area is zoned for multipurpose use, where either both hunting and photographic activities are allowed or when they are carried out separately.

The governance of community trusts should, in theory, be in accordance with the laws of Botswana, and at the same time reflect community interests, goals and customs (DWNP 1999). The operations of community trusts are guided by constitutions which specify, *inter alia*, the memberships and duties of the trusts, powers of the boards of trustees and VTCs (where applicable), nature of meetings, and resource governance and sanctions of the trusts (DWNP 1999; Chadwick, Anderson and Partners, 1997; and Monthe, Marumo and Co., 1995). The constitutions detail how decision-making and benefit distribution should be carried out (Cassidy, 2000). Some constitutions give the power of decision-making to the general membership, whereas others give such power to the Board of Trustees which takes decisions on behalf of the general membership (North West District CBNRM Forum, 2001).

4.4.2 Governance

A Board of Trustees represents the trust at a village level. In a case whereby community trusts are formed by one village, a group of 12 people are elected during the Annual General Meeting of a trust (Rizemeijer, 2001). Trusts composed of more than one village have a VTC (Mbaiwa, 2002). As a result, the different community trusts have either a VTC or the Board of Trustees, or both. Trusts that comprise one village do not necessarily have a VTC, but a Board of Trustees only, while those that comprise more than one village have both a VTC and the Board of Trustees (Mbaiwa, 2002). Some VTCs are elected at the *Kgotla*. For instance, the OCT, members of Village Trust Committees (VTC) and Board of Trustees are elected at a *kgotla* meeting every two years. Each of the five VTCs then appoints two of its members to a Board of Trustees which governs the trust.

The Board of Trustees is the supreme body to which all the VTCs in each village report (DWNP 1999). They conduct and manage all the affairs of the community trusts on behalf of its members. These affairs include signing of legal documents such as leases and contracts with safari companies, and maintaining a close contact with the trust lawyers. It also keeps trust records, financial accounts and reports, and presents them to the general membership at the annual general meetings (Mbaiwa, 2002). As a result of its important role in resource management, the Board of Trustees is a focal point for important decision-making regarding quotas and benefit distribution, business deals with the private sector, and agreements with support agencies such as donors and non-governmental organisations (Rozeimejer and van der Jagt, 2000).

4.5 Community Trusts, Other Agencies and Institutions

A number of agencies and local institutions work in close co-operation with, or provide technical and financial support to community trusts. These include indigenous NGOs such as Kuru Development Trust and the Botswana Community-Based Network (BOCOBONET), global NGOs such as ACORD and Conservation International (CI), and donor agencies such as SNV Netherlands Development Organisation and USAID. District Councils do not have sufficient manpower and financial resources to mobilise communities to engage in CBNRM. In addition, the district personnel does not have sufficient experience and knowledge of participatory approaches in facilitating the development and operation of CBOs (Rozeimejer and van der Jagt, 2000).

The Department of Wildlife and National Parks, under the Ministry of Commerce and Industry, spearheads CBNRM projects in Botswana as it has the responsibility for wildlife utilisation and conservation (Thakadu, 1997; Mvimi, 2000, Gujadhur 2001). This department works with other bodies to assist community trusts in Botswana. It has an Outreach Unit which has the responsibility to publicise and promote CBNRM to communities in WMAs. The Technical Advisory Committee (TAC), composed of various government departments, is also one of the government bodies involved in the promotion of the CBNRM programme (Rozeimejer, 2000). It is a district advisory committee, co-ordinated and facilitated by the Department of Wildlife and National Parks (National CBNRM Forum, 2001). Its functions include advising in the review of joint venture proposals, monitoring the implementation of joint venture guidelines, assisting in the monitoring and implementation of the CBNRM programme, and providing technical advice to the local authorities and communities on this programme policy (National CBNRM Forum, 2001).

Community Trusts work with NGOs in order to enhance their participation on community-based tourism. Kuru Development Trust focuses on poverty alleviation among the Basarwa by providing financial and technical support to community trusts to establish CBNRM projects which generate incomes. According to National CBNRM Forum (2001), CI is working with ACORD, the Okavango Community Trust, and the communities of Gudigwa, Gunitsoga, Eretsha and Beetsha to develop a management plan for NG 12. CI has also assisted weavers in Maun to market their baskets to tourists

(Gujadhur, 2000). The German Development Service is working with the Mababe Zokotsama Community Development Trust to advise it and make the trust realise long term benefits from the wise use of their natural resources.

BOCOBONET provides services to community trusts in the form of “lobbying, information gathering, networking, training and facilitation of technical assistance and funding” (National CBNRM Forum, 2001, p27). It provides a link between community trusts and NGOs or other agencies able to provide the support requested by the community trusts (Rozeimejer and van der Jagt, 2000). Community trusts become members of BOCOBONET by paying a joining fee of P750 and paying annual subscriptions of P200 (Gujadhur, 2000).

The involvement of traditional institutions and traditional leaders in natural resource management in the Okavango Delta, therefore, provides planners with the opportunity to assess how the scientific and indigenous knowledge can be fused together and promote sustainability in natural resource management (Murphree 1993; Painter 1997, Mbaiwa 1999).

Table 2: Financial Benefits Accruing to Selected Community Trusts in Ngamiland: 1997 to 2001.

Name of Community Trust	Year	Rental (P)	Quota (P)	Others (P)	Total Revenue (P)
Sankuyo Tshwaragano Management Trust	1997	285 000			285 000
	1998	345 000			345 000
	1999	140 000	202 850	120 000	462 000
	2000	154 000	223 135	148 940	526 075
	2001	169 400	245 450	180 610	595 460
Okavango Community Trust	1997	264 000	204 050		468 050
	1998	290 400	335 250		625 650
	1999	319 440	332 900		652 340
	2000	350 240	336 000		686 240
	2001	600 000	400 000	500 000	1 500 000
Cgaegae Tlhabololo Trust	1998	40 750		30 000	70 750
	1999	70 000		35 000	105 000
	2000	25 000	290 167	27 095	342 262
	2001	265 000			265 000
Okavango Kopano Mokoro Community Trust	1999	110 000	320 000	250 000	680 000
	2000	200 000	700 000	200 000	1 100 000
	2001	220 000	735 000	200 000	1 155 000
Mababe Zokotsama Development Trust	2000	60 000	550 000	65 000	675 000
	2001	69 000	632 000	63 250	764 250
Khwai Development Trust	2000	1 100 000			1 100 000
	2001	550 000			550 000

Source: Ngamiland District Council (2002)

4.6 Benefits and Problems of Trusts

As a result of joint venture agreements, community trusts have benefited in terms of financial benefits, employment opportunities of their members, meat and other intangible benefits. As Table 2 shows, the total revenue which accrued to six selected community trusts in 2001 ranged from P265 000 for Cgaegae Community Trust to P1 500 000.00 for Okavango Community Trust in the same year. The revenue is generated from the sub-leasing of the land, wildlife quotas, sale of natural resources, and other activities. Community trusts create employment opportunities in various ways. Table 1 shows the number of jobs created by community trusts in Ngamiland are in the order of magnitude 3 to 100. They are, however, faced with a lot of challenges in order to improve the performance of the CBNRM programme. They are constrained by such factors as lack of training and capacity building, insecurity of tenure, conflicts between stakeholders, management problems of community trusts and misuse of funds (National CBNRM Forum, 2001).

As a result of the above factors, most joint ventures are in the form of contract agreements rather than community-private sector partnerships. The latter requires substantial management skills and trust between stakeholders. Community trusts are concerned that tenurial rights given to them by the Land Boards are insecure in that the 15-year period is too short to make any meaningful investments (Gujadhur, 2001 Rozemiejer and Van der Jagt 2000). The system of renewing the contracts after every five year periods does not allow the private sector to make long-term investments. Secondly, resource user rights are insecure because they are only over the use of fugitive wildlife resources, and not over the use of the land and other natural resources (Cassidy 2000; Murphree 1995).

The perception that community trusts mismanage funds is one of the concerns which led the Permanent Secretary, Ministry of Local Government, to draft a savigram which made an attempt to transfer the management of funds from Community trusts to the District Councils. Other concerns were as follows: 1) the funds only benefit a few people and not the whole nation as in the case of diamonds, 2) the CBNRM projects are discriminatory as they only provide jobs and other benefits to participating communities, 3) and that the CBNRM projects are failing to promote rural development in the participating areas as was originally intended. The savigram has, however, not been implemented as it was opposed by the stakeholders, who argued that the Government had no right to instruct legally registered community trusts to transfer their funds to the district Councils. They were also concerned that the implementation of the decision of the Government as outlined in the savigram would undermine the efforts of donor agencies, especially USAID which has spent over USA \$ 25 million on the development of the CBNRM programme in Botswana in order to empower the communities (CBNRM Forum, 2001b).

5.0 Conclusion

This paper has examined the role of the key local institutions in Botswana on natural resource management and the extent to which they are indigenous. These are the institutions of traditional leadership, VDCs, and community trusts.

The power of traditional leaders has declined over time as District Councils and Land Boards have taken over most of their responsibilities. In particular, the function of land management role of traditional leaders was attenuated as this authority was legally transferred to the Land Boards. This has eroded the traditional knowledge associated with the management of natural resources as traditional leaders no longer practice the old customary laws of natural resource management. Currently, the functions of traditional leaders include informing the public about government policies, interpretation of traditional culture and customs, and advising the national assembly through the House of Chiefs on matters pertaining, *inter alia*, to review of the constitution, laws on customs, and land tenure. Most of the issues also concern the natural resources management. It is important to note that the institution of traditional leadership is a hybrid of modern and traditional knowledge systems as it has been re-organised by the Protectorate, and the Government of independent Botswana.

VDCs are modern institutions formed at a time when most traditional structures which played developmental roles in the past were no longer in place as traditional systems of regiments and initiation schools were no longer existent. They are therefore based on the traditional knowledge systems of self-help. They play a major role in community development, contributing to the alleviation of rural poverty. They identify and find solutions to the problems faced by the rural communities, develop action plans, and mobilise communities and relevant local institutions for major events and public meetings. The development projects in which the VDCs are involved in Ngamiland include provision of village water supply, identification of destitutes and orphans on behalf of the District Council, and construction of infrastructure for social services and roads. By playing a role in poverty alleviation, VDCs also play a role in natural resource management since an improvement in the livelihoods of people leads to a reduction in the use of natural resources, and therefore enhancing environmental quality.

Community Trusts are created by the communities to implement the activities of the CBNRM programme. They represent the interests of their communities, and as a result their main function is to ensure that their respective communities participate and benefit from consumptive and non-consumptive wildlife-based tourism activities. They are actually a revitalisation of the indigenous knowledge systems and traditions that existed in the pre-independence period in Ngamiland. In performing their functions, community trusts obtain head leases for giving them tenure of access, issue sub-leases to joint venture partners, sign contracts with the private sector, and raise funds for the community from the donor community. As a result of the joint venture agreements, some benefits have accrued to community trusts such as financial benefits, employment opportunities of their members, meat and other intangible benefits. However, community trusts are

constrained by such factors as lack of training and capacity building, insecurity of tenure, conflicts between stakeholders, management problems and misuse of funds.

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