



CGIAR System-Wide Program on  
Collective Action and Property Rights

# **Collective Action and Property Rights in Natural Resource Management**

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# Overview

- Description of CAPRI
- Conceptual Framework
- Links between CA, PR, and Bi-laws
- Role of Bi-laws Research
- Bi-laws in CAPRI work

# What is CAPRi?

- The Systemwide Program on Collective Action and Property Rights (CAPRi) is an inter-center initiative involving all 15 of the Consultative Group on International Agricultural Research (CGIAR) centers and over 400 national agricultural research institutes and universities in developing and industrialized countries. Its Secretariat is hosted by the International Food Policy Research Institute (IFPRI).

# CAPRi Mission

*Contribute to policies and practices that alleviate rural poverty by analyzing and disseminating knowledge on the ways that collective action and property rights institutions influence the efficiency, equity, and sustainability of natural resource use and rural development.*

# CAPRi Priority Themes

The following themes receive priority in the CAPRi program, based on their **importance in natural resource management, policy focus, relevance to the CGIAR mandate, and their widespread applicability** across resources and regions:

- Accommodating Multiple Uses and Users of a Resource
- Adoption of Technologies for Natural Resource Management
- Changing Market Relations
- Conservation of Genetic Resources
- Demographic Change
- Devolution of Natural Resource Management
- Role of Environmental Risk

# CAPRi Work

- **Supporting research**
  - CGIAR research studies on CAPRi priority themes
  - Workshops on priority themes
  - Bibliography (3800 references) and project inventory
  - Information resource center for CAPRi members
- **Networking**
  - CAPRi listserver
  - International events: discussion forum for researchers and policymakers
  - E-mail conferences
- **Outreach**
  - Various publications
  - Participation in conferences
  - Web page [www.capri.cgiar.org](http://www.capri.cgiar.org)

# Definitions of Collective Action

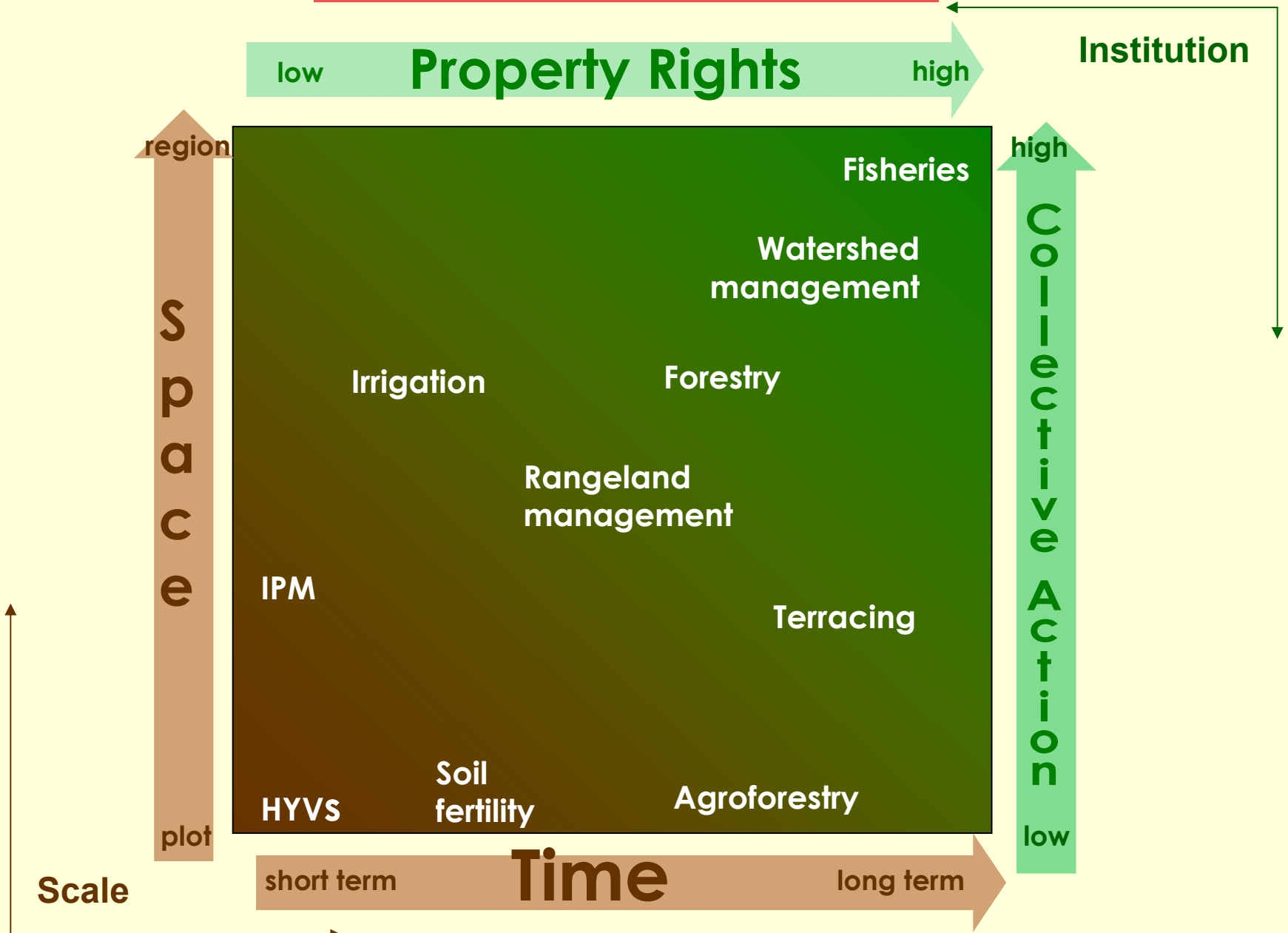
- “Action taken by a group (either directly or on its behalf through an organization) in pursuit of members’ perceived shared interest” (Marshall 1998).
- Includes forming institutions and enforcing rules for use (or non-use) of resources
- Voluntary (not paid or forced)

# Definitions of Property Rights

- “The capacity to call upon the collective to stand behind one’s claim to a benefit stream (Bromley)”
- Institutions that govern access to a particular stream of benefits
- Only as strong as the institutions that back them up
  - Different legitimizing institutions



# Role of Collective Action, Property Rights in Natural Resource Management



# Links Between CA, PR, and Bi-laws

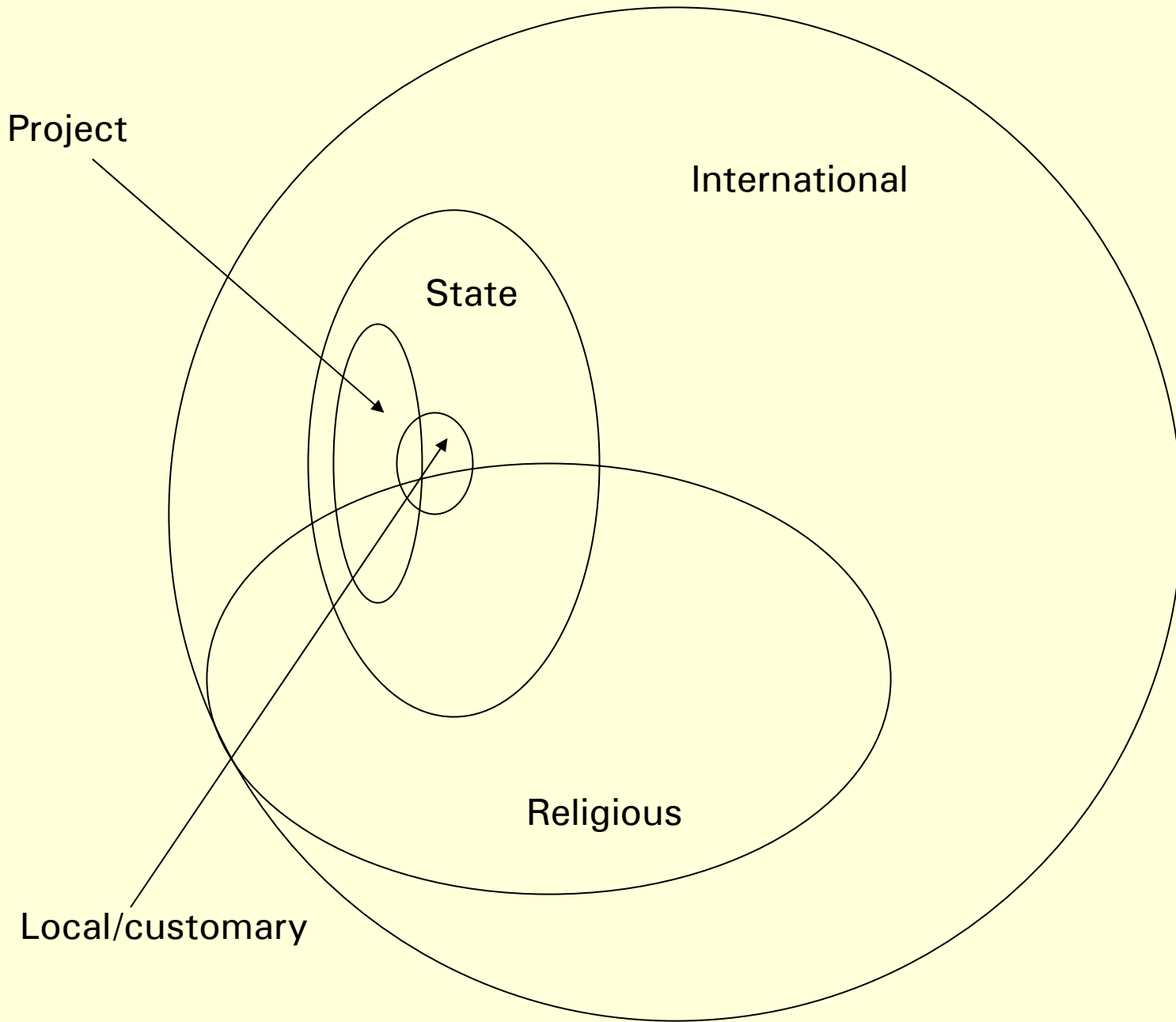
- Bi-laws provide coordination for NRM:
  - Outline what can and cannot be done with a resource
  - Mobilize collective action when needed
- Bi-laws provide clarity and foundation for property rights:
  - Delineate the rules of resource use—who has what bundles of use and management rights
  - Assurance that if people abide by the rules, others will too, so the resource will be available to them
  - Like other sources of property rights, bi-laws can come from different sources, formal/written and socially embedded (legal pluralism)

# Legal Pluralism

Recognition of many sources of rules

- State (statutory) law
- International treaties and law
- Project regulations
- “Customary” law
- Group bi-laws
- Religious law
- Local norms

Interaction between legal frameworks



# Customary Governance Institutions

- Recognize:
  - Still influential in many areas
  - Play critical role in managing natural resources, especially common property
  - Group rights can strengthen customary institutions
- Don't romanticize:
  - Customary institutions often eroded, e.g. by government policy, migration, etc.
  - May not be equitable, e.g. to women
  - Look at accountability

# Bundles of Rights

- Use rights:
  - Access , Withdrawal
- Control rights:
  - Exclusion
  - Management
  - Alienation (transfer)
- Usufruct (earn income from)

# Overlapping Bundles and Holders of Rights

*Bundles  
of Rights*

Access

Grazing  
Off-season

Withdrawal

Cropping

Management

Land use  
decisions

Cropping  
choices

Planting Trees

Exclusion

Allocation to  
members

Alienation

State claims

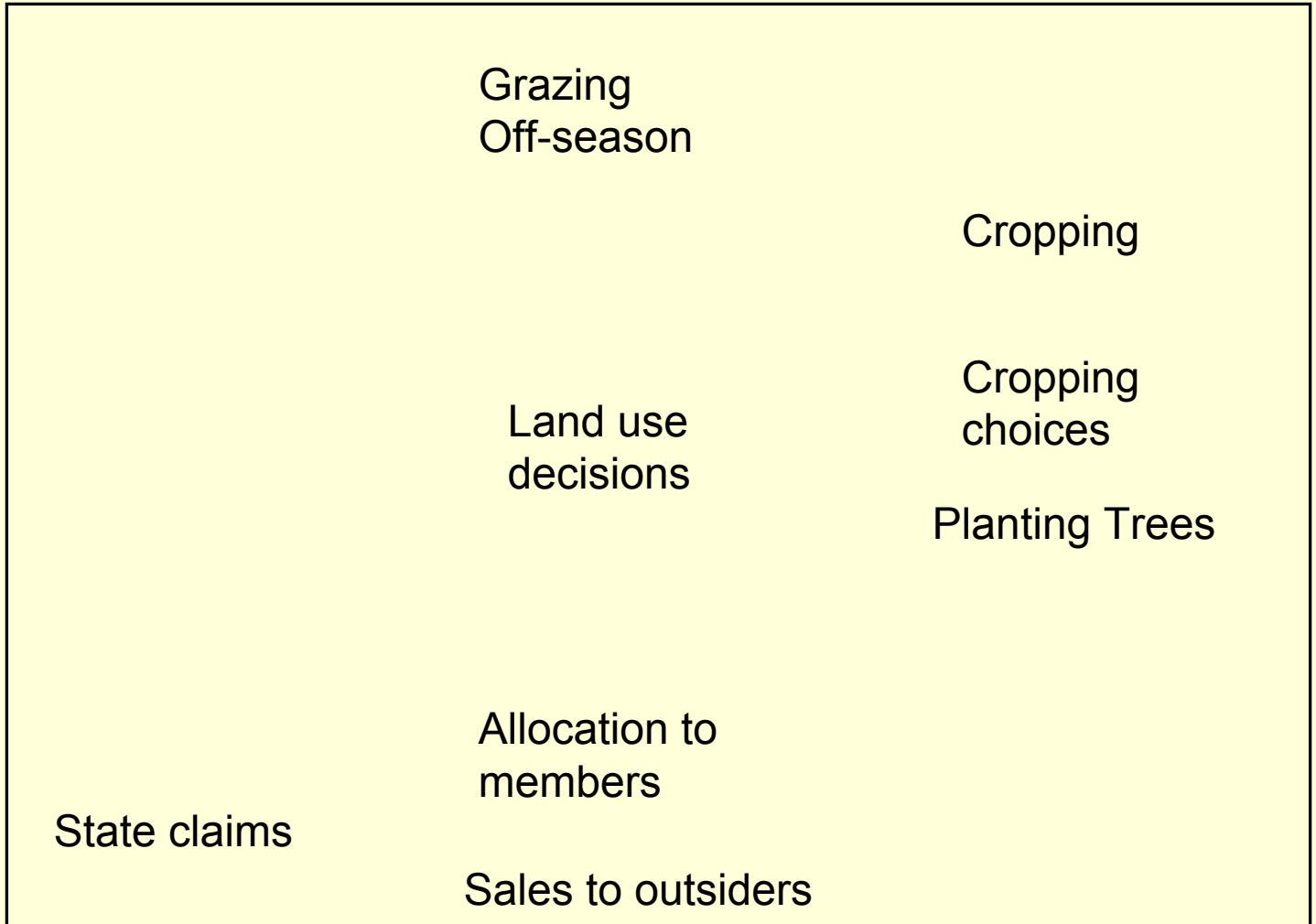
Sales to outsiders

State

Collective

Individual

*Holder of Rights*



# Why is Bi-laws Research Important?

- Passing laws is not enough:
  - Meaningless without governance structures that would implement any rule
  - Government law is often overlaid on many types of customary law
  - It is critical to look at interaction between different types of law and governance structures, including power relations and conflicts



# Why is Bi-laws Research Important? (cont'd)

- Accommodating multiple users:
  - Most natural resources are used by different groups, for different uses
  - Many user groups and bi-laws focus primarily on one type of use
  - Consider whether other users have voice in shaping bi-laws, whether they will follow them

# Why is Bi-laws Research Important? (cont'd)

- Legitimacy issues:
  - More legitimate laws → more compliance
  - Less legitimacy → more enforcement needed
  - Participation in formulation of laws takes time, but can increase awareness, legitimacy

# Why is Bi-laws Research Important? (cont'd)

- Conflict management:
  - There is a need for conflict management mechanisms that are respected
  - There is a potential to use local institutions, but these sometimes are not equipped to deal with outsiders and may not be equitable in structure
  - There is a need for higher level conflict management to deal with outsiders that would be accessible to everyone (poor, women)

# Examples of Bi-laws in CAPRI Research

- Watershed or irrigation management
  - Rules on contributions required
  - Rules on what can be done in different parts of the watershed
  - Rules on distribution of benefits

# Examples of Bi-laws in CAPRI Research (cont'd)

- Rangelands
  - Who can graze what animals
  - Rules on seasonal use of rangelands and migration of herds
  - Rules on contributions and use of water points

# Findings on Bi-laws in CAPRI Research

- Level of compliance with bi-laws depends on the level of authority that enacts the regulations
- Just passing rules does not mean that they will be applied
- It is important to consider legitimacy
  - Who made the rules
  - Who knows about the rules
  - Who enforces the rules