

# Deconstructing the park paradigm and factors determining the applicability of protected areas <sup>1/</sup>

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I believe strongly in the a priori necessity of defining and implementing conservation measures together with the local people. My concerns in this note are, first, to argue for the importance of doing deconstruction in order to uncover values and factors that influence and constrain the use of protected areas (PAs) today and, second, to argue for the determining influence of some recent factors on the overall context for biodiversity conservation. These include civil society and the public sector. I am specifically interested in the limitations of applying a PA approach to achieving conservation measures.

## Deconstructing the park paradigm

The content of the two articles do not worry me. <sup>2/</sup> What does worry me, however, is that this debate has been so late in the coming, and that it does not seem to lead to anything. If the two articles are simplistic, as has been argued, it is because of their brevity, their popularized form, and the fact that they represent first cuts at grappling with these issues. More important than critiquing them is that we ask ourselves in which way they are simplistic, and proceed to spell this out. Equally important, how do we drive this dialogue forward?

PAs are certainly not to blame for the socio-political problems we are witnessing across the world. Not because they are small and insignificant, and not because they do not create problems, but because they themselves are the effects of something larger and more fundamental, namely the West's increasing domination over the rest of the world. In the process, the originally American construct and concept of 'wilderness', together with the dichotomization of Nature and Culture, "... became powerful conceptual tool[s] ..." – to quote from one the articles – of colonization, and are today accepted as received wisdom throughout the world.

While Derrida may not be easily accessible, a deconstruction exercise in this context represents a fairly intuitive and straightforward task. Any references to hype aside, the idea of deconstruction here means peeling the onion, contextual layer by contextual layer, of the whole Western intellectual concept of a "park", and in this way uncover the ideological foundations and baggage of much of the present-day conservation practice. The origin of the idea of parks, and the processes through which this idea has spread to the rest of the world, are increasingly important to understand. The purpose is not so much doing advanced introspection and intellectual self-mutilation as understanding where we are coming from. We cannot decide where we are going – or where we want to go – before we know the starting point.

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<sup>1/</sup> This note was prepared as a contribution to a discussion on deconstruction as applied to protected area management, on the isterv of IUCN CEESP's Collaborative Management Working Group (CMWG). The note is available on-line, including at the web site of the World Bank / GTZ joint initiative "Technology Fosters Tradition" (TFT) in Mauritania, at: <http://www.cbnrm.net/webhosting/tft/documents.html>. Author's mail address: [lars@cbnrm.net](mailto:lars@cbnrm.net).

<sup>2/</sup> The two articles that accompanied the note initiating the discussion on deconstruction are: "White lie" (The Guardian, 1 December 2001), and "Wandering the wilderness" (Newsweek, 17 March 2003).

## The essence of protected areas

The issue at heart is not PAs per se. It is that in given localities there need to be restrictions on local peoples' activities. With the goal fixed, the tools at hand – including PAs – need to be adapted to the specific characteristics of the area in question, including culture, economics, environment, social issues, and subsistence practices, together with key macro-level factors. The chosen administrative and legal form follows from an evaluation of the above factors, including their relative importance.

This focuses attention on the situation on the ground, and on the application of adaptive processes that are necessary in order to achieve specific conservation goals, as well as to maintain the situation once the goals are reached. At the same time it focuses attention away from an automatic application of blueprint type approaches.

Furthermore, this may, at least in some cases, aid in addressing the sticky issues of costs, which often accrue to the local people, compensation, which is meant to address these costs, and benefits, which as a rule arise at very different levels, typically nation state and global levels.

## Management forms

Thanks to, importantly, the good work of several persons on this list, there is an emerging and increasingly accepted typology of legal and administrative management forms, namely Community Conserved Areas (CCAs) and Co-Managed Protected Areas (CMPAs).<sup>3/</sup>

The typology includes also analyses of the applicability of the management forms, descriptions of their evolution, and analyses of the conditions for and processes of transformation from one form to another.

## Key factors determining the choice of management form

The broad context for analyzing the use of specific management forms consists of:

- (1) *Societal and administrative levels.* The traditional levels include: the nation state level and the local level,
- (2) *Domains of competence and influence.* The relevant domains are: the public sector, civil society and the private sector, and
- (3) *Stakeholders.* There are a number of categories of relevant stakeholders, located on the societal and administrative levels and in the various domains of competence and influence.

The public sector, traditionally a competence at the nation state level is, broadly speaking, identical with the state apparatus and the bureaucracy. The private sector includes multi-national companies, but increasingly also their affiliates, and national companies, all of which often are integrated in complex financial, management and legal structures, together with a growing entrepreneurship at the local level. Civil society is often understood as strong traditional institutions and organizations and/or well-developed NGOs that may or may not be based in traditional culture and values. This overall context is changing, as the number of societal and administrative levels are increasing (including, importantly, the global level) and the borders between them are being redefined, as the traditional areas of concerns of the domains of competence are shifting and being realigned, as a steadily growing number of stakeholders are entering the arena, and as these stakeholders' alignment in relation to the societal and administrative levels, as well as to the domains of competence, are becoming ever more complex and fluid.

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<sup>3/</sup> The most recent document presenting this typology is “Community conserved areas (CCAs) and co-managed protected areas (CMPAs) – towards equitable and effective conservation in the context of global change”. Report of the IUCN joint CEESP/WCPA Theme on Indigenous and Local Community, Equity and Protected Areas (TILCEPA) for the Ecosystem, Protected Areas and People (EPP) Project. Draft. April 2003.

A new category of stakeholders, namely the multinational NGO (including, for example, IUCN and WWF), is rendering the picture more complex. These NGOs work in a crossover arena, and have become important players and mediators in the new nexus consisting of the societal and administrative levels, the domains of competence, and all manner of stakeholders.

While we, on the one hand, deconstruct the traditional park paradigm, and learn of the constraints that this paradigm imply, on the other hand we also need to address how emerging conditions produce factors that represent new incentives as well as constraints. Such emerging conditions include, specifically, growth of civil society, the emphasis on governance and democratization, the new global public policy, and the process of globalization. While operating on all societal and administrative levels, these conditions and factors contribute to determining the socio-economic and political situation at the local level and, accordingly, influence the choice of management form in a specific biodiversity conservation situation (including, importantly, whether any management form should be used at all).

The role of civil society is strong in some countries and not in others. Likewise with the public sector: some countries have a strong public sector, that is, it is decentralized and present at the local level, while in other countries it is weak. In the latter case a strong civil society can play an important role in ensuring a minimal level of equality for the law, and in that minimal levels of governance are maintained.

The relative role and strength of the public sector and civil society, both at the local and nation state levels, are key factors in assessing the overall context for devising specific conservation management measures. This can be presented in a simplified 2x2 model (see Figure 1).

Figure 1 - Public sector vs. civil society at the nation state level and the local level and choice of conservation management form

|               |        |                       |                          |
|---------------|--------|-----------------------|--------------------------|
|               |        | Civil society         |                          |
|               |        | Weak                  | Strong                   |
| Public sector | Weak   | Trad. park mgmt. form | CCA, No mgmt. form?      |
|               | Strong | CMPA                  | CCA, CMPA, No mgmt. form |

Given the combination of a weak public sector and a weak civil society, a strict, traditional PA management structure would seem to be an option, often in collaboration with an external player, for example, a multinational NGO. In the case of a combination of a strong civil society and a strong public sector either CCA or CMPA, or some variant or combination thereof, would seem to be an option. In the case of a weak civil society and a strong public sector a likely management

form might be CMPA, while in the case of a strong civil society and a weak public sector CCA might provide a viable management form.

It is assumed by many that proper protection of biodiversity can take place only within the context of a PA management regime. But in some cases it may not be feasible or possible to follow this approach. My concern here is the conditions, local and otherwise, under which it is not possible or feasible to achieve specific biodiversity conservation goals through the use of the available management forms. Accordingly, I am primarily concerned with situations that would warrant placing less outside and top-down restrictions on local peoples' behavior. Such situations may be found, for example, where there is a combination of a strong civil society and a strong public sector (see Figure 1, bottom right cell). This situation can be illustrated nicely through the following brief case study.

### **Mauritania: Technology Fosters Tradition** <sup>4/</sup>

The traditional conservation approach is often enshrined in national law. An important task then is to address such law, and to argue, where necessary, for legal reform that addresses the more restrictive interpretation of the goals and methods of conservation measures, and that opens up for approaches that include, importantly, local people in various forms of co-management arrangements.

Over the past couple of years I have worked with the World Bank and GTZ on preparing a rather unique initiative in Mauritania, namely Technology Fosters Tradition (TFT), which aims to achieve legal reform in the area of natural resource management. <sup>5/</sup> The TFT is based upon the premise that traditional knowledge is better suited to address incipient conflicts over the management of natural resources at the local level, as compared with national law. The logical corollary is that successful conflict mediation will lead to: (1) more sustainable management practices, and (2) increased protection of local biodiversity. Implementation will begin over the summer, with a pilot located in the southeastern part of the country.

The pilot will be located in an area where there are no PAs and where none are planned. The aspect of the TFT that is of interest in this connection is the logic involving the relation between an imposed legal regime on the one hand and the traditional knowledge on the other hand, their differing approaches to solving conflicts over natural resources, as well as the likely outcome of adjudication based upon these different legal regimes. That is, the TFT addresses the importance of national law – and legal reform – for biodiversity conservation. It provides an example of one approach to addressing unsustainable local management practices through reforming the legal system, and in this way achieve increased levels of biodiversity protection.

The local ecosystem in question, *Tamourt*, consists of stands of mostly *Acacia* that contains unique wildlife. <sup>6/</sup> *Tamourt* is found in small pockets throughout the vast desert region in the eastern and southeastern part of Mauritania. It is of crucial importance for biodiversity protection, and makes it possible for the local people to eke out an existence here. One key environmental factor threatening *Tamourt* is desertification, while a key human factor involved is increase in population.

The TFT approach has a long-term perspective on achieving and maintaining sustainable management, and the biodiversity conservation goals are secondary to the primary goals. At the same time it focuses attention not on the point of departure but on the route taken, and thus on the adaptive processes that involves the local people. This would appear to represent a possible step in the evolution of a CCA type of management.

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<sup>4/</sup> The views presented here are personal, and are not necessarily shared by the World Bank Group or GTZ.

<sup>5/</sup> The TFT web site is at <http://www.cbnrm.net/webhosting/tft/>. A Concept Note is available. Comments are welcome.

<sup>6/</sup> *Tamourt* is a Hassanyia word (Hassanyia are Arabic dialects spoken by the Moors in Mauritania).

## Some comments on the proposed model

The proposed model (see Figure 1) is of course a simplified representation of the reality (actually the *raison d'être* or essence of a model). The important changes taking place in the areas of the societal and administrative levels, the domains of competence, and the number and rationale of relevant stakeholders, together with the interaction between these, provide important insights on how to apply the model, and also how to improve it in order to increase its analytical capacity and predictability.

The views presented here are preliminary and simplified in various respects. The following key concepts employed, in particular, need to be qualified:

- (1) *Public sector*. This domain of competence is a general concept that represents a potentially complex reality, and accordingly needs to be qualified in various respects.
- (2) *Civil society*. This domain of competence covers a truly complex reality. First of all, it is necessary to problematize the relationship between the two main sub-categories, namely traditional social organization and NGOs. There are also various key individuals at work here, consisting of, for example, human rights activists. It is important to realize how our understanding of what civil society is has changed along with the general societal developments. Originally, the term was a competence at the nation state level, and covered societal activities and relations within a nation state, as governed and regulated by law. Gradually it became possible to differentiate between the nation state (including the public sector), and its citizens, and fairly recently it became legitimate and commonplace to separate also the private (commercial) sector. As a result, civil society is today, within the confines of the nation state, understood in a more limited sense (see above). As a recent development, civil society is increasingly understood also as a global phenomenon, and thus as partly de-linked from the nation state. IUCN is a prime example of the importance of civil society today, from the global level and all the way down to the local level. Civil society has become an international political force that is easily overlooked, and is today truly contributing to achieving the old adage of the 'global village'. Civil society is an untapped resource that deserves to be used more in connection with biodiversity conservation. And, importantly, this will, in turn, contribute to further strengthening global as well as local civil society,
- (3) *Private sector*. This domain of competence has, in the interest of simplification, been left out of the analysis. Entrepreneurial initiatives and activities at the local level, and not those of multinational companies, are of most importance. The relationships between the public sector and the private sector, and between the civil society and the private sector, in particular, need to be addressed, and
- (4) *Local people*. This is a stakeholder category consisting of individuals and collectives that vary tremendously along key variables, including ethnicity, culture, social organization, and subsistence practice. Generally speaking, and based on different combinations of these variables, local people can variously be referred to as 'minority', 'ethnic minority' and/or 'ethnic group', along dimensions of culture, economics, politics and/or social issues. A sub-category that transcends these variables is 'indigenous people' that, for a number of reasons, requires special attention in connection with biodiversity conservation (the new CEESP Theme TILCEPA addresses these concerns),

## Some further arguments

### *Deconstruction*

The purpose of deconstruction is not to invalidate and render useless the obvious insights and lessons, as well as the theory and practice that have accumulated over these many years through

applying the traditional park approach. And, as has been argued, that doing this means that the accumulated body of experience and practice will be torn down *before* viable and acceptable alternatives have been found, would seem to miss the point of this exercise. The purpose of deconstruction is not to tear down, but to reform and adapt, in order to create a better fit with present-day micro-level and macro-level realities.<sup>7/</sup>

Deconstructing the Western model to conserving biodiversity is partly a question of origins. But it is also about questioning the approach that proper and/or optimal protection has as part of an elaborate administrative and legal management structure. The starting point is not what form of management regime to chose, but how to protect a given ecosystem optimally. The typology of CCAs and CMPAs goes a long way towards addressing this. We must be wary of reifying the concept and approach of PAs. This is so, partly because of the implied colonial top-down approaches it implies, and partly because it does not do justice to the extremely complex situations existing in the thousands of localities where biodiversity conservation is an issue. Determining the goals and means of specific biodiversity protection arrangements must to a larger extent be(come) a process involving all stakeholders, and not be(come) a blueprint. Importantly, once a protection regime is in place, the work is not over. The process is an ongoing on, in that the adopted regime is likely to change and evolve.

The key is how local circumstances contribute to determining the restrictions put in place, how this is achieved (i.e., which stakeholders are involved in the process), and how adherence to the new agreed-upon restrictive regulatory regime is maintained.

The outcome of such deconstruction will be to understand better the processual complexity of biodiversity conservation, and to view the set of conservation management forms as tools to be adapted to the situation at hand, and that these forms will evolve over time.

A stronger focus on civil society, and its relationship with the public sector, within this deconstruction debate, is advantageous for two specific reasons:

- (1) It paves the way for understanding the intricacies of devising co-management regimes, and
- (2) Specifically for the situation of indigenous peoples, and ethnic minorities more generally, it focuses attention on their role within the nation states where they live, how the present day situation has come about, and, hopefully, how to begin remedying the situation.

This approach is preferable to those that depend on, for example, devising new organizations aimed at protecting cultural and environmental diversity (or infusing existing organizations with such goals). Letting the local people themselves do this is a bottom-up and long(er) term process that, at the same time, both depends on a strong civil society, and aims at creating a viable and robust civil society. It is also not a solution to redefine key concepts, including 'wilderness' and 'land', and construct new concepts, including 'wildness', as proposed by some.

#### *The model / Mauritania: Technology Fosters Tradition*

The routes followed in achieving protection of valuable ecosystems are varied, as pointed out in the draft document on CCAs and CMPAs. The point with the brief case on the Mauritania TFT is to spell out a new and indirect route, one that follows from targeting the relevant legal regime, and that depends upon involvement by the local people. A successful outcome of the TFT can, given the necessary support and a few lucky circumstances, lead to a situation where the local people in question in due course take on responsibility for conservation measures.

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<sup>7/</sup> I am beginning to wonder whether the term 'deconstruction' may actually be more confusing than enlightening, witness the term 'reconstruction' that was proposed by some contributors in the deconstruction thread, in the sense of an opposite of – or alternative to – deconstruction. Reconstruction appears to have been used by these people with reference to a practical task, while deconstruction foremost is an analytical task.

This approach would be suitable and preferable in situations where a protected area approach is not feasible, for a variety of reasons, and/or where achieving the goal of protection will have to go via / through the local people.

## Conclusions

The initiating email on the deconstruction thread referred to several possible avenues through which to deconstruct the protected area mythology: (1) exposure of the collateral damage – to people as well as to nature – that accompany ‘conservation’, (2) the exposure of self-serving narratives, (3) a re-reading of history, (4) a comparison of different management models, and (5) an analysis of governance issues in conservation.<sup>8/</sup> This typology can be used as a starting point for a comparative study of the various cultural rationales and supporting knowledges that are behind the growing conflicts over how to understand and subsequently apply the idea of PAs. This should help devising locally suitable management plans that will contribute to minimizing conflicts between stakeholders, specifically between local people and other stakeholders.

Furthermore, this can provide useful approaches and insights as far as assessing ways and means of biodiversity protection in situations where no park is currently in place, or even envisaged.

As one person put it, if a deconstruction exercise leads to increased awareness this is in itself a major achievement. How to advance such deconstruction? Can we move beyond it, and act upon the insights to come out of such analyses? How to transfer this increased awareness into proper action? Can this work contribute to our common agenda at the WPC?

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<sup>88/</sup> Grazia Borrini-Feyerabend, CMWG listserv, 26 April 2003.