

ERETO-NGORONGORO PASTORALIST PROJECT

(DRAFT 1)

POTENTIAL INSTITUTIONAL PLACEMENT AND LINKS TO PHASE II

An appraisal of the institutional framework for sustaining the
development interventions of ERETO-NPP

By

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Acronyms

CORDS	Community Research and Development Services
DANIDA	Danish International Development Agency
DAS	District Assistant Secretary
DED	District Executive Director
ERETO-NPP	ERETO Ngorongoro Pastoralist Project
FAIDA-SEP	FAIDA Small Enterprises Project
ITAD	Information, Training and Development
KIPOC	Korongoro Integrated Pastoralists Oriented to Conservation
MNRT	Ministry of Natural Resources and Tourism
MWLD	Ministry of Water and Livestock Development
NCA	Ngorongoro Conservation Area
NCAA	Ngorongoro Conservation Area Authority
NGO	Non-Governmental Organization
NGOPADEO	Ngorongoro Pastoral Development Organization
NPA	Ngorongoro Pastoralist Association
PC	Pastoral Council
PFO	Project Field Officer
PORALG	Programme on Regional Administration and Local Government
PRSP	Poverty Reduction Strategy Paper
TOR	Terms of Reference
URT	United Republic of Tanzania
WEGS	Water and Environment Groundwater Survey

1. INTRODUCTION

Background

1.1. This is a report of a study undertaken for DANIDA on instructions from ITAD Limited as part of the preparations for the review of ERETO Ngorongoro Pastoralist Project. The study focused on potential institutional placement and links for Phase 2 of the project, and comprised part of a wider study on different aspects of the project. It was based on Terms of Reference drawn for Preparation for the Review of ERETO Ngorongoro Pastoralist Project (the relevant part of the TOR is reproduced at the end of the report as Annex 1).

1.2. The study was undertaken in Ngorongoro, Arusha and Dar es Salaam over a period of 14 days during October 2002 (see Itinerary, Annex 2). It entailed a review of project and background documents and literature as well as interviews with project staff and other stakeholders in the three locations (the list of persons interviewed is Annex 3, while Annex 4 is a list of references). The information generated in this manner was discussed with stakeholders in a feedback workshop held at Ngorongoro on 11th October 2002. This report captures in summary the information gathered during the study and analyses the same in the context of the TOR.

Objectives of the study

1.3. The study has one general objective and two specific objectives (see Box 1)

<p>Box 1</p> <p style="text-align: center;">Objectives of the study</p> <p>General Objective</p> <p>to provide an input into the formulation of phase 2 of the ERETO Ngorongoro Pastoralist Project by suggesting institutional placement and linkages</p> <p>Specific objectives</p> <p>a) to provide a critical analysis of the organizations and institutions in NCA to represent the interests of communities of NCA; and</p> <p>b) to make suggestions on how the institutions could be strengthened in order to better represent the communities and contribute to the development objectives of the project</p>
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1.4. In addressing these objectives, the study sought to generate three outputs, namely:

- i. identification of potential institutional placements for a project in support of pastoralist production;
- ii. identification of potential partners for the project; and
- iii. an institutional analysis of Ngorongoro Conservation Area as well as an overview of needs for support to the institutions in the NCA.

2. INSTITUTIONS AND THE SUSTAINABILITY OF DEVELOPMENT PROJECTS

2.1. The importance of institutions to the process of development cannot be gainsaid. Communities organize themselves within the framework of institutions, and it is by making use of such institutions that processes of development can be identified fully with communities. By using institutions that have evolved over time within a

community to facilitate development processes, opportunities are provided for locating development within the objective reality of the community. The participation of individuals and groups in the process of development is mediated through institutions. As a result, the quality of participation often mirrors the character of these institutions. Moreover, it is through such institutions that the sustainability of development interventions can be assured.

2.2. It is evident that the TOR for this study uses the term 'institutions' to mean the organizational framework, with the interest in the NCAA and the objective of identifying the institutional placement for the next phase of the project. Similarly, the Project Document though clear about strengthening pastoralist organization, does not specifically identify institutional development as one of the outputs of the project. Nevertheless in the implementation of the project, the underlying concern has been to strengthen the institutions of the Maasai for effective participation in development, and to this end the idea of providing support to specific organizations has been considered.

2.3. Frameworks such as the *Ilaigwanak* with which the project has worked clearly embody the character of both institutions and organizations¹. The distinction between the two terms is obviously not important for purposes of this analysis and the objectives of the study, but it is acknowledged that the terms are used interchangeably.

2.4. It was recognized from the outset that the sustainability of the development interventions by ERETO-NPP would be dependent on the one hand, on ability of the community to take over the implementation through their own institutional apparatus, and on the other hand, the willingness of NCAA to support them. This concern informed the design of the project as well as its location. A deliberate choice was made to work with and through the traditional institutions of the Maasai community in Ngorongoro and to implement the project in partnership with the NCAA.

2.5. Working with traditional Maasai institutions has been most evident in the organization of the restocking programme, using Ewoloto committees, comprising the *Ilaigwanak* and other actors. The initial commitment to work closely with the Pastoral Council appears to have been abandoned midway through the current phase of the project. Equally abandoned was the intention to support the emergence of a pastoral civil society organization. Ngorongoro Pastoral Association appears to have been identified for such support at the beginning of the project, but these too appears to have changed in the course of time. One unfortunate consequence of this turn of events is that the project presently lacks a framework for ensuring its sustainability. What exists in the form of Ewoloto committees and water committees do not have the capacity to manage the project initiatives if the project were to fold up today or even when the current phase comes to an end in the middle of next year.

2.6. The partnership with NCAA has also failed to concretize during the current phase. The project offices are situated within the NCA and the project is implemented within the NCA. The NCAA is represented in the Steering Committee for the project, and there is now a Liaison Officer within the NCAA who links the project with the NCAA; but beyond these, there is little evidence in operational terms of the partnership between

¹ Institutions are distinguished from organizations by the fact that the former are 'rules of the game' while the latter are the players. See Leach et. al, 1997:11; Rugumayo, 1996:20.

the project and the NCAA. Instead one gets the sense that there is abiding suspicion of the NCAA by the project and indifferent tolerance of the project by the NCAA.

3. INSTITUTIONAL FRAMEWORK FOR FACILITATION AND MANAGEMENT OF DEVELOPMENT AMONG THE MAASAI OF THE NCA

3.1. The stated purpose of ERETO-NPP is to assist the pastoralists of the NCA “to become independent and self-managing” (DANIDA, 1997). This purpose is informed by the immediate objective of “poverty reduction and improved living conditions among the Maasai of the NCA, through strengthened pastoralists organization”. These ideals commit the project to the promotion of self-development among the target group by having resort in the first instance to the institutional frameworks that exist within the community for facilitating and managing the process of development. In this connection, the project from the outset identified the Pastoral Council (PC) and the Ilaigwanak (traditional leaders) as major partners in the implementation of the project. While the PC and the Ilaigwanak are by no means the only institutions within the community (see Box 2 for a list of institutions in the NCA), they are major players in the governance and development processes of the community.

Box 2

Development institutions among the Maasai of NCA

Communal (traditional) institutions

Clans and age-sets
Ilaigwanak
Women groups

Modern Institutions

NCAA
Pastoral Council
ERETO-NPP Steering Committee
NGOs
Ewoloto Committees
Water Committees
District Council

3.2. The Maasai community in the NCA is a rural community within which traditional institutions still hold much sway, even if the capacity of these institutions to engage with the modern structure of governance such as the NCAA might be suspect. Clans and age-groups are the primary components of Maasai social structure. “The first divides the society vertically into 7 clan groupings, while the second divides the society horizontally, unifying members of all clans who are of the same social age” (DANIDA, 1997: 47). Traditional leaders (*Ilaigwanak*) are an important institution within the society, as elders embody the collective identity of the community. They have great authority within the community and are well respected. However, their capacity to engage effectively and meaningfully with modern situations such as obtain in the project is questionable. Their situation is aptly captured by the following observation by the evaluation of the Ewoloto Programme:

“They are highly respected, trusted and accepted by the Maa community at large. However, they lack concrete leadership and management skills to operate

in a modern and Western partnership arrangement”
(Morendat, undated: 6)

3.3. Working with the ilaigwanak is important for the project as it gives it a grounding within the community, which is very useful for legitimacy. However, the problem of capacity to effectively operate in a modern institutional set up raises serious problems for the project. While the idea of capacity building for traditional institutions is appealing, there are major limitations on how far this can go. In any event, what most of these capacity building initiatives entail is an attempt to modernize these institutions; which in turn goes against the very rationale for dealing with them in the first place.

3.4. Moreover, like all traditional institutions, the ilaigwanak are under immense pressure from changes taking place within the Maa community specifically and within Tanzania generally. Within the NCA the unique social and political realities of the area have impacted adversely on the institution and on individual laigwanani. We were informed that the competition by clans to have ilaigwanak has meant that a number of people have risen to the status of laigwanani with dubious qualifications. There are claims that a number of them are compromised in their dealings with the NCAA and are not able to stand up for the interests of the community where these are at variance with the perceived interests of the NCAA². All the same, the institution remains an important framework for mobilizing the Maa community for development purposes.

3.5. Women in the NCA as elsewhere in Maa society are organized around age-groups, comprised of “women of roughly the same age, who are in a certain biological and social time of their lives such as uncircumcised girls, young wives and so on” (Rugumayo, 1997: 85). Like men, women also have their leadership and institutions, which manage conflict among women, organize rituals and generally oversee the welfare of women within the community (Potkanski, 1994). There is no women’s NGO in the NCA, although there is one in the district, operating outside the NCA³. There are six women representatives in the PC out of a membership of about 41.

3.6. The project has made deliberate efforts to include women in its structures and to ensure that women benefit from its activities. There are women representatives in the Ewoloto and Water Committees, and it is estimated that up to 40% of those who have been restocked are women.

3.7. It is not easy to assess the influence that women exercise in decision-making, although traditional structures are so organized as to give women the chance to participate in decision making. The number of women in the PC is small relative to the total PC membership, so that even if the PC itself were an effective organization, it would be unlikely that the 6 women would hold much sway in the Council. However, a lot of sensitivity is called for in addressing gender balance within the project area. It is important that any interventions are informed by a clear understanding of the socio-cultural system of the local population. The project commissioned a gender study, which should inform its interventions in this regard. Again, capacity building is called for, to equip the women with the capacities they need to undertake development activities that

² The fact that both the first Conservator, Henry Fosbrooke and the current Conservator, Emmanuel Chausi have been appointed ilaigwanak and given black clubs demonstrates the changes within the Maa community and its institutions for some, and the overbearing influence of the NCAA on the Ngorongoro Maasai for others (Rugumayo, 1997)

³ The Pastoral Women Council is an off-shoot of KIPOC operating out of Soit Sambu, Loliondo.

are specific to their needs. A major impediment in this regard is the lack of education among girls and women, which explains the fact that of all the project staff only one local woman is employed as a PFO.

Modern Institutions

3.8. The main modern institutions within the NCA are the NCAA and the Pastoral Council. The District Council is an important institution within the framework of regionalization and local government, but its operations within the NCA are severely limited. Although there are village governments within the NCA and the Ngorongoro District Council has jurisdiction over the whole district, including the Conservation Area, it has been noted that these institutions have little power relative to the NCAA in so far as the management of affairs within the NCA are concerned. Where the jurisdictions of the District Council and those of the NCAA are in conflict, the law provides that the authority of the NCAA shall prevail over that of the District Council⁴.

3.9. For the project, the Steering Committee, the Project Implementation Unit, the Ewoloto Committees and the Water Committees are important implementation frameworks. There are not many NGOs within the NCA and those that exist are weak and not fully representative.

NCAA, PC and the development of the Maasai in the NCA

3.10. The NCAA is established by section 4 of the NCA Ordinance⁵. Its management and functions are vested in a Board of Directors comprised of a chairman appointed by the President and members appointed by the Minister for Natural Resources and Tourism. The MP and the chairman of the PC represent the local residents on the Board⁶. The Conservator is the chief executive of the Authority, and although the Ordinance stipulates that he shall be responsible to the Board, he wields immense powers as the person in charge of the day-to-day operations of the Authority (Shivji and Kapinga, 1998). He is also secretary to the Board.

3.11. The functions of the NCAA are spelt out in the Ordinance. The four principal functions, which define the Authority, and around which conflict abound between it and the local residents are set out in the box below.

Box 3

Main functions of the NCAA

- a) to conserve and develop the natural resources of the Conservation area;
- b) to promote tourism within the Conservation Area and to provide and encourage the provision of facilities necessary or expedient for the promotion of tourism;
- c) to safeguard and promote the interests of Maasai citizens of the United Republic engaged in cattle ranching and dairy industry within the Conservation Area;

⁴ Section 148(2) of the Local Government (District Authorities) Act (No. 7 of 1982)

⁵ Chapter 413 of the Laws of Tanzania

⁶ The chairman of the District Council used to sit on the Board but this was perceived to be duplication of representation of the local community and his membership was discontinued.

d) to promote and regulate the development of forestry within the Conservation Area

Source: Section 5A of *Ngorongoro Conservation Ordinance*

3.12. Within the Conservation Area, the NCAA is the ultimate authority and governance structure, and as far as the local residents are concerned, the Authority is virtually a government unto itself. The local residents speak of the Conservator with great awe. Rarely does one hear anything positive being said about the NCAA, the general perception being that the Authority has no time for the local residents and has continually sought to find ways to remove them from the Conservation Area.

3.13. Two challenges characterize the relationship between the local residents and the NCAA, and explain the mistrust that prevails among the community about the intentions of the authority. Firstly, the local residents perceive the NCAA as being more interested in its roles relating to conservation, tourism and forestry and only marginally in the interests of the local residents. Although the Conservation Area was established as a multiple land use area, in which conservation and pastoralism co-exist, the local residents contend that the overall emphasis of the NCAA management is in the conservation dimension and that the local residents are seen as an unnecessary hindrance to this primary objective.

3.14. The residents complain that the Authority takes a keener interest in the welfare of the wild animals in the area than it takes on the welfare of the people. Examples are given the nature and speed with which resources are mobilized when there is an outbreak of animal diseases and how this compares with the lethargic manner in which the Authority treats emergencies involving the welfare of local residents. Indeed the need for ERETO-NPP as a project is said to have arisen principally because of the failure of the Authority to fulfill its obligations vis-à-vis the local population.

3.15. That some of these complaints have merit is evident in talking with officers of the NCAA. One of the concerns raised by a number of them with respect to the restocking component of ERETO is that it is not consistent with the primary purpose of the NCA. Fears were expressed to us that the success of the restocking component could threaten the carrying capacity of the Conservation Area, as the cattle would compete with the wild animals for pasture and water. Indeed it became apparent in discussions with NCAA officers that part of the reason for the chilly relationship between ERETO and the NCAA is the fact that a number of people in the NCAA see the objectives of ERETO as being inimical to the long-term interests of the Conservation Area as a wildlife sanctuary.

3.16. The second challenge that has a bearing on the relations between the NCAA and the local residents arises from the fact that the Authority exercises governmental powers over the residents in a manner that has been said to raise serious constitutional issues relating to the fundamental rights of the residents under the Constitution of the United Republic of Tanzania. Shivji and Kapinga have demonstrated how the structure and powers of the NCAA are inconsistent with the constitutional rights and freedoms of the resident Maasai to life and livelihood, association assembly and expression. That the NCAA exercises legislative, executive and quasi-judicial powers upon the resident population without adequate, effective and proper representation has clearly fomented

disaffection against the Authority among the residents and created an inherently unsustainable situation.

3.17. That the problem of representation for the Maasai of Ngorongoro is a problem that even the government appreciates explains the establishment of the Pastoral Council in 1994. It is the highest representative body of the pastoralist Maasai in the NCA, and was created as a forum for discussion between the NCAA and the residents, a channel through which the concerns of the residents are brought to the attention of the Board of the authority.

3.18. The PC operates in an advisory capacity vis-à-vis the NCAA, but it is clear that neither the members of the PC nor the general population believe that the Council adequately and effectively represents the interests of the community. As far as effective representation is concerned, the following arguments by Shivji and Kapinga are pertinent:

“First, the Council is not statutory; second it is not an executive body whose decisions are binding; third it has limited powers and no say over the Authority’s legislative activity. What is more, its composition is dominated by ward councilors and village chairmen who, although elected, were elected with an altogether different mandate”.(Shivji and Kapinga, 1998:61)

3.19. Of the 41 members of the PC, only 12, the 6 women representatives and 6 youth representatives are directly elected by the people to their positions. The other members are in the PC by virtue of their membership to other bodies.

3.20. The Conservator continues to sit on the PC even though the Board made a decision to withdraw NCAA managers from the Council. The staff of the NCAA that we interviewed suggested that the only reason the Conservator sits in the PC is because the Council needs his input as it does not have the capacity to organize itself independently. This may be so; but given the immense powers that the Conservator wields and the clear need for effective representation of the interests of the community, his presence in the PC has served to perpetuate the perception that the PC has no independence and basically serves as a rubberstamp to legitimize his decisions (Rugumayo, 1997).

3.21. For an institution that was formed to address the need for effective representation of the interests of the local population, the PC has failed to win the confidence of the population. Even those who are sympathetic and supportive of it cannot fail to acknowledge that the PC members “are seen as promoters of NCAA policies and practices, which the Maa people feel are contributing to dehumanizing them” (Morendat, undated: 18).

4. INSTITUTIONAL FRAMEWORK FOR THE IMPLEMENTATION OF ERETO-NPP

4.1. The institutional framework for the implementation of ERETO-NPP comprises three major institutions; the Steering Committee, the Pastoral Council and Project Implementation Unit (PIU).

4.2. The Steering Committee is the policy organ of the project that brings together the partners, the Pastoral Council is the link between the project and the community and

is seen as integral to the sustainability of the project, while the PIU manages the project from day to day.

The Steering Committee: Managing relations between ERETO-NPP and the NCAA

4.3. The Steering Committee of ERETO-NPP brings together the partners involved in the project (see Box 4 for its membership).

Box 4

Membership of the Steering Committee of ERETO

Ministry of Natural Resources and Tourism
Ministry of Water and Livestock Development
Royal Danish Embassy
Chairman of the Board of NCAA
Chairman of the PC
Representative of the community
The Conservator
ERETO-NPP Project Manager (Secretary)
Technical Adviser and Finance Manager (ex-officio)

4.4. The Ministry of Natural Resources and Tourism represents the Government of Tanzania, and has lately been joined on the Committee by the Ministry of Water and Livestock Development. The RDE represents the Government of Denmark. The NCAA is represented by the chairman of the Board and the Conservator. The Project Manager serves as the secretary of the Committee, while other members of the Project Implementation Unit sit on the Committee ex-officio.

4.5. The chairman of the PC represents the PC which is a major partner in the implementation of the project. In addition, the community is represented by a member elected specifically for this purpose. In the Project Document, it was proposed that the community be represented on the Steering Committee by a person “elected by the Maasai among elders and/or women”. It is not surprising that given the choice the community has elected a man to represent it, with the result that there is no woman member of the community on the Steering Committee. It would be useful for the project to push for a representative of the women to sit on the Steering Committee.

4.6. The steering committee was formed to provide policy direction to the project and to deal with the overall supervision of the project, including annual budgets and accounts. In reading the Minutes of the Steering Committee and talking to members of it however, one gets the impression that its major role has been to manage the relations between the NCAA and the project; especially the complaints by the project about lack of cooperation from the NCAA which has frustrated the implementation of some of the activities of the project.

4.7. The relations between the project and NCAA have remained frosty throughout the life of the project. This is evident from the Annual Reports all of which complain about the lack of commitment on the part of partners, especially the NCAA (Annual Reports 1999, 2000, 2001, 2002). The complaint continued even after the appointment of the Liaison Officer recommended by the Joint Review Team (see Box 3) (Annual Report, 2001 and 2002).

Box 5**Review Recommends Liaison Officer**

at the direct level, a liaison officer working closely with both the project (2 days a week in Ereto office) and with NCAA (3 days a week) should be officially appointed.

The liaison officer should be a capable senior NCAA officer with both ample time and capacity made available for the task. S/he should be speaking both English and Kiswahili. This officer will take an active role in the planning and implementation of the project activities. S/he will have offices at PIU and NCAA. A formal and appropriate reporting procedure will be developed and adhered to. The officer will be responsible for coordination, communication, joint planning and participation of NCAA in project activities as well as provision for opportunities of relevant Ereto staff in NCAA activities. S/he will not be responsible for direct implementation of the project activities and will not have to approve of specific project activities prior to their initiation. This responsibility rests with the PIU under the guidance of the steering committee.

Source: Debriefing Note: Review of Ereto Ngorongoro Pastoralist Project, November 17th 2000, para. 17, Appendix 4 to Annual Report, 2000

4.8. The Joint Review Team further recommended that the PIU Manager be invited to the regular NCAA management meetings, and “that monthly or twice monthly meetings between PIU and NCAA heads of departments are formalized, to improve communication, coordination and transparency on decisions made” (para. 17). It is reported that these recommendations have not been acted upon.

4.9. The members of the PIU acknowledge that the Liaison Officer has made serious efforts to smoothen communication between the project and NCAA. However, it is clear that a lot more remains to be done to integrate more fully the activities of the project and those of the NCAA. At the moment it appears that all that is in place are mechanisms for easing communication and consultation. These do not work very well as is evident from the Minutes of the Steering Committee, which indicate that the same issues are raised over and over again in consecutive committee meetings. There is little evidence that action is taken between meetings of the committee, and one explanation must surely be the absence of a framework that brings together project and NCAA managers on an ongoing basis.

4.10. What is needed is a more structured framework for operational integration. In this connection, it is proposed that a Technical Committee comprising members of the PIU and the relevant operational managers from the NCAA that meets on a regular basis and facilitates exchange of views and sharing of resources and information would be more useful in the long run than an individual Liaison Officer.

Pastoral Council

4.11. Reading the Project Document, one wonders how much information the project had about the PC when it first came to Ngorongoro. According to the Document, the project intended to work with the PC from the very beginning. In fact it was envisaged that the PC would implement “those aspects of the project which have the most direct

social impact” for a period of 12 months, after which implementation would be “entrusted to an NGO chosen by the Steering Committee” (DANIDA, 1997: 22).

It is difficult to understand the rationale for this strategy. Given the shortcomings of the PC as presently constituted both in terms of membership and institutional capacity, it was clear from the very beginning that this approach would not work. The idea that the Steering Committee would simply choose an NGO to take over the implementation of aspects of the project at the end of 12 months would be laughable were it not for what it says about participation and sustainability.

4.12. The project has supported the PC in capacity building principally through training. The training has involved organizing short courses and exchange visits for members of the PC and management training for its executive. These trainings and courses are undoubtedly useful. The PC truly lacks institutional capacity to deal with its responsibilities. It needs an efficient management and accounting system. Yet it is clear from our discussion above that the problems with the PC are much more fundamental. They are political rather than technical or management problems. One criticism of the project’s approach to the issue has been that it is seeking to solve a political governance problem by technical means.

4.13. Over time it has become clear to the project that there are limitations to this approach. The Annual Report for 2001 decried the fact that despite receiving training and support from the project, the PC was still unable to play its role effectively as envisaged in the Project Document. The report proposed that a study be conducted to establish the capacity building needs of the PC if the support is to make a meaningful contribution to its effectiveness. The Joint Review Team recommended that the PC be given the opportunity to work more closely with the project “in order to function better as a voice for the community” (para. 17).

4.14. At the time of this study, the project appeared to have literally given up on the PC. The original idea of working closely with the PC as an institution appears to have slowly given way to one of consulting with the Council through the periodic Information Sharing Workshops. Members of the PC interviewed differed in their assessment of the relationship between them and the project. While for the most part, there is a general feeling that the project belongs to the PC, a number of members noted that the close working relationship that existed at the beginning no longer existed. They noted that the plans of opening an office for the PC within the project seem to have foundered.

4.15. It is clear from discussions with members of the PIU that they too feel frustrated by the inability of the PC to put its act together. However, this begs the question as the whole capacity building project for the PC was founded on the idea that they lacked capacity. What the frustration of the PIU demonstrates is the reality that the problems of the PC are not technical, and cannot be fixed by courses and training. If the PC is to be supported to evolve into a serious institution for the development of the local population in the NCA, then its structure must be revisited, particularly with respect to its links with the NCAA.

4.16. This is particularly true given the absence of viable civil society organizations within the NCA. Although initially, the project was keen to support the emergence of a viable NGO within the NCA, this plan too appeared to have foundered. The initial efforts to support the establishment of the NPA appear to have been abandoned. By the time of the Joint Review, it was accepted that “ the project cannot directly play a positive role

in the further formation of NGOs. Initiatives will have to come from the communities” (ERETO, 2000: para 20). Instead it was recommended that “the project should seek active collaboration with the NGOs in the area and should support them with capacity development as and when deemed relevant” (ibid)⁷

4.17. While the fact that initiatives for the evolution of NGOs and the strengthening of civil society will have to come from the communities is indeed true, the reality in the NCA requires that the communities be supported in this regard. Once again, the frustration that the project has suffered in its attempts in this regard is more a function of an ill-conceived strategy. It is becoming increasingly clear that the absence of viable NGOs within the NCA is not an accident, but a necessary offshoot of the governance framework within the Conservation Area. What the project has to determine is whether it can justifiably fail to address these glaring governance issues that are the root of the poverty problems in the NCA and still purport to be working to improve the livelihoods of the population. The issue of the emergence of a viable civil society organization in the NCA goes to the root of the sustainability of the development initiatives being undertaken by the project.

Project Implementation Unit

4.18. The PIU is made up of the Technical Adviser, the Project Manager and the Finance Manager. The Community Development Coordinator who was appointed after the joint review has since joined them. It is not clear why they are called a Unit because essentially they are the management team of the project; but between them they run the operations of the project from day to day; and are assisted by the Project Field Officers at the Ward level.

4.19. The team has done a commendable job under difficult circumstances. One is struck by the amount of time they have to spend in managing the competing interests between the community and the NCAA. In this connection, it is noted that perhaps both the PIU and the NCAA are to blame for the continued deterioration of their institutional relationships. One gets the feeling that the project staff have taken as a given the hostile environment in which they work, and there is little evidence that anything is being done to change the situation, other than lamenting about how bad it gets by the day.

4.20. Clearly, one reason for this is the overwhelming power imbalance between the project and the NCAA. The NCAA is for all practical purposes a government in the Conservation Area, and the project needs its good will to continue to work within the area. However, as the project has continued to have an impact in the area, there is a sense in which it has inadvertently shown up the inadequacies of the NCAA. The successes of the project serve to show up the failure of the NCAA in many ways, and this was bound to become a cause of conflict between the PIU and the NCAA.

4.21. The Joint Review noted the lack of cooperation between the two frameworks, but once again, what is essentially a political problem was expressed in technical terms. It observed that the lack of cooperation was “partly due to the fact that no formalized structures for regular cooperation have been identified in the project document; and partly due to the fact that the project is implemented in a context where such collaboration is difficult” ERETO, 2000: para. 17). It went ahead to recommend a

⁷ This recommendation clearly begs the question. How can the project seek to collaborate with NGOs in the area, when it is acknowledged that there are no viable NGOs in the first place?

formalized structure for regular cooperation and communication; hence the creation of the position of Liaison Officer.

4.22. However, as we have observed above, the problems between the project and the NCAA are not merely technical problems of management, important though those may be. Increasingly, the project is seen as an alternative power base for the local people. The Information Sharing Workshops at which community members share experiences on the implementation of the project activities are seen as providing the best forum for free expression of concerns within the NCA. That the project has managed to undertake its activities successfully in spite of the open hostility and frustration from the NCAA has proved to the local communities that firstly, external agents can indeed deliver, and secondly, that the NCAA is not invincible. These are significant political events in the context of the NCA; and to expect that the NCAA will continue to be comfortable with an institution that is behind them is to be politically naïve.

5. CONCLUSIONS AND RECOMMENDATIONS

Main Findings

5.1. The foregoing analysis has shown that there are serious problems with the representation of the interests of the local communities in the NCA. The legal and political situation of the NCAA has created a constitutional void in as far as the local communities are concerned, denying them certain basic citizenship rights to which they are entitled under the Constitution of the United Republic of Tanzania. The main findings of the study in accordance with the TOR as set out below.

5.2. **The major institutions** within the NCA are the NCAA, the PC, and the Ilaigwanak. The project has become a major player in the livelihoods of the local people, and its Ewoloto Committees and Water Committees are evolving as institutions in their own right. It is noted that the District Council, though it has jurisdiction over the Conservation Area is not an effective or important player in the lives of the residents of the NCA.

5.3. These institutions are active in different respects and have different areas of competence. The **NCAA** is the overall governance structure within the Conservation Area and wields immense powers backed by substantial financial and other resources that it controls from the tourist income. Given its immense powers under the Ordinance and the substantial resources at its disposal, the NCAA can be a force for the betterment of the lives of the local population, but this is not possible at the moment on account of the absence of effective and responsible representation of the population within it. The institution could also benefit from greater transparency and accountability in its operations, especially with respect to the local population.

5.4. The **PC** was established in response to the calls for a representative body to link the NCAA and the local population. One of its major functions is to build and maintain communication between the pastoralists and the NCAA and the Ngorongoro District Council. It is composed of a diversity of representatives of the local population, and is the highest representative body for the pastoralists of the NCA in their relationship with the NCAA. It has the potential to play an important role in advocating for and promoting the rights of the local population in the management of the Conservation Area. So far, it has proved singularly ineffective in standing up to the rights of the local population against the NCAA.

5.5. The **Ilaigwanak** continue to be an important institution among the Maasai. They are widely respected and trusted by the communities, even though individual laigwanani may be faulted for their relations with the powerful forces within the NCA. The major area of competence of the Ilaigwanak is their ability to mobilize the local population. They also serve to give legitimacy to initiatives that are seen to have their support.

5.6. The **Ewoloto and Water Committees** are creations of the project. They are increasingly playing an important role in the implementation of the project activities at Ward level. Their major role is mobilization of the communities and following up on implementation processes. They serve to give the local populations control of the processes of development, and provide forums for them to participate in project activities. They are closely linked to the traditional leadership structures of the clans.

5.7. **Local peoples perceptions** of the performance of these institutions vary according to whether they see the institutions as serving their interests or not.

5.8. Thus, the NCAA is perceived to be more interested in the conservation of wildlife than in ensuring the welfare of the local population, even though this is part of its mandate under the Ordinance. Even where the Authority has assisted in development processes, the people see the development initiatives as imposed from above with little participation on their part, and little regard for their perspectives.

5.9. The PC is perceived “to be in the pockets of the Conservator”, a perception which continues to undermine its credibility among the people of the NCA. The composition of the Council and its operations are seen to favour the NCAA and the government. This contradicts the need by the community for an effective representative body to negotiate their interests with these two bodies. That the Conservator sits on the PC merely serves to undermine further its credibility among the population. Its role in advancing the development of the people continues to be undermined by the NCAA in the manner in which it manages the disbursement of funds to the Council.

5.10. The Ilaigwanak are perceived to be useful in their role of mobilizing and legitimizing development processes, but it is also appreciated that they do not have the competences needed to deal with the modern structures of governance and development. A number of them have been seen to be compromised by the NCAA, while the more senior and credible ones among them express frustration at the way in which the NCAA deals with them in the PC.

5.11. The Ewoloto and Water Committees are seen as truly representative of the people, and advancing the interests of the local population. The credibility enjoyed by ERETO among the local population is largely due to the perception that unlike the NCAA, the project respects the local population and is genuinely interested in ensuring their effective participation in the development process. These committees have raised expectations among the people about possibilities for improved livelihoods. The challenge now lies in making them sustainable.

5.12. There are different **constraints** to effectiveness for different institutions within the NCA. For the NCAA, the major constraint appears to be one of attitude. One is struck by the patronizing attitude that senior officers of the NCAA exhibit against the local population. They look down on the practices and cultures of the Maasai and consider them to be backwards. There is little empathy among the NCAA staff towards

pastoralism as a livelihood and land use system. This is unfortunate given that the NCA Ordinance imposes on these same people the responsibility of ensuring the welfare of the Maasai as pastoralists. Coupled with the authoritarian legal and governance system in place in the NCA, the negative attitude of the NCAA staff has become a major constraint to the effectiveness of the institution as a development agent for the local population.

5.13. For the other institutions, the major constraint is lack of capacity. The lack of capacity exists at two levels, the governance and the technical. At the governance level, the political and legal organization of the NCA is a major constraint for effective functioning of structures for the advancement of the interests of the local people. The limitations on the people's freedoms of association, movement and expression are a constraint to the emergence of a strong civil society, which is essential for development organization. At the technical level, there is lack of capacity on the part of these institutions for managing development and change in a modern environment.

5.14. **Effective representation of the local population in the NCAA** is a necessary precondition for the proper management of development within the NCA. The idea of a Pastoral Council is good, but as presently structured, it cannot answer to the needs for effective representation. In this connection, we agree with Shivji and Kapinga that the appropriate Council should be a top decision-making body which, a) is dominated by directly elected representatives; b) has powers to deliberate and make general policy decisions on both conservation and development matters; c) has the authority to approve rules and order made by the Authority which impinge on the rights of residents; and d) has effective provisions for appeal and judicial review for those aggrieved by the decisions of the Authority.

5.15. The design of such a Council, its powers and functions must be discussed and agreed by the resident population in a participatory process that ensures that the institution that evolves is truly representative of their views and will have credibility among them. There has been talk about an impending corporate restructuring of the NCAA. If this were to be done, it would provide a useful opportunity for the population to deliberate on effective representation; but this again will depend upon the goodwill and willingness on the part of the government of Tanzania to ensure the emergence of such a framework.

Issues for the Review Team

5.16. As far as institutions placement and links are concerned, the following are the issues for the Review Team:

1. Whether the project should expand into the rest of Ngorongoro District and out of the NCA, and whether the project should continue with the same range of activities. What implications shall expansion into the rest of the district have for the structure of the project?
2. Ministerial responsibility for the project within the government of Tanzania. Should the MNRT continue to be the responsible Ministry for the project within the government of Tanzania, or should the responsibility be transferred to a different Ministry altogether, or shared between this and another Ministry; and which Ministry should that be?

3. Partnerships: whether the partnership with the PC within the NCA should continue, and if so, what form it should take. What new partnerships does the project need to develop in the next phase?
4. Policy and strategic issues: what policy and strategic issues does the project need to involve itself with to support the livelihoods of the Ngorongoro Maasai? How can it manage such involvement consistently with its character as a bilateral programme?
5. Sustainability: what should the project do to ensure the sustainability of its initiatives? In particular, what frameworks should it support within the project area to take over the management of project activities at the end of the project?

Options for the way forward

5.17. The project has been very successful within the Ngorongoro division where it has been running during the current phase. The lessons learned during this phase should help to improve the implementation of the next phase, thereby ensuring even more success and greater impact. Expanding into the rest of the district will ensure a wider impact for the project.

5.18. The Ngorongoro District Council and the population of Ngorongoro are anxious to have the project expand its operations to cover the whole of the district. The same needs that the project has addressed within the NCA are expressed by other divisions within the district, particularly the need for water and veterinary services. The staff are cautious in their support for expansion, as they are keen to ensure that the project consolidates its gains within the NCA.

5.19. Expanding into the rest of Ngorongoro district will have implications for the structure of the project, but it is important to remember that while this expansion will mean greater geographical coverage, in population terms the bulk of the population of the district lives within the NCA.

5.20. The most significant issue to be considered expanding is how the project shall be managed in terms of new or expanded partnerships (see below). It is important that any options considered should seek to ensure that the project shall continue the work it has started within the NCA. In this connection, the office block constructed in the NCA should continue to be available for use by the project. The two possible scenarios envisaged for management are:

- a) The main office remains at its current location in the NCA, and the Project Manager and the Technical Adviser as well as the Finance Manager continue to work from there together with the staff responsible for the project in Ngorongoro district. The project would then set up offices in the other divisions to be headed by Community Development Coordinators for each of those divisions.
- b) The main offices of the project move to the district headquarters in Loliondo, and with it the PIU. The current offices become the coordination offices for Ngorongoro division.

5.21. The first alternative has a greater appeal. It will help consolidate the gains of the first phase, and the Maasai of NCA will not feel that the project is abandoning them. It

ensures that the project staff retain the freedom of movement into and out of the NCA that is necessary for effective oversight of the project activities. However, its feasibility depends largely on the cooperation of the NCAA and the MNRT.

Ministerial Responsibility

5.22. The location of the bilateral agreement with the government of Tanzania in the MNRT appears to have been dictated by the fact that the project was to be implemented within the NCA and in collaboration with the NCAA. The MNRT is the responsible ministry for both. In expanding out of the Conservation Area, the project will have to engage directly with other ministries. In a sense it is already engaging with the MWLD, but this has been within the framework of the partnership with MNRT. Working outside the Conservation Area, the project will have to deal directly with the Department of Regional Administration and Local Government within the Office of the President.

5.23. Subject to the consent of the MNRT, all that may need to be done is to expand the Steering Committee to bring aboard a representative of the Office of the President and the Ngorongoro District Council. This would have the advantage of ensuring that the project continues to benefit from the experiences of the current phase. It also makes sense given that in actual terms the project target within the Conservation Area for which the MNRT is responsible shall continue to be the larger one. Inclusion of different ministries in a single project is not a new thing, and even currently, the MWLD is working with the MNRT in the Steering Committee.

5.24. If for some reason, the MNRT were to be disagreeable with this arrangement, then location of the bilateral agreement for the project would have to move to the Office of the President as it sets out to work in the larger Ngorongoro. This is a good location from which to relate with other government departments. Whether this would mean having to move offices from their current location in the NCA would then have to be a matter for negotiation. Arrangements will then have to be made for the project to continue with its projects within the NCA.

Partnerships

5.25. The partnership with the PC has not worked very well during the current phase, but a start has been made, and there is scope for better managing the partnership in the next phase. It is important that the partnership with the PC continues as there is a serious need to help the PC become effective and useful to the community.

5.26. In the short term, the idea of supporting the institutionalization of the PC by training and putting in place an independent secretariat for it should be pursued. However, it must be recognized that the ultimate solution to the problems of representation within the NCA will require not simply the restructuring of the PC, but also the overhaul of the legislative and political framework within which the NCAA operates.

5.27. Although the project, as a bilateral programme may not be able to support some of the work that is necessary for this to happen, it can in its support for the PC help create the circumstances and promote the debates and discussions that will facilitate the serious consideration of the situation. It is important for its credibility that the project is not seen to be shying away from addressing the governance problems that so adversely impact on the capacity of the Maasai of Ngorongoro to control their own development and livelihoods.

5.28. It is also clear that the partnership with the NCAA has to continue if the project is to consolidate the work that it has done in the NCA during the current phase. There should however be a greater effort on the part of both the project and NCAA to make the partnership meaningful. In this connection, the idea of a Technical Committee for ongoing consultation and collaboration with a view to ensuring a greater integration of the development activities of the two institutions should be given serious consideration. As were reminded at the MNRT, the project is only in Ngorongoro for some time, while the NCAA is there to stay. The sustainability of the interventions by the project shall depend in large measure on the goodwill of the NCAA once the project folds up. It is during the intervening period that such goodwill can and must be built.

5.29. So far, the project has done very well in linking up with the community in the NCA, and while a lot remains to be done, it has a working relationship with the NCAA. What is lacking is greater partnership with other development actors in the district, the region and nationally. As we suggest below, the reality of development processes is that a lot that happens or fails to happen at the local level is influenced by processes at the macro and meso levels. It is important to understand the linkages between processes at these various levels if development interventions at the local level are to be sustainable. The project needs to link up not just with the District Council, but also to support local communities to link up with processes of reform and action at the regional and national levels that are likely to have a bearing on their livelihoods. In this connection, the project needs to reconsider its commitment to the empowerment of NGOs in the NCA and in Ngorongoro district.

Policy and strategic issues

5.30. The discussion and recommendation above are informed by a belief that the project needs to address policy and strategic issues that have a bearing on pastoral livelihoods. While appreciating the difficulties project staff may have in this regard given the bilateral nature of the project, it is nevertheless incumbent upon the project to appreciate that the problems of poverty exist within a specific policy context.

5.31. Many of the current reforms at the national level have serious implications for the livelihoods of pastoralists in Ngorongoro and elsewhere, and if they do not participate in them actively, then they stand to lose substantially. In this connection, we draw attention to the processes relating to the reform processes currently being undertaken within the framework of PORALG, PRSP and the Rural Development Strategy, to name but three examples. All these reform processes have far reaching consequences for the target communities, and the least that the project can do is let the people know about them, and facilitate their effective participation in them.

5.32. It should be possible, by linking up with other actors at the district, regional and national levels, for the project to support the communities in engaging with these processes without appearing to breach the requirements of protocol arising from being a bilateral programme. In any case, these reform processes are being implemented by the government with the stated objective of promoting the greatest participation of the population in development. There is no reason why facilitating the project target groups to participate in these processes should be seen to contradict government policy in any way.

Sustainability

5.33. The sustainability of project interventions is a major concern for all development projects. In the case of ERETO the absence of a strong civil society and the existence of a powerful statutory body whose record does not show support for local initiatives makes this even more critical.

5.34. So far this aspect of the project appears to be the weakest. The problems associated with working through the PC, the absence of a viable NGO in Ngorongoro and the withdrawal of support to the NPA mean that at the moment there is no framework to which the project could be handed over with any hope of sustainability. It is therefore critical that the project addresses this issue in its next phase.

5.35. The Livestock Development Centres and the Ewoloto and Water Committees provide the beginnings of a framework for sustainability, but a lot remains to be done if they are to be transformed into tools for managing the project activities in the long term. Deliberate steps will have to be taken to support the evolution of these centers and committees into effective and efficient frameworks for managing development. Since these committees are based on and incorporate traditional leadership systems, they offer a better option than the creation of an NGO which is likely to be seen as a donor creation, a fact that may undermine its credibility.

Annex 1: Terms of Reference

Potential institutional placement and links of Phase 2

The study covered by these TOR will provide both an independent study and input to a more general study on 'lessons learned and issues arising' from the first phase of Ereto-NPP, which will be prepared by the team leader. In addition, the team leader will design, in close collaboration with Ereto-NPP, an indicative project document (IPD). The work of the consultancy covered by these TOR will also feed into the IPD

The focus of this study is to provide an analysis of potential institutional placements and links of Phase 2 to feed into the Joint Review and project formulation process.

The main objectives of this study are two fold:

- 1) In NCA: a) to provide a critical analysis of the capacity of the organisations and institutions in NCA to represent the interests of communities of NCA and b) to provide suggestions on how the institutions could be strengthened in order to better represent the communities and contribute to the development objective of the present project
- 2) Generally: To provide an input to project formulation by suggesting potential institutional placement and linkages for phase 2 of the project

In order to achieve the above objectives, the work of the consultant will be divided into two parts, 1) an analysis of institutions in NCA and 2) a general institutional analysis related to pastoralist production in TZ with a view to project formulation aimed at supporting pastoralist production

1) Institutional analysis of NCA

- Together with key stakeholders, identify the various institutions in NCA and assess whether they are active and what their area of competence covers
- Examine the local peoples perceptions on the various institutions in relation to a) their effectiveness in representing various stakeholders interests, b) their effectiveness in assisting the communities in achieving their own development objectives
- Identify constraints within the institutions which prevent them from a) representing communities and b) working with communities to achieve the communities development objectives
- Explore ideas on how the communities in NCA could best be represented in NCA
- Identify ways and means of strengthening the institutions in order to better represent the communities
- Assess how these institutions could be strengthened in order to contribute to the development objective of the project

2) Institutional placement and links

- Conduct a rapid and critical appraisal of policies and legislation in relation to pastoralism and the livestock production sector in Tanzania
- Together with key stakeholders, identify the various institutions working with pastoralist issues in Tanzania and assess whether they are active and what their area of competence cover
- Examine the local peoples perceptions on the various institutions in relation to a) their effectiveness in representing various stakeholders interests, b) their effectiveness in assisting the communities in achieving their own development objectives
- Identify constraints within the institutions which prevent them from working with communities to achieve the communities development objectives
- Identify areas of potential synergy within the District and Tanzania in support of pastoralist production
- Identify potential project partners for the second phase of the project
- Identify and analyse potential institutional placement for a project in support of pastoralist production

The output of the consultancy will be the following:

1. Identification of potential institutional placements for a project in support of pastoralist production.
2. Identification of potential partners in the project
3. An institutional analysis of Ngorongoro Conservation Area and an overview of needs for support to the institutions in NCA

Annex 2:

Itinerary for the Study (all dates in October)

- 6th** Travel to Arusha and on to Ngorongoro
- 7th** (am) planning and review of project documentation at ERETO offices in Ngorongoro

(pm) interviews with ERETO staff at their offices in Ngorongoro
- 8th** (am) continuing with interviews of ERETO staff

(pm) travel to Arusha for meetings with District leadership
- 9th** Meetings in Arusha all day
- 10th** (am) further meetings in Arusha

(pm) travel back to Ngorongoro from Arusha
- 11th** Feedback workshop at Ngorongoro

Further interviews
- 12th** Further interviews and document search at ERETO
- 13th** Travel to Arusha
- 14th** Public holiday (interviews in Arusha)
- 15th** (am) additional interviews in Arusha

(pm) travel to Dar es salaam
- 16th-17th** interviews in Dar es salaam with officials of the government of the URT, donors and other stakeholders and writing of report
- 18th-19th** completion of report
- 20th** return to Nakuru

Annex 3

List of Persons Interviewed

1. Gaspar Leboy, Community Development Coordinator, ERETO-NPP
2. Mathew Ole Nasei, Project Manager, ERETO-NPP
3. Castor Tingirawanyuma, DED, Ngorongoro District
4. Peter Mabuga, DAS, Ngorongoro District
5. Simon Soenda, Chairman, District Council, Ngorongoro
6. Francis Shomet Ole Meingisa, Coordinator, Austro-Project
7. Francis Lipapa Ikayo, Councilor for Endulen Ward, Ngorongoro District Council
8. Benedict Ole Nangoro, Coordinator, CORDS
9. Emanuel Kallonga, Director, HAKIKAZI Catalyst
10. Nyambilila Mbila, Agri-business Development Officer, FAIDA-SEP
11. Victor Runyoro, Principal Ecologist, NCAA
12. William Ole Seki, Treasurer, PC
13. Sangoyan Ole Dorop, Chairman, NGOPADEO
14. Carol Sorrensen, Technical Adviser, ERETO-NPP
15. Susana Koillah, Community Development Worker, Ngorongoro Integrated Health Project, Catholic Diocese of Arusha
16. Stella Maranga, MS-TCDC, Arusha
17. Hans Duinmayer, WEGS, Arusha
18. Maj. Gen. (Rtd.) Sam T. Laiser, Chairman of the Board of Directors, NCAA
19. Allan Kijaazi, Research and Planning Officer, NCAA
20. Rob Allport, Director, VetAid
21. Richard Musingi, Director of Regional Coordination, Regional Planning and Local Government, Office of the President
22. Rawson P. Yonazi, Assistant Director, Policy and Planning, Environment Division, Vice President's Office
23. Tarimo, Ministry of Natural Resources and Tourism
24. Loserian Sangale, Dar es salaam
25. Prof. Issa Shivji, Faculty of Law, University of Dar es salaam

Annex 4

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