A GIFT FROM GOD
CONFLICTS OVER WATER AND AUTHORITY IN MALI

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Women fetching water in Douentza

TO MY BELOVED AUGUST AND ANDREAS

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INTRODUCTION

In 1999, the water supply system broke down in *Koyra*,[2] a desert town in the north of Mali. The newly elected mayor had personally ensured the financing of the water supply through his contacts in the German Development Cooperation (GTZ). He had been president of the water committee for three years, but now the money from the water sale had all gone, the pump was broken, and there were rumors that he had used the money for other purposes. The newcomers in town challenged his authority to run the water supply. In 2000, shortly afterwards, the mayor of Koyra wrote to his neighboring colleague, the mayor of Akal, to claim that a lake situated on the border between them belonged to his municipality. Addressing the district authorities in Douentza, the mayor of Akal rejected the claim. The letter started off a dispute over the lake between the neighboring municipalities, which to this day has still not been settled. These two examples illustrate how institutions of authority are deeply involved in water conflicts not only in providing solutions, but also as actors attempting to position themselves through the control of water resources. At other times, they are called on in virtue of their authority to mediate between parties in conflict.

Much literature has portrayed natural resource conflicts as conflicts between groups competing to use resources for different purposes (Baechler, 1999; Barrière and Barrière, 2002). Water conflicts have served as prominent examples of scarcity-induced conflicts, that is, examples of how conflicts arise from increased competition for a declining pool of resources (Gleick, 1993). Conventional views of conflicts regard them as a result of droughts, increased pressure on water and land, and diverging interests in resource use. Another body of literature has attributed the low success rate in solving conflicts to the collapse or failure of the institutions involved in natural resource management (Barrière and Barrière, 2002; Moorehead, 1998; Vedeld, 1997). Especially since the decentralization reform in Mali in 1999, many scholars have focused on the lack of capacities, accountability and resources on the part of the administrative units that are now supposed to be in charge of natural resource management at the local level (Cissé et al., 2003;

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[2] I have changed the names of the two municipalities to protect my informants. The two rural municipalities discussed are referred to as Koyra, which means ''village' in Songhay (Mauxion, 2008), and Akal, which is often translated as 'earth', 'land' or 'country' in Tamashek (Berge, 2000). The lake discussed later in this thesis is referred to as Aman, which means 'water' in Tamashek (Berge, 2000). I have also given pseudonyms to all the people I refer to or cite.

Kassibo, 2004; 2006; Ribot, 2004; SNV and Cedelo, 2004). Much of this literature sets out to evaluate the extent to which the decentralization reform has been successful in terms of realizing the democratic potential of decentralization (Hetland, 2007; Ribot, 2004; Ribot and Larsen, 2004).

In each of their ways, these bodies of literature contribute to illuminating important aspects of natural resource conflict, management and the role of institutions. That said, both bodies of literature have their limitations and biases. First, the tendency to view water conflicts, and natural resource conflicts in general, solely as a result of diverging interests in resource use, or of increased competition over a decreasing resource base, detaches conflicts from local histories and socio-political relations. This ignores the fact that water conflicts are more often than not related to issues of social stratification, historical legacies and struggles over authority. Secondly, underlying the understanding of conflicts to be the result of the incapacity and failure of institutions is a normative development discourse concerning the alleged incapacity of public-sector institutions in Africa generally. In such discourses, institutions are regarded as tools either in implementing certain development policies or in local political leaders' quests for power. This perspective seems to presuppose what institutions 'ought to be' instead of exploring what they are and how they work on the ground. This, I argue, is revealed in conflicts over important resources in relation to which institutions of authority position themselves. Unpacking these elements of water conflicts requires in-depth qualitative case studies of such conflicts in a local arena.

FRAMING THE STUDY

This thesis proposes a different approach to the study of water conflicts than those mentioned above, one that presents a comprehensive account of actors, institutions and claims to legitimacy in water conflicts in Douentza, Mali, based on empirical extended case studies of two such conflicts. Directing attention towards conflict processes and claims in water conflicts, the thesis aims to go beyond the immediate image of resource conflicts in the Sahel as material conflicts over scarce resources. It shows that what appear to be straightforward conflicts over resources are often politically and historically embedded struggles over authority. This is therefore an analysis of the mutually constitutive relationship between water conflicts and authority in a context of

decentralization in Mali. In particular, the analysis examines water conflicts and struggles over authority in the margins of Douentza district. This is first and foremost an attempt to understand how actors engage in water conflicts in order to secure access to and to control water resources, and thus to illuminate the role of institutions and how they establish authority by controlling important water resources and the people who use them. As such, the thesis is explorative, the aim being to contribute with new empirical knowledge to the study of water conflicts in Douentza based on a unique and extensive field material.

More specifically, the analysis turns on the following research question:

In the context of decentralization, how are water conflicts and institutions of authority constituted in Douentza district in Mali?

This overall question can be disaggregated into the following operational questions:

- Who are the actors involved in water conflicts, what are their interests, and how do they take part in conflict processes?
- How do actors make claims and construct narratives in water conflicts?
- What are the registers of legitimacy that institutional actors draw on to claim authority in water conflicts?

Arguments

In answering the research questions outlined above, the thesis presents several propositions and arguments. First, by directing attention to conflicts as 'endemic features of social life' (Comaroff and Roberts, 1981:14), this thesis seeks to emphasize that water conflicts cannot just be regarded as conflicts over scarce resources: they have to be analyzed in relation to the socio-political processes in which they take place. Furthermore, actors in conflict cannot be reduced to 'strategic groups' defending interests in water for productive purposes according to professional specialization. Although water conflicts can sometimes erupt over the distribution and allocation

of water, they are often just as much about the institutions of authority involved. By controlling and regulating key resources, institutions can establish and maintain their authority. This is how water becomes an important political issue in a local rural context. In this perspective I argue that there is a mutually constitutive relationship between water and institutions of authority. Control over water is constituted by authority, and authority is constituted through control over water.

Against this background, and in line with Sally Falk Moore (2005), I argue that conflict over water resources can be an excellent entry point into the study of the structures, values and practices of a society (Moore, 2005:108). Specifically the focus on conflict provides insights into how norms, practices and order are shaped by and through actors. Paraphrasing Nujiten (2005:9), the focus on conflicts is important because conflictive situations can bring out the central issues at stake, namely struggles over authority and the practices that surround them. The study of conflicts illuminates how actors organize, what is important to them and how they talk about it. In this way, conflicts offer a vantage point for studying organizing practices, structures of authority and forms of ordering. 'It is on the basis of studies "on the ground" of the use and distribution of and access to natural resources that one can arrive at conclusions concerning individual power, institutional power and domination' (Nujiten, 2005:9). From a methodological point of view, the focus on conflict provides an entry point into the study of struggle and institutional and social processes with regard to the management of resources. In this sense, publicly expressed conflicts are important moments when underlying structures of authority and interests are revealed (Turner, 2004b:864).

Secondly, I argue that new institutions do not simply replace existing ones, but rather add to the layers of institutions of authority implemented by earlier regimes (Bierschenk and Olivier de Sardan, 2003:167). The number of institutions involved in water governance has increased in Mali since the pre-colonial period. In particular, the decentralization reform in Mali in 1999 established new democratically elected institutions of authority at the local level. Decentralization changed the spatial delimitation of administrative units and the social delimitation of the local political communities, changes that influence how resources are accessed and controlled. Against this background, water governance today constitutes a wide range of institutions which people can address in a conflict to validate their claims to access. These institutions may include both state

and non-state actors, including, for example, local chiefs, local government authorities, judges, management committees, government agencies, religious authorities, development projects, NGOs and ministries. In this perspective, I propose that institutions should not just be understood as rules, norms and strategies (Ostrom, 2007). Instead I conceptualize institutions as carriers of authority that are both actors and arenas in water conflicts (Lund, 1998). This approach allows me to reveal the institutional competitions and rivalry between the many local-level institutions aspiring to acquire authority (Lund, 2006a; 2006b).

Finally, I argue that institutional competition is revealed through claims in water conflicts. The analysis of claims offers an insight into how actors justify themselves by creating narratives to position themselves in conflicts (as well as into how people may use their positions to claim). Claims are often articulated with reference to a repertoire of meanings encompassing existing norms and values, what we may call registers of legitimacy (Lentz, 1998). Claims are the individual statements that actors assert, while registers constitute the broader frameworks of meaning according to which claims are organized. Claims are important for legitimizing rules and authority in conflicts. That said, the institutions of authority I study are highly personified, the legitimacy that is at stake often being the legitimacy of individuals. I argue that, in order to understand institutions of authority, we therefore need to look at how individuals become authorities by straddling different registers of legitimacy. In order for institutions to acquire legitimacy, they have to make sense to people in a broader socio-cultural context of existing norms and values in the society in which they arise (Douglas, 1986). As such, the thesis is not only about how institutions struggle for authority in water conflicts, but also how water conflicts in turn contribute to the making of these institutions of authority.

STRUCTURE

The thesis is divided into four parts. Part I, *Studying Water Conflicts*, situates the study of water conflicts in relation to the existing literature on natural resource conflicts and the role of institutions in natural resource management. Inspired by anthropological studies of disputes and institutions of authority, as well as recent trends in development studies, I argue for a processual

approach to water conflicts and institutions. This part introduces the concept of institutions as actors and arenas (Lund, 1998) and addresses how institutions of authority claim legitimacy. Finally, this part also presents the methodological framework of approaching water conflicts, including the collection of data for an inventory of water-related conflicts and cooperation in Douentza, my choice of extended case studies and my approaches to the field.

Part II, *Contextualizing Water Conflicts and Authority*, first provides the overall contextualization by introducing the decentralization reform as the setting in which the water conflicts takes place. In order to understand the historical legacies framing this context, this part then looks back at how institutions of authority, social stratification and natural resource management have been shaped in the past. Secondly, this part presents the results of the inventory, which provides a wider picture of water conflicts and cooperation in Douentza.

Part III, *Struggles over Water and Authority in Koyra*, and Part IV, *Water- God's gift?*, provide extended case studies of two water conflicts. The two studies follow the same structure: first, settings and actors are described with the purpose of understanding the background and underlying issues of the conflicts; secondly, the conflict processes are analyzed, including the actors' interests, claims and registers of legitimacy, and the ways in which institutional actors establish authority through the straddling of various registers of legitimacy available to them are discussed. This part also describes how the positions of the actors change in the conflict processes.

Finally, the *Conclusions* draw together some of the key findings of the study, reflecting upon the initial research question, summarizing the contributions and discussing future developments in the study of water conflicts.

PART I. STUDYING WATER CONFLICTS

Camping in Douentza

CHAPTER 1. ANALYZING WATER CONFLICTS

INTRODUCTION

This chapter presents the analytical framework on which this thesis is based. I engage in several bodies of literature concerning conflicts over natural resources and the role of institutions of authority in them. First, I discuss conventional views of resource conflicts in the Sahel as 'supply-demand' induced. I then elaborate how I approach water conflicts as 'an endemic feature of social life' (Comaroff and Roberts, 1981:13) and why this processual approach is different from conventional interpretations of conflicts over resources. My analysis of water conflicts reveals that they are as much about the making of institutions as about the resource itself, as institutions are both actors and arenas in water conflicts. Thus, I argue, in order to understand water conflicts we need to look at the institutions involved in them. I therefore address first, how institutions have been approached in the literature on Common Property Theory and the limitations of this approach before describing my own approach to institutions as both actors and arenas in water conflicts. The last section addresses how institutions establish authority through claims to legitimacy in order to address the intimate link between control over resources and the making of institutions.

ENGAGING THE LITERATURE ON WATER CONFLICTS

Water conflicts are part of natural resource conflicts in general. The literature on natural resource conflicts in the Sahel has often portrayed them as conflicts between groups competing to use resources for different purposes (Barrière and Barrière, 2002; Moorehead, 1998). In this optic, conflicts are associated with natural resource use and are seen as common in the Sahel and well described (Beeler, 2006; Moorehead, 1998; Nyong, 2007; Thébaud, 2002; Turner, 1999; 2004a; 2004b; 2006). They have also served as prominent examples of scarcity-induced conflicts, that is, examples of how water conflicts arise from increased competition for a declining pool of resources (Gleick, 1993).

'Conflict in the Delta occurs both between herder and non-herders, and between groups within the community itself. Disputes between herders and non-herders principally concern farmers and pastoralists. As the delta has become drier so farmers in the area have begun to cultivate deeper parts of the flood-plain that formerly contained pastures […] This leads to conflict between the two groups over which areas of land should be put into cultivation' (Moorehead, 1998:64).

The citation exemplifies conventional views of conflicts as a result of droughts, increased pressure on water and land and diverging interests in resource use. Later in the chapter Moorehead also accounts for some of the conflict resolution mechanisms available:

'In general, conflicts between farmers and herders over damage to crops are settled at the level of the herding leader […] and leader of the farming community. With more serious cases of conflict […]a range of officials are brought in – from the technical services on the ground, the local administrators, the police, and the governor, and unusually officials from the capital as well' (Moorehead, 1998:64).

He also attributes the low rate of success in solving conflicts in terms of a collapse of institutions but does not discuss the role of these institutions in resource conflicts further. I return to this role later in this section.

Another prominent example of scarcity induced conflicts in the Sahel is the *Tamashek*[3] rebellion, which has been viewed as caused by desertification (Baechler, 1999; for further discussion of the influence of environmental degradation in the conflicts in northern Mali see Benjaminsen, 2008). The environmental security school, among others (Homer-Dixon, 1999; Kaplan, 1999; Ohlsson, 1999), assumes that there is an 'ineluctable connection between resource degradation, population growth, alleged resource scarcity, and the proliferation of small wars that haunt the post-Cold War planet' (Watts and Peluso, 2001:7). This school portrays resource conflicts as supply-demand driven, arguing that conflicts arise, when the supply of resources is low and a population's demand is high. This approach has had a large impact on the conceptualization of resource conflicts in both policy and academic thinking (UNEP, 2009; see also Turner, 2004b for a discussion).

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[3] The Tamashek are also known as the Tuaregs, but I refer to them as Tamashek, which is short for Kel Tamashek, "the people who speak Tamashek", a Berber language. From the point of view of people of slave origin this term is more politically correct.

This approach is convincing in so far as the material aspects of resource conflicts cannot be denied. People's livelihoods depend upon access to natural resources such as water and land, and resource conflicts emerge when people challenge each other's access to resources. This may be because they have different interests in the resources, because they want to use them for different productive purposes etc. In a materially poor context like that of most of the rural Sahel all conflicts, no matter what their underlying causes, have a strong material basis and therefore tend to be regarded solely in terms of material resources (Turner, 1999:650). However, I argue that this interpretation ignores key social, political and historical aspects of resource conflicts.

First, not all resources are important enough to be the cause of conflicts, even under conditions of scarcity. Resources have to be of a sufficient density and permanency, i.e. strategic, for people to engage in conflict over them. For example, in the case of agricultural encroachment on a specific flood pasture that may only feed a limited number of cattle, it is not worthwhile for a herder to invest in conflict. Instead, what may be 'worthwhile' is investing in securing longer term access to key strategic resources, such as permanent water points (see Turner, 2004b:877, Thébaud, 1990). This also explains why valuable new resources may become objects of struggle. Secondly, conflict develops as a social phenomenon characterized by struggles over authority, social organization and forms of order reflected in the complex power relationships involved in natural resources management (Nujiten, 2005; Watts and Peluso, 2001). Thirdly, resource conflicts are often related to inequalities and distributional issues within rural societies (Peters, 1994; 2002), as well as more general perceptions of wealth (Turner, 2004b). Finally, broader processes of change within historical and local contexts (such as political decentralization or economic reforms) change not only the premises for the use of and access to natural resources, but also the boundaries of the communities to which people claim to belong in order to claim access to resources. To capture these aspects of water conflicts, in line with Comaroff and Roberts, I assume that the meaning of conflicts can only be revealed through an analysis that includes the context of the conflicts – that is, their origins, institutional efforts to manage them and the relationships between the parties (1981:13) – which can bring out the underlying complexities of water conflicts. This is in line with anthropological literature which understands disputes as reflections of the social order (Caplan, 1995; Gluckman, 1955; Gulliver, 1977; Moore, 1978; 1992; Nader, 1969). By unpacking disputes processes, they argue, we come to understand

the social positions of the contending parties, the role of these positions and their backgrounds, how these affect the type of claim they may make vis-à-vis their antagonists, the nature of the dispute-settling mechanisms and the institutions in which these take place. For example, a divorced woman might have difficulties in going to court against the son of a chief if he has damaged her crop, so instead she may decide to avoid confrontation or seek other alliances to support her claim. In cases where a dispute goes to trial, the process used, the laws and regulations that are referred to etc., say something about the normative order at work in a particular setting. My material shows that this approach is more likely to capture the dynamics of conflict than solely looking at the material basis for engaging in conflict.

AN ALTERNATIVE APPROACH TO WATER CONFLICTS

In 1966, the social anthropologist Marc Swartz emphasized the difficulties of reaching consensus about the definition of terms, particularly those that are embedded in everyday use. The word conflict is used variously, he said, to refer to disputes and quarrels in everyday life, to ongoing struggles for authority and influence between competitors in a political or economic arena, for contradictions between principles within social systems as well as for conflicts between persons over positions in a system they attempt to maintain (Swartz, 1966:47). My approach to the analysis of water conflicts is inspired by this broad way of seeing conflicts as social processes encompassing the uses mentioned above. This thesis explores how water conflicts reflect social, political and historical struggles, including the quest for authority, wealth and position in rural society (Watts and Peluso, 2001). This optic is inspired by recent developments in the *political ecology literature*, which views conflicts as multidimensional and sees publicly expressed resource conflicts as important entry points for understanding underlying structures of power, different interests, inequalities and larger social processes (Blaikie and Brookfields, 1987; Turner, 2004a).[4] After Watts, among others, complained about the 'remarkable lack of politics' in political ecology (Watts, 1990:128-29) a serious effort has been made to include a more actor-oriented approach to

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[4] Political ecology started out as structuralist approach with a neo-Marxist and dependency theory point of departure, focusing on how the unequal global political and economic structures influence the local. But this initial approach in political ecology primarily offers structuralist explanations for inequalities in human–environment relations. There have been many discussions within the political ecology literature on the relationship between local cultural dynamics and international economic relationships, which is beyond the scope of this thesis to cover in detail.

environmental management (Benjaminsen and Ba, 2009:71; Moritz, 2006; Walker, 2007). Long (2000) for instance, has studied the ways in which individuals and groups mediate and transform development and social change, based on 'perceived interests' and prevailing social structures, which I shall return to below. The actor-oriented approach offers a way to conceive of people not just as passive actors subject to change, but as agents capable of shaping institutions. This approach can also highlight the fact that people's interests and concerns are not limited to natural resource use, as suggested by many interpretations of natural resources conflicts. The approach therefore differs from ways in which resource conflicts have been conceptualized in much of the literature on resource management in Africa.

Some branches of the political ecology literature have studied local politics and power relations in resource management (Benjaminsen and Ba, 2009; Mauxion, 2008). In line with this evolving case-based approach, I approach water conflicts as part of resource-related conflicts in general[5] as having a material basis because peoples' lives and production depend upon access to natural resources. But what is central to this thesis, I argue, is that water conflicts constitute an important entry point for understanding political processes and the establishment of institutions of authority in the Sahel. Thus, the analysis of conflict in this thesis approaches natural resource conflicts as inherently political processes which include authority struggles and institutional competition in a local rural context. This implies struggles to define rules and regulations regarding the distribution of water. In other words, in such conflicts 'rules may themselves be object of negotiation' (Comaroff and Roberts, 1981:14). Thus rules, organizing practices and the legitimacy of the authority of local-level institutions are equally at stake in conflicts (Lund, 2002:12). People might quarrel over the use of resources, but they do so by questioning the institutions through which resources are accessed and controlled. Therefore, understanding the processes of the establishment, maintenance and contestation of the institutions involved in the management of resources constitutes a central aspect of the analysis of resource conflicts, as these are the

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[5] Although the entry-point to the study is water (both drinking water and water for productive purposes), issues of water are likewise embedded in issues of land tenure and property relations in other natural resources. In particular the value of land depends on the presence of water nearby. Without access to a nearby water source, land is often useless (Benjaminsen, 1997a). In the Sahel, because water is a scarce resource, the land use system is based on the appropriation of water rather than of land. Water and pastures are interrelated, and access to pastures is often regulated by regulating access to water (Thébaud, 1990:15-17; 2002; Cotula, 2006; Cold-Ravnkilde, 2009; de Bruijn and van Dijk, 1995:333-361).

processes through which the institutions of water governance are constituted. As I said in the introduction, in the line with Moore (2005), I argue that conflict over water resources can be an excellent entry point into the study of structures, values and practices of a society (Moore, 2005:108). Specifically the focus on conflict provides insights into how norms, practices and order are shaped by and through actors. Paraphrasing Nujiten (2005:9), the focus on conflicts is important because conflictive situations can bring forward central issues at stake, struggles over authority and the practices around them. The study of conflicts illuminates how actors organize, what is important to them and how they talk about it. In this way conflicts offer a vantage point for studying organizing practices, structures of authority and forms of ordering. 'It is on the basis of studies 'on the ground' of the use and distribution of and access to natural resources that one can arrive at conclusions concerning individual power, institutional power and domination' (Nujiten, 2005:9). From a methodological point of view, the focus on conflict provides an entry to the study of struggle, institutional and social processes in regard to the management of resources. In this sense publicly expressed conflicts are important moments when underlying structures of authority and interests are revealed (Turner, 2004b:864).

As I have argued above by fuelling the constitutive processes through which institutions are established, contested and maintained water conflicts are vantage point for studying structures of authority. In order to explore this further we need to establish what is meant by institutions.

ENGAGING THE LITERATURE ON INSTITUTIONS

'Little agreement exists, [......] on what the term 'institutions' means, whether the study of institutions is an appropriate endeavor, and how to undertake a cumulative study of institutions' (Ostrom, 1986:3). As Ostrom said already in 1986, institution is a contested concept, which has been discussed vigorously for decades.[6] One common way of approaching institutions in natural resource management is *Common Property Resources* (CPR) theory, the framework that underlies decentralized natural resource management initiatives and the idea that local institutions can be crafted to manage resources sustainably. CPR has also influenced how development agencies

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[6] See among others, Cleaver, 2002; 2003; Gronow, 2008; Leach et al, 1997; 1999; Engerman and Sokoloff, 2008 for review and further discussion.

perceive institutions and work to strengthen local institutions and participatory approaches to resource management (Leach et al., 1997). In CPR theory, Ostrom (1990), among others, defines institutions as formal and informal 'rules of the game' in society or the 'rules in use'.[7] The CPR definition of institutions assumes methodological individualism, that is, that individuals seek to maximize the best possible outcomes for themselves (i.e. are rational) and that institutions emerge through the aggregation of decisions taken by bounded rational actors (Ostrom, 1986; Ostrom, 1990; Schlager and Ostrom, 1992; 2007; for a recent summary, see also Haller, 2010). The common property school sees people as self-interested rational agents, who, if they are not constrained by proper institutions, are most likely to overexploit resources (Ostrom, 1990; see Turner, 2004b:863 for a discussion). According to CPR, local institutions can foster sustainable resource use in cases where a set of well-defined design principles exists (Ostrom, 1990).[8]

Frances Cleaver has offered an insightful critique of the common property school's and institutional theory's assumption that appropriate institutions can be designed according to certain principles to ensure optimal resource use. Cleaver's critique addresses methodological individualism and questions the idea that institutions based upon a process of institutional design are likely to succeed. The CPR logic of resource use, she says, fails to recognize that people's concerns, interests and motives overlap, are heterogeneous and subject to change over time. Instead this school limits people's motives, interests and concerns to resource use. In my fieldwork in Douentza, I found that people's self-understanding is still tied to categories of identity such as pastoralists and agriculturalists, as well as ethnic belonging. However, I also found that people have multiple identity elements, motivations, relationships and interests, and that their productive and reproductive concerns change during the life course, 'with neither economic activities nor ethnic identities alone adequately reflecting their interests' (Cleaver, 2003:18). Based

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[7] Initially, CPR developed as a response to Garret Hardin's famous paradigm of the *'tragedy of the commons'*. This scenario foresees that limited and unregulated commonly held resources will be overexploited by self-interested individuals, who do not have to pay the cost of depletion, which thus continues to add more pressure on the resources. As a response to this scenario, mainstream CPR has argued that Hardin failed to see that many common pool resources are managed by local institutions (i.e. rules, norms and regulations) (see Ostrom, 1986; 1990 for a discussion).

[8] Clearly defined boundaries of resource systems; local adapted rules of resource use; inclusive decision-making bodies; monitoring of physical circumstances and individual behavior; graduated sanctions on violation of rules; conflict resolution mechanisms; recognitions of rights from external governmental authorities; and nested enterprises for resources. These are not understood as necessary and sufficient conditions but as important, though locally adaptable principles for the building of new institutions.

upon my own observations and data collection, I agree with Cleaver (2003) that people's interests do not easily fit into the agriculturalist/pastoralist divide. Most pastoralists are semi-sedentarized and engaged in cultivation, young pastoralists migrate to establish themselves economically, and agriculturalists may invest in livestock. Thus peoples' identities and social categories of difference also overlap and are subject to change over time. In the literature on West Africa, the notion of 'strategic groups' is often used to define people who defend common interests, in particular by means of social and political action (Bierschenk and Olivier de Sardan, 2003). Scholars have historically categorized people into such strategic groups along with their occupational categories, such as farmers, herders, pastoralists, agro-pastoralists, fishermen etc. Furthermore, these occupational categories have been linked to categories of ethnicity because different ethnic groups have historically specialized in specific productive activities (e.g. 'pastoralist' and 'farmer').[9] The categorizations of people into such strategic and ethnic groups have influenced how observers have interpreted resource conflicts, as well as how individuals and actors in conflicts have perceived themselves (Turner, 2004b). Furthermore, historical sources and literature have described people as belonging to these divides (Gallais, 1975; Barrière and Barrière, 2002:158). However, individual agency, that is, an actor's ability and efforts to influence his or her surroundings, become less visible if actors are only perceived within the framework of belonging to strategic groups with assumed a priori interests to defend. I find it crucial to draw attention to the fact that people might also have internal conflictive interests and goals even within the same ethnic group (Olivier de Sardan, 2005). Instead of applying assumed homogeneous ethnic categories of the notion of 'resource users', throughout my fieldwork I have attempted to understand the complexity of interests involved in conflicts over water in a local rural setting by situating the actors within their social contexts, thus drawing out complexity at the expense of generalization. This is also an attempt to balance the actor-oriented approach of Long (2000) as I want to emphasize the importance of existing structures, values and practices for how institutions are established and maintained and for local actors' room for maneuver. As Hilhorst (2003) suggests:

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[9] It is perhaps useful to draw a distinction between etic and emic definitions, that is, how external observers categorize (etic) and how social actors view themselves (emic). However, the distinction between emic and etic is too clear cut and difficult for the empirical analyst to hold on to (Blundo and le Meur, 2009:6-8).

'An actor orientation recognizes that people operate within the limitations of structural constraints, but emphasizes that such constraints operate through people. Constraints only become effective through the mediation of interpreting actors' (Hilhorst 2003:5).

A theoretical starting point of methodological individualism cannot adequately capture the social meaning of conflicts, as it fails to account for the social embeddedness of the involved parties' goals, strategies and social circumstances (see also Comaroff and Roberts, 1981:14). Furthermore, the idea that institutions can be designed according to certain principles may have adverse consequences, as it tends to reproduce patterns of inequality and difference when used for development interventions (Cleaver, 2003). Many development organizations and NGOs, which are important actors in the natural resource management arena, assume that people have fixed roles and identities and make this a basis for institutional set ups (Leach et al., 1997:5): '[…] it is striking the degree to which simplistic notions of community are being reinvented in the context of practical efforts towards community-based sustainable development' (ibid.:11; see also Nujiten, 2005:4). This starting point for local institutions also framed the many local-level institutions I encountered in Douentza. What the CPR logic oversees is that local communities are often internally differentiated and that the natural-resource claims of social actors who are positioned differently in power relations may be contested (ibid.).

Some approaches in CPR theory distinguish between institutions and organizations, with organizations as actors or players bound by some common purpose (North, 1990:5; see also Leach et al., 1999:236-38). I do not think such a distinction is fruitful. First, our everyday language also includes organizations as part of institutions. Secondly and more importantly, as Lund points out (1998), by leaving out organizations, the concept of institutions cannot account for institutional competition and rivalry between local-level institutions over authority and control over resources, which, I argue, is a constitutive process through which institutions are made and un-made. By approaching institutions as carriers of authority, such competition is brought out in the analysis. I shall return to this matter below.

Furthermore, the distinction between formal and informal institutions is also crucial in CPR. According to this distinction, formal institutions refer to rules that are enforced by third-party organizations (e.g. the law) (Leach et al., 1999:238), whereas informal institutions are socially

embedded, based on culture and social practice (ibid.; see also Cleaver, 2002 for a discussion). Empirically, I found that this distinction was blurred. So-called formal institutions made use of 'informal practices' as well as informal institutions such as customary authorities were often integrated as part of the 'formal' legal framework.

Last but not least, the problem with the CPR approach to institutions in relation to conflicts is also that CPR theory sees conflicts as the result of the failure of local institutions in governing natural resources, which has inherently negative and degenerative social and ecological consequences (Leach et al., 1999:229). The CPR view of institutions reflects a 'rule-centered paradigm' to the study of social life, a paradigm which conceives social life as 'rule-governed and normal behavior as the product of compliance with established normative precepts' (Comaroff and Roberts, 1981:5). In my view, this normative approach is problematic, first because it does not recognize that conflict is an endemic aspect of social life, and that conflict and public contestation may reflect the efficient functioning of political systems (Turner, 1999). When conceiving social life as rule-governed, resource conflicts come to signify a deviance or a malfunction of the institutions that was suppose to regulate them (see Comaroff and Roberts, 1981:5). Instead, in line with Comaroff and Roberts (1981), I opt for integrating a processual approach, which approaches conflicts as an inherent part of social life and an expression of how institutions work. A processual approach can bring out how institutions function as spaces of governance in everyday encounters, without assuming a normative agenda of 'getting institutions right' (Ostrom, 1990). This approach to institutions allows us to see that not only resources are stakes in conflicts: the rules and the institutions that seek to enforce and define them are equally at stake. Thus conflicts can be about more than the concrete material matter, namely the larger institutional processes that define social order.

AN ALTERNATIVE APPROACH TO INSTITUTIONS

To avoid the above-mentioned pitfalls, I define institutions as being both state and non-state forms of (social) organization that are held together by and produce rules, norms and practices. This includes various government institutions, such as courts, the administration, the municipality,

the prefecture, the customs service and police, the various extension agencies and the mayor, as well as more socially embedded forms of organizations such as chieftaincies, religious leaders, NGOs and youth associations (Lund, 2006a). This definition does not include, for instance, rules regulating access to pastures, since such rules, although they may regulate people's behaviour, cannot enforce decisions upon people unless their enforcement is backed by an authority. Institutions are thus more than just the sum of the norms, rules and practices: they also contain elements of coercion, for example, by enforcing decisions upon people and regulating behaviour, the aspect that ascribes them with authority. I prefer to use the term 'institution' rather than 'organization', as 'organization' indicates something that has been deliberately and intentionally created by people to carry out a specific task and pursue well-defined, rational goals. This, I believe, misses the aspects of legitimacy and authority, which, I suggest, are constitutive of institutions. I shall return to this matter in the last sections of this chapter.

Generally, my approach to the study of the role of institutions in water conflicts is inspired by anthropological studies which aim to understand local-level institutional dynamics from below. This emerges from a strand of literature which looks at how institutions are at once embedded in history and reflect rather resilient practices, yet are shaped by the people within them, their pasts and the interests of those who use them (Jones, 2009; Bierschenk and Olivier de Sardan, 2003). My approach to institutions is also inspired by Cleaver's analysis of institutional competition within water governance and the notion of 'institutional bricolage' which she has developed from Mary Douglas. In her book *How Institutions Think* (1986) Douglas's elaborates a structuralist theory of institutions in which she argues that, in order for institutions to establish and maintain themselves, there need to be similarities, resonances and resemblances between new institutions and the social contexts in which they arise.

> 'Any institution that is going to keep its shape need to gain legitimacy by distinctive grounding in nature and in reason: then it affords to its members a set of analogies with which to explore the world and with which to justify the naturalness and reasonableness of the instituted rules, and it can keep its identifiable continuing form' (Douglas, 1986:112).

We learn from Douglas that, in order to acquire legitimacy, institutions have to make sense to people in a broader socio-cultural context of norms and values. There has to be something that is already there, for example, a broader basis from which institutions can resonate with social and political ideas in society. However, in my view norms and values are not enough to capture institutions, as this does not account for how actors endeavor to shape institutions from within, or how, within a context of legal pluralism, institutions compete for authority with other institutions. I return to this matter in later sections of this chapter.

However, Cleaver's *post-institutional approach* recognizes the plurality and iterative nature of local institutional arrangements and sees water governance as a politicized arena in which rules and organising practices are continuously negotiated. This approach offers an insight into how the plurality of institutions creates opportunities and room for maneuver, negotiation and contesting authority (Cleaver, 2003; Franks and Cleaver, 2007). This alternative approach to institutions emphasizes a less rational and functional formation of institutions in that it accounts for individual agency in the shaping and reshaping of institutions more than CPR theory. This analytical point of departure denies the view of individuals as rational economic resource appropriators (Cleaver, 2003:16) but rather sees them as 'conscious and unconscious social agents, deeply embedded in their cultural milieu but nonetheless capable of analyzing and acting upon circumstances that confront them' (ibid.). The making of institutions is a messy process of piecing together, shaped by individuals acting within the bounds of circumstantial constraints.[10] Institutions are shaped and reshaped by actors, but this does not imply complete voluntarism. There is something which is already there, such as social relations and personal networks, norms and culture, which individuals are influenced by and draw on in their daily practice. This is similar to the point made by Douglas that institutions have to resonate with existing norms and values in a society in order to become legitimate (Douglas, 1986).

Bearing this flexible process of making institutions in mind, and inspired by Lund (1998; 2006a), I suggest that we can address institutions as simultaneously configurations of *actors* who have their

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[10] Cleaver builds upon Anthony Giddens' notion of social praxis (1984) as an attempt to overcome the dualism in the social sciences between structure and agency by suggesting that individual action is constrained by both.

own goals and interests and endeavor to establish institutions accordingly (Evans et al., 1985)[11] by defining and enforcing binding decisions and rules on people (Lund, 1998:27); and as *arenas* where competing individuals endeavor to establish and influence the ways institutions are made (Bierschenk and Olivier de Sardan, 2003; Bierschenk, 1988; Crehan and von Oppen, 1988).[12] The confirmation of Lund's (1998) understanding of institutions was empirical. During fieldwork, I observed that local-level institutions were not only called upon to back people's claims to water resources, they were also important actors in water conflicts in the way that such conflicts sometimes appeared because institutions wished to position themselves. As such, conflicts are processes through which institutions are continuously made and un-made; that is, institutions are the outcomes of processes of institutional competition (see also Tilly, 1985).

As actors, institutions engage in conflict to position themselves, and they also use conflicts for 'their own, mainly political ends' (von Benda-Beckmann, 1981:117). This means that institutions feed on conflicts and depend on people addressing them, a recognition which gives them legitimacy. In struggles and disputes certain actors win and others lose, and these processes have influence upon which institutions are seen as legitimate. Struggles over water therefore have institutional consequences as new actors enter and others lose out, and in the process a new normative order emerges. In addition to being actors in conflicts, institutions are often called upon to broker as third parties whom people address in conflicts in order to back their claims. In contexts of legal pluralism, people often have a range of different and overlapping institutions to choose from to back their claims. When conflicts appear, people can draw advantage from the institutional pluralism by drawing upon those institutions they think might be better backing their claims (von Benda-Beckmann, 1981).

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[11] When scholars talk about the effectiveness and the capacity of institutions (e.g. states), it implies that institutions have autonomous interests and motives (see Knight, 1992:4).

[12] Blundo and Le Meur (2009) explain how the anthropology of development has approached development projects as arenas throughout the 1990s, but there has been a progression to broaden its object to cover 'the forms of delivery of services and public and collective goods and to the social processes that underpin them' (Blundo and le Meur, 2009:13).

In this way, I argue that institutions also become arenas of struggle.[13] Long (2000) defines an arena as a social encounter in which contests over issues, resources, values and representations take place. For present purposes institutions are defined as arenas, as they are

> 'social and spatial locations where actors confront each other, mobilize social relations and deploy discursive and cultural means for the attainment of the specific ends, including that of perhaps simply remaining in the game' (Long, 2000:192).[14]

I find it useful to see local-level institutions as arenas in which competing actors try to influence and exercise power constrained by structures which shape the actors' room for maneuver.

In Douentza, institutions are often highly personified, meaning that it is not always straightforward to distinguish between powerful individuals acting on behalf of the institutions in which they have office and those same individuals using their position in an institution to pursue their own goals and agendas. As such institutions are led by powerful individuals whose persons, so to speak, embody the institutions they represent. For example, the mayor embodies the municipality when he act on behalf of the municipality, although he may have a prospect of personal gain in view. This entails that, in order to see how institutions establish themselves, we also need to look at the personal biographies of the individuals who lead them. This also has a bearing on how institutions gain legitimacy, a point I return to in later sections.

I have now argued that approaching institutions as actors and arenas can bring out the constitutive, though messy processes through which the making and unmaking of institutions takes place. This, I argue, reveals what is at stake in water conflicts, namely struggles over authority. I now turn to elaborate the processes through which institutions and individuals within them acquire authority through different registers of legitimacy. In the next chapter I describe further how to make this operational in an analysis of water conflicts.

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[13] The concept of arena has a long history in political anthropology, where Swartz, among others (Swartz, 1966), sometimes uses it interchangeably with the notion of a field, understood as the environment in which political contestation occurs containing the repertory of values, meanings, resources and the relationships of the actors.

[14] This approach is also inspired by Elwert and Bierschenk, 1988, who perceive development projects as arena of struggle as they often represent a collision between the social logic of the project workers and that of the 'recipient villagers'.

AUTHORITY AS LEGITIMATE POWER

Water resource management is involved with authority in, for example, who acquires access to the resources, as well as who makes such decisions. According to Weber, authority is a universal analytical concept, which describes a relationship between rulers and ruled (Weber, 1947). And furthermore, 'the distinctiveness of authority is a belief system that defines exercise of social control as legitimate' (Blau on Weber, 1963:308). Drawing on a Weberian notion of authority as legitimate social control, according to Ray (1996) we can distinguish between power and authority by recognizing that authority is legitimate power. 'If power is to be understood as "the ability to compel obedience", authority is to be distinguished as legitimated power, i.e., power perceived by those involved as being rightfully or legitimately exercised' (Ray, 1996:185). Authority is based upon a recognized obligation to obey and refers to the justification and right to exercise power. Hence, there is a mutually constitutive relationship between authority and legitimacy. However, institutions can also act illegitimately and compel obedience. Weber's idea is that authority involves elements of voluntary compliance and the belief of the ruled that it is legitimate for the ruler to impose decisions on them. Without this belief the ruler would lose his legitimacy and hence his authority (Blau, 1963:307). Lund (2006b) proposes that

> 'the exercise of authority is intimately linked to the legitimacy of a particular institution. Not only in the sense that an institution has to be legitimate to exercise authority, but especially because the exercise of authority also involves a specific claim to legitimacy' (Lund, 2006b:693).

This definition of authority as involving claims to legitimacy is crucial when analyzing how institutions compete to establish authority in water conflicts. This, however, should not imply that legitimacy is a fixed end-state or absolute quality that can be measured and weighed. 'What is legitimate varies between cultures and over time, and is continuously (re-) established through conflict and negotiation' (Lund, 2006b:693).

In the perspective of institutional pluralism, not only do people compete over resources, institutions also compete to become legitimate authority (Lund, 2006a). Thus, authority is at stake in conflicts. This brings us to how institutions sometimes use water conflicts to position themselves as legitimate authorities to exercise power over people and resources. In other words,

sometimes every opportunity is seized by antagonistic actors to struggle over authority rather than the resources themselves, and water conflicts are created because actors want to position themselves. Among other things, institutions are established and maintained by regulating resources that are important to people. Moreover, institutions also compete for financing and legitimacy. Von Benda-Beckmann's (1981) point, mentioned earlier, was that institutions keep up their 'business' because people use them (ibid.:118), and furthermore, that people would cease to use them if they did not deliver the expected services (Lund, 2001). As Lund argues, 'when an institution authorizes, sanctions or validates certain rights, the respect and observance of these rights by people, powerful in clout or numbers, simultaneously constitutes recognition of the authority of a particular institution' (Lund, 2006a:676). There is thus a mutual constituency between institutions which sanction and/or validate people's claims to resources and the recognition an institution receives from people by doing so.

As mentioned earlier, the local-level institutions I study are characterized by being highly personified, and it is often difficult to distinguish between the personified actors in institutions, such as the mayor, the *Sous-préfet*, or the chief, and the institution they represent, such as the municipal county, the prefecture or the customary authorities. In such personified institutions, the legitimacy that is at stake is often the legitimacy of individuals in authority. This implies that, in order to understand the structures of authority, we need to look at how these individuals become 'patrons' or 'big men' by straddling different registers of legitimacy to position themselves and become somebody in local political institutions.[15] According to Médard, a 'big man' is an entrepreneur; a self-made man with just the authority he has constructed for himself (Médard, 1992). This is opposed to chiefs, for example, who, according to Médard, possess an inherited legitimacy.[16] I argue that actors of institutions are those who aspire to become big. However, I do not cling to the proposed distinction between inherited legitimacy and self-made entrepreneurs who achieve bigness through the redistribution of wealth. What is crucial is that these institutional actors draw on various sources of legitimacy to establish themselves.

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[15] The literature on 'big men' in Africa is large, but the perspective here stems from Joan Vincent's book *African elite: the big men of a small town*, which focuses on the social processes of becoming big through straddling the economic and political worlds (Vincent, 1971).

[16] There are opposing positions on the recognition of chieftaincy and traditional authority in Africa (e.g. Mamdani, 1996; Rouveroy et al. 1999; for a recent discussion, see Kyed, 2007).

Summing up, in this analysis I emphasize the aspect of legitimacy of authority, which, as opposed to power, is seen by people as legitimate and not just something that is opposed upon them. Institutions of authority are consolidated by being perceived by people as legitimate, which is an ongoing process in which powerful individuals aspiring to become authority draw on various sometimes opposing and overlapping registers of legitimacy. In line with this concept of legitimacy and authority, the succeeding analysis will examine water conflict processes by exploring on what basis actors and institutions claim the legitimacy to exercise authority. In the next section, I further unfold the registers of legitimacy that constitute hard currency in water conflicts in Douentza. Chapter 4 will sketch out the historical trajectories needed to contribute to this understanding.

CLAIMS TO AUTHORITY AND REGISTERS OF LEGITIMACY

To claim something means both to state that something is a fact (but not necessarily to prove it) and to demand or request something because it is, or one believes it is, one's legal or moral right. With regard to the analysis of claims both definitions are useful, because they show that claiming concerns both the production of a narrative and the specific objective of achieving something. When actors make claims in conflict situations, it reveals differences in their conceptions of rights and ideologies, which they refer to in order to legitimize their claims. People claim access to resources because they want to use them and believe they have a legitimate right to do so; because they believe they belong to them; because they have always lived in an area; because they were given to them at some point in time; because a well is situated on their field etc. Fortmann (1995) argues that the stories people tell constitute an essential part of the strategies of negotiating access to resources. '[…] stories are an important oral manifestation of a local narrative seeking to define and claim 'local' resources'(Fortmann, 1995:1054). Telling a story over and over again can confirm people's memories of how they used to have access to resources or times when their rights to resources were recognized (Fortmann, 1995:1055).

Claims are often articulated with reference to a repertoire of meanings, which can encompass norms and values. As such we can distinguish registers from claims. Claims are the individual

statements that actors assert, while registers constitute the broader frameworks of meaning according to which claims are organized. Comaroff and Roberts define the various rules that people can invoke in disputes as *normative repertoires* (1981), which are expressed in the narratives people tell for the sake of the game (see also Fortmann, 1995:1054). Analyzing strategies of legitimating authority, Carola Lentz illustrates how a processual approach to legitimacy can account for the possible coexistence, overlap and complementarity between different sources of legitimacy (e.g. tradition, custom, law, history, wealth, position etc.) as well as the possibility of drawing on different registers of legitimacy in different situations (Lentz, 1998:47). Lentz's approach is useful in the study of conflicts over water as it enables us to understand the structures of authority involved in access and control over key natural resources and the people who use them, as well as the dynamics of the social processes around legitimacy. By using three different kinds of 'big men' in Ghana, a chief, a business man and a politician, she shows how they combine different registers of legitimacy to achieve 'bigness' (ibid.:48). The better the big men are at combining their stakes in different arenas of action and at maneuvering with different registers of legitimacy, the more authoritative they are (ibid.:59).

Lentz's analysis of legitimacy builds on Weber's ideal type of the legitimate exercise of authority.[17] According to Lentz (1998), these ideal types are in reality not that distinct but rather coexist and overlap (ibid.:59). Following this point, legitimacy should not be perceived as a quality that both individuals and institutions possess and that can be measured as a percentage or in degree. Rather, legitimacy should be perceived at as:

> [A] conflict-ridden and open process, in which '"big men" and politicians as well as their audiences and "judges" intervene. […] The acceptable avenues to status and power are not defined once and for all, but are constantly under debate and must be negotiated, sometimes even after the physical death of the "big man" in question (ibid.47).

Drawing an analogy in explaining how pastors in Ghana become big, Lauterbach (2008) argues that becoming a pastor 'is about operating in between various platforms simultaneously' whereby pastors combine different registers of authority (Lauterbach, 2008:31-32). Thus, to build on this

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[17] According to Weber, the three ideal types of authority, traditional, charismatic and rational-legal, are justified according to the kind of claim to legitimacy such structures would refer to. For a critical review of Weber's theory of authority, see Blau, 1963.

point, it is not only through the control of resources that one becomes a powerful actor in the arena; it is also the ability to complement and combine different registers of legitimacy to achieve bigness: 'Instead of searching for an African matrix of legitimate power, we should study strategies of legitimization and look at "legitimacy" as a process in which various actors and audiences […] intervene' (Lentz, 1998:64).

Lentz argues against generalizing statements of African societies as characterized by 'politics of the belly' (Bayart, 1993) and as being trapped in patron-client relationships. Instead she shows that a range of different ideas of wealth, achievement, authority and legitimacy exist (Lentz, 1998). She points to that wealth is not the only route to authority and that the (im)morality of power and the illicit acquisition of wealth through political office has been contested. However, one could argue that Lentz's approach focuses too much on actors' ability to change and influence social structures. However convincing this image may be, it is also important to draw attention to history and context when understanding how institutions emerge by exploring historical and cultural constructions of legitimacy.

In Douentza, access to water is often negotiated based on social relationship, identity, kinship and belonging, as also suggested by much of the literature on land in Africa (Berry, 1993; Juul and Lund, 2002; Lentz, 2007; Lund, 1998; Shipton, 2009). These categories and relationships, which people use and live in, are also what institutions draw upon to gain legitimacy, as this is, in Douglas's terms, what makes them meaningful to people.

Summary

This chapter has set out to explain the analytical framework of the thesis by discussing a number of key concepts and theoretical approaches. By criticizing efforts to analyze water conflicts in a way that highlights their material character, this chapter has argued that water conflicts offer an entry point for studying the making and un-making of local-level institutions. I argue that the CPR theory framework, which conceptualized institutions as rules-in-use and focused on design principles to ensure optimal resource use, cannot account for claims to legitimacy in institutional

competition. Through a critique of this framework, I develop an alternative way of approaching institutions as actors and arenas in resource conflicts. This, I argue, can help us bring out how claims to the legitimacy of institutions are articulated in water conflicts, the constitutive process through which authority is established.

CHAPTER 2. APPROACHING WATER CONFLICTS

Having outlined the analytical framework for the analysis, this chapter presents methodological reflections on how I approached the study of water conflicts and accessed the field. First I account for how the study of water conflicts developed from an inventory of such conflicts and was elaborated through case studies. Then I justify the choice of cases and the overall strategy for studying conflicts, how I approached the field and the way the data was collected and produced.

STUDYING WATER CONFLICTS IN DOUENTZA

This PhD was affiliated to the wider three-year Competing for Water research programme,[18] which made hard choices, like where to locate the study (in Douentza District) and what the empirical focus was to be (water conflicts), easier as these had already been decided through the programme. Furthermore, as a PhD student I benefited from and contributed to the common methodologies developed in relation to the Competing for Water programme.[19] I developed the conflict analysis in this thesis through my participation in the water programme and describe two case studies in order to complement and emphasize the aspects of how institutions establish authority in water conflicts.

Making Inventories of Water Conflicts and Cooperation

The aim of the quantitative inventory of the water programme was to register all water-related events of cooperation and conflict of both reported events (those that have been reported to

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[18] This PhD has benefited from and contributed to the common methodologies developed in relation to the 'Competing for Water' programme, which explored local water conflicts and cooperation in Bolivia, Mali, Nicaragua, Vietnam and Zambia. For more information, see http://www.diis.dk/water.

[19] The case studies in this thesis are supported by baseline information on livelihoods, water access and water ownership, provided by a separate questionnaire survey of four hundred households in the area conducted by the Malian research partners. The survey allowed for the stratification of results, using a well-being index developed as part of the programme (see Ravnborg et al. 1999 for the methodology applied). Additional supporting information came from the inventory (see later this section) and other information gathered during the fieldwork carried out under the research programme. I have particularly contributed to and benefited from the data collection of this inventory conducted in Douentza District, as well as the common framework for doing case studies.

institutions outside the research locality) and unreported events (those about which information has been obtained from local sources, meaning citizens or local institutions where the event took place) in Douentza District from 1997 to 2007. The inventory provides systematic and empirically based data on the extent, nature and intensity of local water-related conflicts and cooperation. To quantify such complex social processes, a specific conceptual and methodological framework was developed (see Ravnborg et al., forthcoming).[20] This specific framework is a heuristic tool for collecting data for the inventory, but it also constitutes an important point of departure for the development of the analysis of this thesis in terms of both translating conceptual ideas into data collection methods and constituting a solid basis for choosing case studies for further analysis. Finally, these data provide a means to understand the wider context in which water conflicts take place. For further details on the methodology of the Competing for Water programme, see Cissé et al. 2010; Ravnborg et al., forthcoming).

In order to approach water conflicts, some operational definitions were developed by the Competing for water programme. In this framework a water-related situation is defined as 'a social situation where two or more parties have actual or potentially competing interests in the same water resource' (Ravnborg et al., forthcoming:5). In other words, one can think of a water-related situation as one of competition which occurs when more parties have different interests in the same water resource. Competitive situations are therefore not necessarily conflictive. Water situations may be cooperative when parties manage to negotiate and/or sustain agreements for water use, or they may be conflictive when water access and use by one or more parties is contested. Thus, competitive water situations can be characterized as 'mainly cooperative', 'mainly conflictive' or an equal mixture of both (Ravnborg et al., 2008) .

Now such water situations consist of water-related *events* understand as 'an action (or a set of actions) that seeks to secure one or more parties' access to or use of water by (i) challenging other parties' access or use; (ii) confirming own or other parties' access or use; or (iii) collaborating with other parties to secure access or use' (Ravnborg et al., forthcoming:5). Within the framework of the inventory, an event is defined as *conflictive* if one or more actors challenge other actors' access

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[20] This framework has been developed particularly to quantify water-related events and situations and does not reflect the overall analytical framework of the thesis (see Chapter 1).

to a particular water resource. This may range from disagreement to violence and aggression. The 'challenge' may include the amount of water being drawn off or the right to access water in the first place. An event is *cooperative* if one or more parties engage in jointly coordinated actions with other actors to secure shared water access. This may range from verbal acknowledgement of the rights of others to joint water-management mechanisms. The 'sharing' does not necessarily mean joint ownership – it may also include the allocation of individual or private water resources. To qualify as cooperative, events must have an *active* element: While in general co-existence involves recognition of the other, within the inventory framework actual cooperation requires active behaviour vis-à-vis the other (Cissé et al., 2010:16). An example of an event could be when a village assembly is held to constitute a water committee that is supposed to settle the rules for a new shared public water infrastructure (cooperation). Another event appears when a number of people raise disagreements about the composition of the management committee (conflictive). If young people start marching and threatening to destroy the water infrastructure, this is yet another event. Each time a new party is called on a new event occurs. To what extent a water situation is mainly conflictive or mainly cooperative is based on the assessment of the researchers collecting the data. If the intensity of one of the events is high – for instance, if it involves the violation of people or property – several cooperative events may follow, such as attempts to make new agreements for sharing water resources. However, the gravity of the conflictive event may overshadow the cooperative events following such an event, and the overall situation may be assessed by the researcher to be mainly conflictive. The parties in events are the 'actors' in conflicts and may include individuals, households, user groups, village associations, companies, regulating agencies and authorities, etc. 'Seeking access' may include seeking direct access to water use (by e.g. farmers or pastoralists), or seeking to regulate and allocate that water resource (by e.g. state or non-state authorities) (Cissé et al., 2010:15).

I have chosen to focus primarily on conflict in this thesis, although the conflictive situations in the analysis contain both cooperative and conflictive events. As Ravnborg et al. (Forthcoming:15) argue, 'Rather than dichotomous and mutual exclusive phenomena, conflict and cooperation about water are interwoven in flows of action where conflictive and cooperative events sometimes succeed one another, sometimes mutually overlap.' The case studies chosen for the

analysis are 'mainly conflictive situations' (see Chapter 3), but they may contain cooperative events, as these are not mutually exclusive phenomena.

Community Sampling for the Inventory

The District of Douentza covers an area of 23,481 km^2 and contains 258 communities (villages and pastoral sites). To conduct a comprehensive inventory in all communities would have been immensely costly and time-consuming; instead it was decided to sample a limited number of communities. Douentza District is subdivided into fifteen communes, and it was decided to select villages based on this administrative subdivision of the district, since this ensured a geographical distribution of the various agro-climatic zones. The sampling basically involved three main steps:

1. Listing of all the communities (villages) within the fifteen communes situated in Douentza District.
2. Weighting the communes, so that a commune with 15,000 inhabitants is weighted differently from one with 3,000. To ensure that all the communes were part of the sample and to avoid the exclusion of the smaller communes, small communes have been grouped together.
3. Selection of ten communities by lot from the weighted list of communes by assigning each community a number. However, because many communities in Douentza are pastoralist sites that are only inhabited for parts of the year, it was decided to expand the community selection with an additional five communities selected from the communes with seasonally un-inhabited communities (see Chapter 4, list of sampled communities).

In the fifteen communities sampled, some water-related events are reported to institutions from outside. These events were identified by examining archives or through interviews with current and former members of staff of such institutions. However, many water-related events are not reported to outside institutions, so that their identification required fieldwork, including interviews with community members and local-level institutions in the communities sampled. As part of the data collection particular methods guides were elaborated, for example, how to map water resources and making time lines and other participatory tools for outlining the description

of actions in water-related events over the last ten years. Finally a particular format for registering water events and situations was elaborated. Among other things, these formats contain specific information about the types of water use, parties involved, third parties called on, actions taken, people involved, the intensity of the events, the status of the situation etc. (for more information, see Competing for Water Research Team, 2007). As such these formats contained valuable information and were an important starting point for an in-depth case study of conflicts.

I have used the results of the inventory in this thesis to provide a larger picture of numbers, types of conflict and the kind of actors (direct parties) and institutions called on in the water conflicts presented in Chapter 4. These results show that institutions are both direct actors and third parties called on to mediate in conflicts. This motivated my interest in further elaborating the role of institutions in water conflicts and the way institutions are established through conflict processes, which was not answered by inventory. Furthermore, the inventory could not (and does not aim to) account for the meaning of the different rules and institutions called on in water conflicts, that is, the elements that establish authority. Finally the processual aspects of water conflict, that is, how conflicts are linked to larger processes of change such as the decentralization process, do not fall within the scope of the inventory to address, but nevertheless constitute a crucial part of the research questions of the thesis.

CASE STUDIES OF WATER CONFLICTS

In order to address these aspects of water conflicts, I selected two appropriate water conflicts on the basis of the result of the inventory, which allowed me to identify rich cases with many events.[21] Furthermore, the choice of cases was based on the criteria that the content of the events illustrated how authority over public water resources is established, contested and maintained. The first case study, of the conflict over Koyra's rural water supply, was selected because, in addition to having many events, it shows that conflicts arise in relation to new water projects, their management and control. Furthermore, under decentralization rural water supplies have

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[21] Within the framework of the Competing for Water Programme, several case studies were developed identification of themes and discussions of methods took place at the second Competing for water workshop held at Bornholm, 26-28th November, 2008.

become the responsibility of the municipalities, and the conflict offered an entry point to studying how the decentralization reform has affected these supplies. Finally, the inventory showed that the conflict had been processed through the involvement of several local and district-level institutions; this seemed to be an important vantage point for understanding the role of these institutions.

The second case of conflict, over *Aman*, was selected in the first place because the conflicts were played out between two neighboring municipalities (Koyra and Akal) over a newly appeared lake situated in a contested territory between the municipalities. The municipalities are also relatively newly established administrative units, and I anticipated that the conflict would say something about how they managed and controlled shared water resources. Finally the borders between Koyra and Akal also demarcate the district and regional borders, which I anticipated would provide insights into the role of practices within these administrative units. Finally, the inventory also revealed that the conflict processes had involved representatives of the local, district and regional authorities and that this could say something about the role of these institutions in water conflicts. To sum up, the two cases have differences and similarities and complement each other rather than being a comparison of two isolated cases. Some of the same actors recur in both case studies, which allowed me to explore the position they occupy in different arenas. Both case studies are about the availability of new water resources, although they concern different types of water resources. But at the same time they show different aspects of the same issue: how institutions exercise authority through control over water resources and the people who use them. In this way, they also highlight how authority is established, contested and maintained in the context of decentralization and local politics in Douentza.

In this thesis, conflicts are analyzed as situations which articulate actor's interests and strategies and disclose processes that are otherwise hidden or difficult to examine (Burawoy, 1998; Mitchell, 1983; van Velsen, 1967; Werbner, 1984). This calls for a 'situational analysis', which can bring to light 'actor's operations and manoeuvres in a specific situation '[…] by relating them to the structural positions they occupy in various social fields' (Lund, 1998:40). Situational analysis starts out from specific events and links them to both 'contemporary and historical events in order to understand the significance and complexity of the situation' (ibid.:41). This implies extending the

situation to its broader context. The situational analysis of water conflicts in this thesis thus constitute 'extended case studies',[22] because the conflictive situations and events identified in the inventory are linked to broader processes and thus extend outside the particular locality and event (Epstein, 1967; Gluckman, 1955; Mitchell, 1983; van Velsen, 1967; Werbner, 1984). An extended case study consists of a detailed examination of a sequence of events over a rather long period of time, where the same actors are involved and in which their social positions are specified and re-specified (Mitchell, 1983).

The extended case study (van Velsen, 1967) is particular apt for the study of water conflicts as it considers the actors and how their behavior is governed by different and sometimes conflicting norms. Furthermore, it examines the place of norms in conflict and shows that they do not necessarily consist of a consistent coherent whole. Finally, the extended case study also emphasizes the processual aspect of a particular social phenomenon: [as] 'it traces the events in which the same set of main actors in the case study are involved over a relatively long period, the processual aspect is given particular emphasis' (Mitchell, 1983:194). As Mitchell states, the benefit of such analysis is the emphasis on the processual aspect of social life. The focus on process allows for a time-oriented perspective on both continuity and change in ongoing events in the field (Moore, 1987). In this sense, the extended case study allows the analysis to go beyond the immediate issue of water competition and unpacks the larger political institutional processes at stake in water conflicts. In other words, the immediate issue might appear to be challenged water access, but a more thorough analysis of actors, actions and claims in the conflicts reveals social processes of continuity and change.

The case studies focus on a particular place and specific events; but these places are not bounded, and events are not isolated (Clifford, 1997; Gupta and Ferguson, 1997). Both Koyra and Aman and the water conflict events are relational and processual, i.e. connected to political and productive processes, events, times, places and people elsewhere. In this way, a case study is simultaneously somewhere specific and related to larger processes (Hammar, 2007:53). This does not mean that they are necessarily representative or generalisable. Rather, they are to be perceived

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[22] The Manchester school was the first to conceptualize the 'extended case-study' announcing the attempt to 'extending out' from the field (see Burawoy, 1998; Olivier de Sardan, 2008a).

as what Moore calls a 'diagnostic event'[23] (Moore, 1987) in that they reflect the larger processes under investigation because they reveal the tensions and dynamics of social change.

'Following the Conflicts'

Conducting Multi-sited Ethnography

One of the principles that structured my fieldwork was to 'follow the conflicts', which meant interviewing and interacting with the various actors in the water conflicts. This principle is inspired by Marcus's (1995) notion of 'follow the people'. In the present fieldwork this meant following the people and institutions engaged in the water conflicts studied. Multi-sited ethnography as described above may have the disadvantage that it can lose some of the in-depth, 'really getting to know people' aspects of doing fieldwork in the same place. However, I found that the different spaces and places provided useful perspectives and allowed me to cross-check information and perspectives. Not choosing sides and staying and with the various actors in the conflicts turned out to be fruitful because it allowed me to cross-check information and reflect on the positions of the actors in the conflicts. Furthermore, many different projects, NGOs, state officials and researchers straddle the field to collect all types of information, taxes and fines, provide services, etc. Coming back to a place and the mere fact that I kept a promise is something people notice and that helps to develop trust.

Some of these actors (i.e. both individuals and institutions) were situated in the 'field site', others at a long distance from the locations of the conflicts themselves. This meant that the field extended beyond Koyra and Aman, and traveling to and fro and spending time in a variety of other sites including the following.

Aman is situated only thirty kilometers from Koyra, and I could easily drive back and forth on the same day. As Aman was my first choice of case study, many colleagues encouraged me to stay with it. Therefore, most of my days were spent in Aman, going back to Koyra to stay the night.

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[23] I should note that 'event' in Moore's terminology (1987) is not the same as what I have earlier defined as a water event.

Furthermore, due to the complexity of the settlement around the lake, including people speaking three different languages, combined with it being situated in the pastoral zone, the full comprehension of the conflict dynamics in Aman required persistent effort. Sometimes, in order to interact more with the people in Aman, my assistants and I would fetch a tent and stay for a couple of nights with the people living in and around Aman. I anticipated this would build relationships and trust, as we could chat around the fire, as I had experienced during previous studies elsewhere in the Sahel. To a certain extent it did, but I also found that during the cold season many people preferred to stay inside their dwellings when temperatures dropped at night. Furthermore, the herders' camps are mostly scattered far from the road, and as their presence can never be taken for granted, it requires persistent efforts to obtain a full interview. In the meantime, market days are good occasions to meet. Different villages have a weekly market day, which we often visited to meet people and/or to set up meetings.

In the meantime Aman's closeness to *Koyra* turned out to be useful for the case study of the latter village's water supply. While working on the case of Aman, I could still develop my relationships in Koyra to obtain access to information about the town's water supply. At weekends, I often stayed at least one day in Koyra to write up field notes and interview summaries. And staying six months in Koyra gave me insights into everyday life and how people coped in times of water shortages, supply breakdowns and the dry season, while during the three weeks of my stay in Koyra I found the information easy to obtain due to the relations I had already established in town.

Akal, the main town of the neighboring municipality ninety kilometers away, was an important site for the case study conflicts in which the Akal municipality was an important actor, and several other institutions that were called on to mediate in the conflict over Aman were based in Akal.

Douentza town gave me access to the local court, the *préfet*, and the agricultural and veterinary services as these could provide background information on conflicts, but more importantly, the *préfet* in Douentza was called on as a third party to mediate in both case study conflicts, and it was thus crucial to discuss his testimony, position and role in them with him. In Douentza, I stayed in the NEF guesthouse or with the family of my other interpreter, Adama.

In <u>Mopti,</u> I made contacts with the governor and the court, as well as meeting resource persons from local NGOs and the sociologist Brehima Cissé to discuss local-level natural resource conflicts.

In <u>Bamako</u>, 1000 kilometers away, I had access to the ministry of local government, hydraulics and agriculture, the national archives and 'local' representatives from Koyra currently living in Bamako. These 'locals' constituted the national branch of Koyra's youth association and played an important role in pulling strings in the administration in order to negotiate development projects to be implemented in Koyra, as I explore further in Chapters 5 and 6.

These 'multiple field sites' all constituted important locations for studying conflicts through actors' claims and narratives.

Analyzing Claims and Narratives in Water Conflicts

As I mentioned in the previous chapter, claim-making is an important aspect of how conflicts are analyzed in this thesis because this is where contestations are revealed. Claims and narratives are important entry points to understanding people's perceptions and positions in water conflicts. In Douentza, as institutions are personalized, the personal background of those individuals who endeavor to influence and shape an institution is important for its legitimacy. This implies that from a methodological point of view we need to understand the personal biographies and avenues to authority of aspiring individuals to understand how authority is established in institutions. This, I argue, can be revealed by looking at claims in water conflicts. The analysis of claims offers an insight into how actors justify themselves by creating narratives to position themselves in conflicts (as well as into how people may use their positions to claim). Obviously, such registers or normative repertoires do not constitute a coherent, all-encompassing framework for claiming legitimacy. The different repertories can contradict each other and, depending on the situation in which they are stated, their usefulness and value can differ (Comaroff and Roberts, 1981; Lund, 1998:15-19). Actors use these various normative registers of legitimacy strategically to position themselves in conflicts, and they also serve to justify and mobilize actions (Fortmann, 1995). Thus in the analysis of water conflicts, struggles over resources and the authority to control them take

place within the terms of registers of legitimacy, which we are able to grasp through claims made in such conflicts. In the next section I describe how I accessed the field to collect and produce the data.

ACCESSING THE FIELD

To begin with, accessing reliable data in order to assess water-related conflicts and cooperation for the inventory was a challenge. First, events are not always registered, filed or written down, although they involve administrative authorities. Secondly, the local perception that water is 'God's gift', that is, an open access resource, makes it a delicate issue to challenge other people's access to water as it breaks with the religious code of conduct that man should not govern resources given by God, as they belong to everybody. Thirdly, it took time for people to open up to a stranger and engage in conversation on the delicate issue of conflict, and the time allowed in a quantitative survey is not always enough to win people's trust. I developed strategies to acquire information by asking different informants, and I often had to return to a location for additional information. Finally, whether events occur and whether people address institutions also depend on subjective factors, such as personalities and relationships between people and the local authorities. Sometimes people prefer to leave things as they are. Sometimes they lack trust in that the state and find non-state institutional authorities helpful or able to resolve matters and not just make things worse. De Bruijn and van Dijk note (1995) that the state and local government institutions have historically been perceived by people in Douentza's margins as a remote, abstract but powerful entity that manifests itself in the field through arrogant petty bureaucrats who act as if they own the people and their properties. This attitude has shaped a very negative view of the state in the minds of people living in the margins of Douentza such that every action by outsiders, whether research institutions or local government, is regarded with suspicion (de Bruijn and van Dijk, 1995:465). The observation by de Bruijn and van Dijk from 1995 expresses the suspicions of some towards outsiders due to previous bad experiences with local state actors. The previous experiences may explain why people were sometimes reluctant to speak to me. To overcome such obstacles, I had to win people's trust gradually through daily interactions and by coming back to the same place several times to build trust and keep promises. I develop this point further below.

Entering, Engaging and Leaving the Field

In conducting a research project (especially on conflict), there are always several ethical concerns to take into account. These include everything from how to enter a new field setting, how to develop relationships with people in the field, how to be attentive to the situation, and knowing when to step back, how to listen and how to leave in such a way that subsequent researchers can find receptive communities (Bernard, 1995: DeWalt and DeWalt, 2002:195-209).

First, the safety of people who have participated in this study is the most important aspect. Therefore, names of people and places have been changed to keep anonymity, as far as possible. While conducting fieldwork in Koyra, the issue of corrupt practices[24] appeared in interviews and observations. To exemplify, there were rumors in town that some of the municipal councilors had taken out the interior of an ambulance, which Koyra had received from a NGO, in order earn an income by transforming the ambulance into public transportation. Meanwhile, a young Spanish intern of the NGO staying temporarily in Koyra had an accident. But when the ambulance was needed to bring her to the hospital, it was not in function. Later that week, I held an interview with one of the municipalities in his courtyard, and was asked to sit in one of the chairs that had been removed from the ambulance. This exemplifies how what are usually 'hidden acts' become observable (see also Blundo, 2007). I was often faced with the dilemma of how to describe corruption, when by describing it, I would reveal something that had previously been hidden, without harming my informants? This I have aimed to solve by changing names of places and people. Furthermore, although corruption sometimes difficult to observe, it was often openly discussed. Before I start the analysis of corruption in Chapter 6, let me emphasize that it is not my purpose to determine who is telling the truth, whether corruption is illegal or acceptable, but to examine how corruption and anti-corruption narratives are pairs of oppositions in the registers of legitimacy that actors draw on to establish, contest and maintain authority.

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[24] By corruption I do not mean a strictly definition of what is legal and illegal, but a broad range of cultural logics and everyday forms of the reciprocity and obligation contributing to the reproduction of the 'complex of corruption' including the informal redistribution of public resources (Olivier de Sardan, 1999; Blundo and Olivier de Sardan, 2006).

Second, I stayed with different people in the field we often entered into informal conversations where people would sometimes gossip, which can be an effective way of obtaining information.[25] In such situations it is critical not to gossip back or in anyway disclose information about other community members, which could comprise confidentiality and people's right to privacy (DeWalt and DeWalt, 2002).

Third, I always maintained the principle of *informed consent* by making a great effort to introduce myself and the purpose of my study so that people did not give information with false expectations. Nevertheless, due to the region's history of droughts and conflicts, people in these areas are used to development aid and NGOs, and at times it was difficult to change people's perceptions of me and not leave them wondering if they could get something out of my presence.

Thirdly, with regard to building relationships in the field, I did not choose one family to stay with. Although this could have enhanced my inside knowledge and perhaps intensified my relationships with people in the field, from the perspective of studying conflict I found it wiser not to choose sides. I made great efforts to stay equally long with the different people and different parties in the conflicts. This made me maintain a perspective, but maybe also a certain distance. However, as I have learned from previous field experiences, while you can become very attached to the people you meet in the field, despite good intentions these relationships, particular in very remote isolated areas, can be hard maintain, and it is important to keep in mind that one day you will be leaving (Bernard, 1995; DeWalt and DeWalt, 2002).

Research Assistance and Languages in the Field

The use of capable research assistants has been indispensable for this study. During the first period of fieldwork, I realized that I needed 'insiders' or locals who knew whom to address in order to obtain the right kind of information and how to get in touch with people. In the field four main languages were spoken, not always by the same people (Fulfulde, Songhay, Tamashek

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[25] Often it seems clear that what is said during an interview which has been scheduled beforehand, recorded and written down will be used as information. It can seem less obvious that information acquired during informal discussions and participant observation also contribute to the data collected for the analysis (DeWalt and DeWalt, 2002:198).

and Dogon). I had to accept the limitations of a fair amount of the data collected being filtered through translation. It is not easy to find someone who can at first be confident in all languages. Moreover, there is a degree of bias involved in bringing a 'black African' into a Tamashek post-conflict setting and hoping to establish confidence and trust.

In order to tackle these challenges, first I hired a female assistant, Adama Ongoiba, who was fluent in Dogon and Fulfulde and had trained as community-based researcher working with women in villages for several years. Furthermore, she had specific inside knowledge by virtue of having been employed as an accountant in the municipality of Koyra prior to the fieldwork. This gave her the advantage of knowing practices and procedures in the 'back office' of the municipality, as well as the disadvantage of people knowing her in advance. But for the purpose of the study this was not an obstacle. Secondly, in order to approach the Tamashek community in Aman, I tried working with several different interpreters, though with little luck until I met Yahya ag Mohamed through a friend of my driver living in Koyra. Yahya, son of a retired schoolteacher, had grown up in Akal and, as well as having experience from assisting the fieldwork of a PhD colleague who had written his thesis on local politics in Akal (see Gaasholt, 2011), he had worked for the UNHCR during the expatriation and repatriation of refugees during the rebellion of the 1990s. He thus knew many of the Tamashek leaders in the locality, and people trusted him. He also provided an entry to key informants on local politics in Akal. Finally my driver Mohammed Arby, a 'black' Arab from Tombouctou living in Mopti, knew the long distances from Bamako to Gao by heart. He proved to be a very able observer and assistant during fieldwork. He often paid attention to the little things, such as who is offered tea first, who enters and leaves a conversation, how people reacted when certain questions are posed etc. This turned out to be of great importance, but it can easily slip one's attention while being engaged in an interview. In general my assistants were able to take part in informal discussions and observations, which provided important information. Thus with their help I was able to acquire the information I needed for the study.

Collecting and Producing the Data

This thesis is primarily based on material I collected during fieldwork in Mali between 2007 and 2009. The initial fieldwork in October 2007 I conducted in partnership with colleagues from the University of Bamako. We started out in Douentza, where we had contact with the Near East Foundation (NEF), an international NGO that has worked in the region since 1984 to support rural livelihoods. NEF provided a useful base for carrying out a rather extensive survey. During the first period of fieldwork, I spent most of the time on quantitative data collection for the inventory in Douentza District in the following municipalities: Haïre, Djaptodji, Boni, Mondoro and Koyra (Cissé et al., 2010)[26]. The first period of fieldwork for the inventory in the village sites was scattered in many places. However, these shorter stays provided me with an important entry to the field, permitting me to become acquainted with its nature, distances and people. I also acquired initial knowledge of conflict and cooperation, as well as of how to achieve useful information about such a delicate issue.

During the second period of fieldwork in February 2008, I collected follow up information for the inventory and chose the case studies I wanted to explore further, identified local actors and key informants, and hired assistants for my long-term stay in Koyra.

I carried out the main fieldwork from October 2008 to March 2009. During the long-term stay I lived in Koyra town, although much time was spent going back and forth between research locations. Koyra became a base from which I could go back and forth between the multiple places that constituted the 'field sites'.

The unique and extensive field work material combines several techniques of empirical investigation. In this thesis these include: more than 150 interviews[27] collected during the three periods of field work. These are both structured and semi-structured interviews with individuals in institutions, such as the representatives of local government, municipal and district representatives of the state, NGOs, chiefs, municipal councilors, village and youth associations,

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[26] I took part in the initial fieldwork for the inventory, my colleagues Moussa Djiré, Abdoulaye O. Cissé, Amadou Keita and Anna Traoré have conducted additional field work for the inventory.

[27] Most of these have been recorded and transcribed.

and extension services, as well as 'ordinary people' at the location of the conflict (see appendix). In relation to conflicts, the questions addressed the particular events in the conflict, actions taken, claims made, alliances between actors and strategies. The actions traced included physical actions, speech actions and 'non-actions' (e.g. deliberate withdrawal as an act in itself), with due regard to agency that might diverge from the narratives imposed by other actors (or myself) on the conflicts. With respect to how the conflict has been processed by third parties, institutional involvement etc., as already mentioned particular attention was paid to claims and narratives in the conflicts. Often these interview guides were adapted to the interview situation as well as the person being interviewed. I interviewed the same actors and key persons several times to build trust and dig deeper into the topics of my research. Furthermore, given the sparse literature on the local history, in addition to the works of other scholars, I have conducted interviews on particular historical events through the personal trajectories and biographies of certain actors, which nevertheless always had to be cross-checked with other informants, as memories of the past are often highly subjective.

Finally I asked 'ordinary people' about their involvement or non-involvement in conflicts, their use and access to and control of strategic resources, and problems in relation to the management of access to resources in encounters with the authorities in order to assess how they were affected by the conflicts.

Participant observation of social relationships and interactions at strategic sites (markets, water points, meetings, official buildings) as points of entry to understand local conflicts and how state and non-state institutions work on a everyday basis. Patient presence in the front of the municipality while waiting for an interview gave a good impression of who stops by to see whom, where are meetings held and whether administrative staff actually occupy their offices or take their business elsewhere.

Participatory mapping of the field sites indicating water resources (rivers, streams, ponds, lakes, wells, boreholes etc.) but also pastures, fields, life-stock corridors and other strategic points were useful reference points for understanding the uses and ownership of resources and initiating conversations about conflicts (see village map Chapter 7). Furthermore, in Aman I mapped the

residences of each group living around the lake in order to understand the relationships between the groups.

Well-being ranking of households in order to obtain a sense of people's perceptions of well-being and of each other. I also selected informants within the population, conducting well-being ranking exercises in order to acquire a broad representation of the people in different layers of society.

Written sources (scholarly sources, reports, master theses, evaluations, the press, official letters, law texts, colonial reports, national archival files): a week was spent in the archives in Bamako to obtain an impression of the historical sources on Douentza. Some useful sources such as political reports from the area were found in the archives, but a more systematic archive research was beyond the scope of this period of fieldwork, which was initially focused on current events (1997-2007).[28] However, through the analysis of people's testimonies, it became clear that references to the past played a significant role in claims to resources. Thus, the study could have benefited from a longer period of archival research. I have consulted other scholars' documentations from the region, but what is written is limited and does not always cover all periods of time. Thus, the historical Chapter 3 also reflects the fact that perspectives from the center and the periphery are not always covered equally because of gaps in sources from the periphery, particular on natural resources and water management.

SUMMARY

This chapter has presented methodological reflections of the thesis. I have accounted for how the analytical framework was made operational through the water program's inventory and how I complemented this work through case studies. Furthermore I described how the principle of 'following the conflict' structured the fieldwork and how I accessed the field and the narratives and claims in water conflicts. I now turn to the historical trajectories of water conflicts and the construction of authority in Douentza.

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[28] I am aware that since 1984 Norwegian Church Aid (Aide l'Eglise Norvégienne, AEN) has provided relief aid to drought victims, which was later turned into development aid in the *cercle* of Gourma Rharous and the neighbouring *cercle* of Douentza.

PART II. CONTEXTUALIZING WATER CONFLICTS AND AUTHORITY

Woman herding goats in Aman

CHAPTER 3. DECENTRALIZATION AND HISTORICAL TRAJECTORIES

INTRODUCTION

This chapter presents the broader context in which water conflicts in Douentza take place, namely the decentralization reform and democratic processes inaugurated in the late 1990s. Among other things decentralization established new democratically elected institutions of authority at the local level, recognized the authority of the chieftaincy and transferred various competences of the state, including that of natural resource management, to the newly created institutions. However, these new institutions do not simply replace existing institutions but add to the number created by previous regimes (Bierschenk and Olivier de Sardan, 2003) and consequently form part of the landscape of institutional pluralism engaged in water conflicts in Douentza today. Furthermore, the processes of democratization and transfers of finance, authority and decision-making to these new local political bodies has raised questions of belonging and the resurrection of autochthonous discourses (Ceuppens and Geschiere, 2005; Lentz, 2007; Dorman et al., 2007), just as structures of authority have been threatened with replacement by these new structures. Therefore, in order to understand the context of decentralization and the conflicts that arise in relation to this, we need to look back at the past and see how authority has been constructed historically through the production of political institutions, social stratification and natural resource management, that is, the historical trajectories that are needed in order to understand water conflicts at the present day.

Furthermore, history and references to the past are important markers for water conflicts in the present. In these conflicts, institutional actors actively invoke references to the past partly as legitimization strategies to their establish authority. Therefore the historical overview presented here also serves as a background to understanding the actors' narratives and how registers presented in the succeeding chapters resonate with norms and practices of the past.[29]

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[29] This chapter presents the general outline of historical trajectories; further historical references will be dealt with in the later chapters. This chapter does not attempt to treat history exhaustively, but to highlight specific events which have importance for present-day water conflicts in Douentza (for historical references, see Ag Mahmoud, 1992; Azarya, V. 1978; 1996; Azarya et al., 1999; Baudais, 2006; Benjaminsen, 2008; Bergamaschi, 2009; Berge, 2000; Bernus, 1981; de Bruijn and Pelckmans, 2005; de Bruijn and van Dijk, 1994; 1995; 2001; Degnbol, 1999; Fuglstad,

The chapter is structured as follows: The first section sets the scene of decentralization in Mali. It outlines the political organization of decentralization and discusses how the new institutions were created, state recognition given to the authority of the chieftaincy, the influence of categories of identity and social stratification in local politics, and the attempts to decentralize natural resource management. To understand this context, the historical review is organized around three themes: institutions of authority, social stratification, and natural resource management. The second section discusses institutions of authority in the pre-colonial, colonial and post-colonial state up to the inauguration of the decentralization reform. This section also presents the political organization of the three main groups that are relevant for this study: the *Songhay*, the *Fulbe* and the *Tamashek*.[30] Slave origin was an important identity marker in the past and still is in the present. Therefore, the third section discusses the theme of social stratification within and between these groups and shows how social stratification has both changed and continued under colonial and post-colonial rule. The final section treats the production of rules and institutions of natural resource governance to show how this production has reinforced political institutions and patterns of social stratification.

Decentralization Reform in Mali

In Mali, the decentralization reform was inaugurated in 1999 as an integrated part of a democratization process driven by international development organizations.[31] Mali has often been

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1973; Gaasholt, 2011; Gallais, 1967; 1975; Gaudio, 1988; Hetland, 2007; Kassibo, 2004; Lecocq, 2004; 2005; Marie, 1975; Meillassoux, 1970; Moorehead, 1991; 1998; Nicolaisen and Nicolaisen, 1997; Olivier de Sardan, 1984; Poulton, and Youssouf, 1998; Rouch, 1953; Vedeld, 1997; Winter, 1984).

[30] Songhay, Fulbe and Tamashek are collective terms for large groups that are culturally, linguistically related. Historically, the Songhay were farmers and fisherman who lived along the Niger River. After centuries of resistance, they were converted to Islam in around the 1200s. A Songhay kingdom in the region of Gao had existed since the eleventh century AD, but it came under Malian control in 1325. The Fulbe are often referred to as Fulani in the Anglophone literature and as Peuhl in the French literature. They are spread all over West Africa, mainly in the Sahel and Sudan zone (Azarya, 1996; Azarya et al, 1999; de Bruijn and van Dijk, 1995; 2001; 2003). The Tamashek trace their place of origin to several places in the Mahgreb and Libya. They are a pastoral people inhabiting the central Saharan mountain ranges in the Ajjer in Libya, the Hoggar in Algeria, the Adagh in Mali, the Aïr in Niger, and the inner Niger delta of Mali and Burkina Faso (Lecocq, 2004). Today they constitute about six percent of Mali's population.

[31] Between 1992 and 1997 the National Assembly passed 11 new laws which established the legal framework for the decentralization of the political institutions (Benjamin, 2004; Seely, 2001).

seen by international donors as a successful case of implementing democracy in Africa, mainly because it was claimed to be based on the demands of the population (Ouedraogo, 2003). The reform was based on the idea that enhanced participation at the local level will bring about democracy, sustainable development and poverty reduction (Bratton et al., 2000; Cissé et al., 2003; Hetland, 2007; Kassibo, 2004; Nijenhuis, 2003; Seely, 2001; Zobel, 2004). Democratic decentralization is 'premised on new institutions 1) being representative of and accountable to local populations and 2) having a secure and autonomous domain of powers to make and implement meaningful decisions' (Ribot and Larson, 2005:3). Since 1999, the decentralization reform in Mali has transferred various administrative competences from the state to local government, including those of natural resource management and responsibility for the development of water infrastructure.[32] Although national democratization processes have opened up a political space for new actors to influence local decision-making, critical voices have argued that the municipalities have become an arena for political struggle over authority by intensifying political tensions (for a summary see Nijenhuis, 2003). Lavigne Delville (1999) argues that the transfer of power and resources to local authorities may strengthen existing structures authority control over territory and thereby exclude so-called 'newcomers'. According to Hetland (2007), for instance, local politics is characterized by existing power relations, elite capture and the reproduction of clientelistic and redistributive practices characteristic of former regimes, which are undermining the 'real' democratic potential of decentralization (ibid.). This critique exemplifies the 'failed state' development discourse of the incapacity and corruption of the African state. It is not an aim of this study to determine to what extent the decentralization reform has been a democratic success. Instead I look at how such reforms are negotiated locally and seek to understand 'practices of governance' to show how such struggles over authority take place, which is, I argue, revealed in water conflicts.

Furthermore, historically, the reform constituted a pragmatic political response to the Tamashek conflict in the northern regions and as such was able to satisfy Tamashek demands for autonomy

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[32] In Mali, besides natural resources, this transfer of competences encompasses education and public health.

(Seely, 2001).[33] How the rebellion increased social stratification and discourses of ethnic identities in local politics is a matter I return to in the later sections.

Creating Administrative Institutions through Categories of Belonging

In Mali, the government wished to involve the population in the rather complicated demarcation of the administrative units, through a process of voluntary village groupings, the selection of a main town and choosing a name.[34] This participatory approach has made Mali's decentralization reform famous as particularly democratic. However, the territorial boundaries of the municipalities were not defined because the Malian state was afraid that the delimitation itself could create further conflicts over natural resources, particularly land at the local level (Idelman, 2009). Instead the municipalities have been defined according to which clan and villages belong administratively to which municipality. The establishment of the municipalities based on the villages they encompass entails that it is the list of villages rather than a demarcated territory which determines the boundaries of the municipalities. Because the criterion for establishing municipalities was that 'these include inhabitants who wish to live together, social cohesion, and economic viability' (République du Mali, 1995: Article 3), the criterion of belonging to a community in terms of kinship, lineage and ethnic group became the key factor in the process of dividing up the country (Idelman, 2009:4; Hetland, 2007). Lentz (2007), among others, argues that decentralization and the creation of new political frontiers, which have mobilized politics at the local level, have brought about an upsurge of autochthony and narratives of belonging in the struggle over the spatial delimitation of the new administrative units and its possible influence on rights to land and water (see also Ceuppens and Geschiere, 2005; Dorman et al., 2007). In this

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[33] The 1990s rebellion started on June 28 when a group of fifty exile rebels from Libya and Algeria decided to revolt against the oppression of the Traoré regime by attacking military posts to increase their material equipment, although they never really gained complete territorial control. These attacks were met by the government with strong counter-attacks by the armed forces against both the rebels and civilians. The attack on civilians recruited many young Tamashek to participate in the rebellion. The army could not catch the rebels, and the consequence was a violent suppression of civilian Arabs and Tamashek, with several thousand people being killed (for recent an account of the rebellion, see Benjaminsen, 2008). Although the rebellion was not central to the decision to decentralize, the timing played an important role in the peace negotiations with the rebels from the north (the Mouvement Populaire de Libération de l'Azawad, or MPLA).

[34] Existing higher level administrative units (districts and regions) should have been modified according to the village groupings. However, this ambition was not fulfilled, and the districts and regions retained their existing territorial boundaries, while the municipalities were created within the administrative boundaries of the former *arrondissements* (Idelman, 2009:2).

context, autochthony and narratives of belonging constitute the 'hard currency' of legitimacy that can be drawn on in the context of decentralization.

In order to understand the roles of the institutions acting and being called on in the water conflicts and how these are separate from earlier institutions presented later in this chapter, Table 1 shows the different political administrative levels after decentralization in Mali. Local government units in Mali are called *collectivités territoriales* and are defined on four different levels: region, district, municipality, and the district of Bamako (Hetland 2007:12).[35]

Table 1. Political Institutions in Mali

Territorial units		Local government units	Deliberating body (elected)	Executive body (appointed by elected body)	Supervisory authority
Level	#				
District of Bamako	1	Yes	District council	District mayor	Minister of Local Government[36]
Region	8	Yes	Regional assembly	Assembly president	High Commissionaire
Cercle	49	Yes	*Cercle* council	Council president	*Préfet* (appointed government delegate)
Municipality	701	Yes	Municipal council	Mayor	*Sous-préfet* (appointed government delegate)
Villages/clans	5.500	No	Village/ clan councils	Village/ clan chief	Mayor (appointed)
Neighborhoods	n.a.	No	Neighborhood council	Neighborhood chief	Mayor (appointed)

The new municipalities replaced the 287 *arrondissements*, with the municipality as the lowest level of government. The law also recognizes regions, districts and municipalities as local government units, it provides for the autonomous elected administration of the local government units and it assures the independent management of fiscal resources by the municipal government units. However, it preserves the state's tutelary authority over the local government units and ensures

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[35] The creation of the municipalities was based on the work of the decentralization commissions with local delineation committees (*commissions de decoupage*). The criteria for delineating the population were a population of 10,000-25,000 people, economic viability, geography, continuity, accessibility to a municipal capital and social solidarity among the population. On this basis law 96-059 created 701 urban and rural municipalities, including 19 exiting urban and 682 new municipalities.

[36] *Ministère de l'Administration Territoriale et Collectivités Locales* (MACTL).

that no units have tutelage over any other. For the elected organs a government-appointed authority (*préfet* or *sous-préfet)*, who represents national interests at various levels, oversees the application of government laws and authorizes the release of central government funds for municipal development plans. At the municipal level, the role of the *sous-préfet* has been redefined to one of assistance, but with the duty to report back irregularities which might lead to suspension of the council in case of mismanagement of funds (Hetland, 2007:12-14).[37]

State Recognition of Chiefs

One of the important aspects of the reform, particular for rural populations, is the role of the chiefs in the new constitutions. State recognition of the chieftaincy has been a recurrent theme in African politics since independence as a way of using democratization projects to attempt to solve the 'legitimization crisis' of so-called failed states by incorporating 'non-state actors' to establish the missing representation of 'traditional communities and lack of social capital of the failed African states' (see Buur and Kyed, 2007 for a discussion). However, this means neglecting their historical trajectory of colonial 'decentralized despotism', which I return to in later sections. In Mali, this recognition can be interpreted as part of attempts to guarantee a bottom-up approach to democratization through the assertion of the authority of the chieftaincy in particular governance functions, such as dispute resolution at the local level, and by articulating belonging and authenticity (ibid.:2). Therefore, the often suggested dichotomies between traditional/modern and formal/informal authority do not correspond to the politico-legal system in Mali, as the formal legislation also incorporates and defines the mandate of so-called 'traditional authorities'.

Under decentralization, villages, clans and urban neighborhoods are officially recognized as legitimate sub-communal entities in and a technical extension of the state administration responsible for censuses and tax collection, and they are consulted in important municipal affairs. According to the law, a chief is to be appointed by a democratically elected community council

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[37] The municipalities are governed by councils of 11 to 45 elected representatives, the municipal councilors, who in turn elect a mayor and three to five councilors from their membership. The number of councilors and councilors depends upon population size. The mayor and the deputies ensure the executive functions of the municipalities together with a number of professional administrators (secretary general), while the council itself serves as a deliberative and legislative body. The overall mission of the local government bodies is to conceive, plan and execute actions to promote local or regional economic, social, and cultural development (Benjamin, 2004:122).

(village, clan or neighborhood) and must be confirmed by a government delegate at the district level[38] (République du Mali decentralization law no. 95-034, Art. 72; Diallo, 1996). The chief of the village, clan or neighborhood is empowered by virtue of mediation between community members and the municipality. The chief is in charge of development activities in his village, clan or neighborhood, for applying the rules, regulations and decisions of the municipality, for communicating the needs of the community to the mayor and for collecting taxes. The law thus recognizes the chiefs as a legitimate authority, but their role is limited to that of consultancy in village affairs, which underlines the ambiguity of their authority. On the one hand they can draw on authenticity to claim legitimacy, yet their decision-making powers are reduced to a consultancy role and depend upon the official recognition of the municipality. This ambiguous position is important in struggles over water today, I theme I return to in Chapters 3 and 4. However, still in many places in Douentza, although a chief is supposed to be elected by clan or village members, often they inherit their titles, particularly when the chiefs do not manage to collect enough followers to create an independent village or clan.

In pastoral areas, as Gaasholt (2011) shows, the role of the chiefs in politics influences how alliances between ethnic groups are established. Pastoral clans are often split up because of internal rivalries over the chieftaincy, and the more strategic chiefs will accept that people from other social and ethnic groups such as the descendants of slaves are admitted into their clans to obtain more members and greater voting strength (Gaasholt, 2009; 2011). A local politician in Akal confirmed that although the 'black' and 'white' distinction is used for political mobilization, it does not reflect real political organization.

> In local politics today in our country, there are only two big parties, ADEMA and URD, and these two major parties share all citizens, whether black or white. But there is something toxic in the campaigns. If a Songhay wants to make a campaign among the *bella* and he is ADEMA, he will go to the *bella* and say, 'URD is the Tuaregs' party'. Your previous masters, if you join them you are going to go back as their slaves again'. Thus, ethnocentrism is a negative aspect of politics in our country. In other words it is to make politics of racism (Municipal councilor of Akal).

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[38] The councils have no legally constituted authority under decentralization, but they can make proposals to the municipalities and must be consulted over agricultural, pastoral and forestry activities, as well as issues related to natural resource management and land ownership.

This quote shows that local politics is mobilized on the basis of ethnicity and the slavery categories of the past, yet real social and political organization is not necessarily structured accordingly. There is not one single principle such as kinship which determines the local social organization, and there is scope for alliances across public rivalries (Gaasholt, 2009:81).

Social Stratification and Identity Politics

At the local level, the Tamashek rebellion sharpened the division between ethnic groups, differences that play a role in the local political landscape today, but often in a different way from what one would expect. It would be easy to think that there would be opposition between Tamashek and the Arabs, known as the red, who are closest associated with the rebellion against the remaining ethnic groups, known as the black. As Gaasholt (2009:81) points out, 'the rebellion did to some degree exacerbate this opposition but earlier relationships of cooperation across such boundaries have persisted despite the conflict'. Bourgeot (1995) claims that the distinction between 'black' and 'white' Tamashek, invented in the colonial period, does not encompass the mixed social relationships between the groups today. An important aim for local politicians is to be represented in the municipal council. Obtaining enough votes to do so often requires appeals across ethnic boundaries.

An important aspect of how categories of social stratification are (re)negotiated in relation to the Tamashek rebellion is the role of the former slaves. The Tamashek rebellion of the 1990s was characterized by a low percentage of *bella* (or *Iklan*)[39] participation, but due to the large population of *bella* people, their support to the Tamashek rebellion the could not be taken for granted. Faced with the situation in the north, the question arose as to whether the *bella* felt more associated with the Songhay, 'with whom they share skin colour and the complex history of submission relative to Tuaregs' (Berge 2000:202-204), or whether they felt stronger in alliances with their former masters, 'with whom they share language, a way of dress, a contempt for sedentary life and hard

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[39] According to Winter (1984), the term *Iklan* in Tamashek entails an element of property, which is indicative of the ideological positions and identity of the *Iklan* (Winter, 1984: 12; Gallais, 1975:46). In Mali, the Tamashek term *Iklan* has been replaced with euphemisms. The term *bella*, Songhay for Tamashek of low status, was used by the French for Tamashek slaves whom they sought to liberate, then by 'intellectuals of unfree origins' to refer to themselves as a separate ethnic group (Lecocq, 2005: 49).

work, and, as is suggested by the choice of dress, a pride being Kel Tamasheq?' (Berge, 2000:205).[40] According to Berge (2000:206), there were several forms of attachment.[41] Some *bella* sided up with their masters; others join the *Ganda Koy*,[42] while yet others mobilized in *bella* movements, which showed that organization around *bella* identity was possible. According to my informants, the former slaves were divided into two groups:

> The former liberated slaves, who had not forgotten history stayed in the towns and became reporters'. When a *bella* goes into the field, they know us. If they saw a white, a Tuareg, they would run to the army and tell. 'Others stayed more human with the Tuaregs, under their leadership were those who stayed with us, and sought refuge with us, they say that what you have given us, the other *bella* do not give us (municipal councilor of Akal).

The quote shows that there are internal differences in feelings of attachment to their former masters among people of slave origin and cross-cutting categories of social stratification, identity and difference in the past as well as in the present. In my fieldwork, the personal backgrounds of the actors in the conflicts are shaped by their straddling these categories (one may say it forms their 'habitus'), which plays a role in terms of the registers of legitimacy they can draw on to become authorities, because in Douglas's terms these are also the historical registers which resonate meaning and common historical references that people can relate to. To what extent they succeed also depends on the extent to which they manage to maneuver within more than one of these registers, a matter I return to in Chapter 7.

Decentralized Natural Resource Management
The decentralization efforts also worked through the reforms of several laws of the management of natural resources, among others the water code of 2002.[43] These laws were to provide for the

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[40] This ambiguity in terms of including the *Iklan* with the Tamashek is also reflected in the work of Gallais (1975), who speaks of the 'real' Tamashek, referring to the white elite, although he defines the *Iklan* as being part of Tamashek society, "the people who speak Tamashek."

[41] No particular group of *Iklan* was represented in the peace negotiations (Berge, 2000).

[42] In May 1994 the *Ganda Koy* (masters of land), an armed militia, was established consisting mainly of sedentary Songhay from the Gao region, who were tired of the banditry and violence.

[43] Others include the 1995 forest codes, the 2002 land tenure code and the pasture codes of 2001 (see Nijenhuis, 2003; Kassibo, 2004).

participation of rural populations in the management of their own natural resources through the transfer of decision-making authority to locally elected officials (for a discussion, see Kassibo, 2004). In relation to water, during the 1990s, the Malian government adopted a community based strategy for rural water supply, in which user groups and rural communities where increasingly engaged in the water management to ensure ownership at the local level.[44] This community based approach to rural water supply has been applied along the implementation of several water supply systems, provided by various financial and technical partnerships. The intention of the approach was to break with the post-dependence regime of centralized government and provide opportunities for local people to participate in decision making; to promote 'good governance' of public service delivery. Nevertheless the intention is far from being realized on the local level. In a number of places former practices of misappropriation of funds persists (Djiré and Cissé, 2010). As demonstrated by Blundo and Le Meur elsewhere 'the decentralized and participative management instances do not constitute a barrier against corrupt practices, mismanagement or incompetence' (Blundo and Le Meur, 2009:23).

The donor-supported modernization and decentralization of state services are among the different ongoing reforms in Mali which affect interventions aimed at ameliorating access to drinking water, hygiene and the management of water resources. In the past, central government policies concerning the management of resources created open access systems and increased conflicts between government and communities over the management of common pool resources (e.g. forests, grazing lands and wetlands). In this context, trends towards decentralization and democracy have created new opportunities for local participation in the control over natural resources, among other things through community-based land management (*gestion de terroir*),[45] which is anticipated to optimize the use of natural resources and encourage investment (Benjamin, 2008; Ribot, 2004; Cissé et al., 2003). However, the real contribution of decentralization to sustainable natural-resource management has been questioned by many (Hetland, 2007; Ribot and Larson, 2005) Ribot et al. (2006) argue that we still do not know how

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[44] Three official texts are central to this approach, the decentralization law, which specifies the transfer of competences within the water sector to the municipalities: *Loi et Décret et de Décentralisation Décembre, 1996* (articles 9, 14, 15, 180); *Stratégie nationale pour l'alimentation en potable dans les centres ruraux et semi-urbain* (the text was adopted in 1997 after a national consultation in 1996); and *Loi 02-006 2002 Portant Code de l'Eau* (the texts were finalized in 1999 and adopted in 2001).

[45] For a critical and historical account of community-based management, see Benjaminsen, 1997a; Leach et al., 1999.

decentralization reform performs, as many countries have not followed through the reforms by creating downwardly accountable institutions. Other issues have been that the transfer of the state's competences has not been followed by adequate financial resources, and that the new local decision-makers do not have an adequate mandate or legitimacy to carry out such tasks (Cissé et al., 2003; Kassibo, 2004). Finally, Benjaminsen (1997) asks whether community-based approaches are likely to increase pastoral marginalization of access to negotiated natural resources, as villages' increased control over natural resources may exclude pastoralists' use of pastures and water resources. One important aspect which will be explored further is how new actors in the decentralization reform use the control of natural resources to position themselves in the local political arena. This is explored further in Chapters 6 and 8.

I have now accounted for how decentralization opened up a political space for new actors to enter local politics through the establishment of the municipal councils, as well as how the municipal councils were established and chieftaincy authority officially recognized. Furthermore, the processes of democratization and transfers of money, authority and decision-making to these new local political bodies has also raised questions of belonging and the resurrection of autochthonous discourses, as old structures of authority have been threatened with replacement by new actors and institutions of authority. I have accounted for how, in the light of the Tamashek rebellion, which coincided with (and possibly fueled) the decentralization reform, politics have been mobilized on the basis of past categories of ethnicity, identity and social stratification. Finally an important aspect of the decentralization reform is the transfer of responsibilities for natural resource management (including water hydraulics) to the municipalities in order to strengthen local ownership and sustainable natural resource use. These efforts have nevertheless been criticized by many, particularly in relation to skepticism about whether the institutions that are to ensure these tasks are in place are adequate, whether they are accountable to the populations they represent and finally, to what extent pastoral populations are being marginalized further under increased communal control of resources in villages to which they do not belong, but which they nevertheless depend on to acquire negotiated access to natural resources to secure their livelihoods. I now turn to the historical context in which decentralization has taken place to understand the way it has shaped water conflicts at the present day.

HISTORICAL TRAJECTORIES OF AUTHORITY

Pre-colonial Structures of Authority

Political organization in the north of Mali in the pre-colonial period differed between the pastoral and sedentary populations, although similarities exist as well. According to the available historical sources, the relationship between the Songhay, the Fulbe and the Tamashek have initially been one of antagonism, plunder and raids. However, shifting alliances also existed between the groups (Baudais, 2006, de Bruijn and van Dijk, 1995; Gallais, 1975; Rouch, 1953). During pre-colonial wars and raids, some groups became more or less 'enslaved' to gain protection from others,[46] and these relationships still resonate in the water conflicts today.

The sedentary *Songhay* Empire was founded in 1464 by Sonni Ali Ber, who reigned till 1492. The Songhay Empire unified a great part of western Sudan around the city of Gao. The primary enemies of Sonni Ali Ber were the Mossi, Fulbe and Tamashek (Baudais, 2006:74-82; Rouch, 1953:184). During the governance of Sonni Ali Ber's successor, Askya Mohamed, who reigned from 1493-1528, Koyra became an important commercial, intellectual and agricultural center due to the convergence of caravans and traders. In this period Askya Mohamed's children were titled '*Koyra Koy*' (officials of Koyra (Poulton and Youssouf, 1998:8; République du Mali, 2005)), and they still provide the ruling Songhay chieftaincy in Koyra today. I return to the role of chieftaincy institutions in the democratization process in the last part of the chapter, as this is an important reference point in the struggles over authority reflected in present-day water conflicts. The Songhay have remained in power in Koyra through submission to and collaboration with various regimes through alliances with the rulers. This happened under the Fulbe-ruled Islamic Diina of Shekou Amadou (see below), as well as during the colonial period.

In the pre-colonial era, the *Tamash*ek warrior tribes were established as aristocratic chieftaincy symbolized by the war drum (the *tubal*). The warrior class organized themselves into loose

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[46] de Bruijn and van Dijk's (1995) sources confirm that, during the Fulbe rebellions against Askya Mohammed (Sonni Ali Ber's successor), Fulbe were captured by the Songhay and kept as slaves, although there was continuous warfare between the two groups.

confederations of *tribes*,[47] each of which had a traditional leader called *Amenokal*, along with an assembly of tribal chiefs (Gallais, 1975; Bernus, 1981:77). The composition of tribes corresponded to a social stratification model of nobles and non-nobles, which was well established in pre-colonial Tamashek society.

The *Fulbe* entered the inland Niger Delta of Mali in the fifteenth century and established hegemony over the area through a flexible political structure led by an aristocratic class of warlords *(ardube)* (de Bruijn and van Dijk, 1995:47). In the nineteenth century, The Fulbe Islamic theocratic state called the *Diina* of the Delta became one of the best documented examples of pre-colonial institution-building in the Sahel[48] and was also used as a model for the organization of natural resources in the dry lands to the east (today's Douentza).[49] Also in the nineteenth century, Fulbe and Tamashek elites increased their pressure on the territory of Koyra, which they threatened to occupy. To gain protection from the Tamashek, the Songhay Kings of Koyra had to accept the Fulbe hegemony established by the Islamic Diina of Shekou Amadou (de Bruijn and van Dijk, 1995:55; Marie, 1975:142).

Colonial Rule and 'Decentralized Despotism', 1883-1960

The colonial state altered local political organization, and French colonization put an end to an era of empires.[50] In order to establish their authority and assure a monopoly over the wealth of its colonies, the French established a centralized administrative organization, ignoring earlier forms of organization that had existed since well before colonization. The administrative units of the French Sudan were headed by a French colonial official, *le commandant de cercles*,[51] whose task was

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[47] The tribes were composed of nomadic clans based on kinship.

[48] The Diina was established in 1818 by Shekou Amadou, an Islamic scholar who led a *jihad* against the Fulbe warriors. In the Diina, the political organization of the Fulbe changed from a loose structure based on tribal alliances to an organized state-like structure influenced by Islamic religious ideologies aimed at changing pastoral warrior traditions (Ba and Benjaminsen, 2009; Barrière and Barrière, 2002; de Bruijn and van Dijk, 2001; Gallais, 1967; Moorehead, 1991; Turner, 1999; 2004b; 2006; Vedeld, 1997).

[49] The work of De Bruijn and van Dijk (1994; 1995; 2001) has provided a rich account of the establishment of other Fulbe groups in Douentza.

[50] Resistance against the French lasted until 1916.

[51] French Sudan became part of a federation of eight French colonies called *l'Afrique-Occidentale Française* or A.O.F, its members being French Sudan, Senegal, Mauritania, French Guinea, Niger, Ivory Coast, Dahomey (now Benin) and Upper Volta (now Burkina Faso).

to uphold local security and effective administration and to be responsible for administration, collecting taxes, rendering justice, policing, managing prisons and directing all public services (Béridogo, 1998; Benjamin, 2004:96). The *cercles* were further subdivided into *arrondissements*,[52] headed by French civil servants or army officers. These were further divided into *cantons*, headed by a *chef de canton*, who had authority over several villages and village chiefs. In the pastoral areas dominated by nomads, the *tribus* (or tribes) were the equivalent administrative structure to the canton in the sedentary areas and were headed by a *chef de tribu* (see also Benjaminsen 1997:134). The French put an end to the loose structure of the confederations, and by officially recognizing a large number of tribes to collaborate with as administrative units, the tribes were crystallized as permanent groups (Gallais, 1975:63).

Given the administrative challenges of governing the vast territories of the colonies, the French creators of the colonial state ruled through local chiefs. The French government's primary task was to collect taxes on persons and livestock (de Bruijn and van Dijk, 1995:75; ANB, 1925). To carry out this task, they created a system of 'decentralized despotism' in which local chiefs were accountable to their superiors rather than their subjects (Mamdani, 1996). In this way the colonial rulers reinforced the existing chieftaincy authorities, which 'underscored the exploitation of traditional leaders to boost the colonial state's administrative effectiveness and provide stability' (Buur and Kyed, 2007:5).

The new position of the chiefs was ambiguous. On the one hand the administration was organized through them, but on the other hand they were able to manipulate the administration, which had little contact with the rural population. For instance, chiefs were responsible for decision-making and dispute resolution in their villages, as the French abstained from interfering in such 'internal affairs'. In this way, the chiefs achieved more authority because they were backed by the colonial authorities, though this authority was often considered illegitimate by the local populations (Benjamin, 2004:98). Furthermore, the chiefs were often chosen by the French in order to ensure cooperation with French interests (Benjaminsen, 2004; Ribot, 1999). So in one way, the French reinforced an already existing political organization according to their own ends.

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[52] Only some *cercles* were further subdivided into *arrondissements*.

However, although, they attempted to rule indirectly, in many areas they disregarded the traditional authorities and governed through appointed chiefs who could easily be removed if they disagreed with or disobeyed the French (Azarya, 1996:53; de Bruijn and van Dijk, 1995:75).

Koyra exemplifies this colonial practice of attempted indirect rule. In 1924, Chef de Canton Nouhoum Touré took over the governorate from his father Bokary Touré, but according to the political reports (ANB, 1925), Nouhoum Touré's nomination as chef de canton (1924-1968) was not supported by his own family, who had nominated Nouhoum's uncle Aliou. An intervention from the superior French authorities modified the choice as, despite Nouhoum's eagerness to augment his own wealth, the French preferred him because he had the right attitude and spoke French (ANB, 1925).[53] This French interference in the chieftaincy office continues to inform local politician's registers of legitimacy in the present, as I shall show in Chapter 5.

This example of colonial attempts of indirect rule makes it difficult to distinguish between customary/traditional and formal/modern authority (see Olivier de Sardan, 1984; Mamdani, 1996; Rouch, 1953) and exemplifies how local authority structures were constructed during the colonial period. It also lends a critical resonance to the narratives of authenticity and belonging that are guaranteed through the chiefs' representatives in the democratization processes.

In the last period of the colonial occupation, attempts were made to give more autonomy and emancipation to the colonies by providing the chiefs with more independence and investing in development. Early attempts to democratize were initiated through the establishment of political parties. Modibo Keita's party, the Union Soudanaise du Rassemblement Democratique Africain (US/RDA), dominated pre-independence politics, and at independence he moved quickly to declare a single-party state and to pursue a socialist policy based on extensive nationalization.

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[53] According to Gallais, Nouhoum became one of the main pillars of the colonial administration in the Gourma and benefited from the support of the French to avenge himself on the Tamashek, as he could take their cattle as tax and resell them at higher price (Gallais, 1975:49).

Post-colonial Institutions of Authority

Post-colonial state formation in Mali is divided into three main periods: the First, Second and Third Republics, the latter including the decentralization reform. In 1960, Mali was declared an independent republic under the presidency of the socialist Modibo Keita (1960-1968) who ruled through the US-RDA party. The regime was characterized by this strong one-party domination with centralization of power and parastatal control, in other words, by Mali's version of rural African socialism inspired by ideas of industrialization and agricultural modernization as a strategy to obtain independence from France[54] (Bergamaschi, 2009:217-18; Degnbol, 1999:88; Gaudio, 1988:101). Under Modibo Keita, the colonial administrative structures of the cantons and tribes were replaced by a three-tier system consisting of six regions (Bamako, Kayes, Sikasso, Mopti, Segou and Gao) each headed by a *gouverneur* and divided into 42 *préfectures* each headed by a *préfet*. This system replaced the former *cercles* and were further subdivided into 215 *arrondissements* headed by a *sous-préfet*.

Ideally, the new division was to influence the role of the chiefs and their exercise of power over the population. However, in the countryside the changes were less visible: 'Ideologically the new rulers under the presidency of Modibo Keita distanced themselves from France. Practically there was much more continuity in the countryside, particularly in regions which were economically backward' (de Bruijn and van Dijk, 1995:90).

Independence, according to Berge (2000), did not bring about major changes for the pastoral populations. The dissolution of the pastoral tribes was met with great discontent among the tribal chiefs, and some of them left the country. According to Gallais (1975:63), the fact that the tribes were no longer recognized as administrative units reduced the authority of the chiefs to their own clan (Gallais, 1975:63). However, de Bruijn and van Dijk (1995) argue that, even though the relationship between the administration and the local chiefs influenced positions of the latter, they were still regarded as chiefs by the populations (de Bruijn and van Dijk, 1995:91).

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[54] Although Modibo Keita had been more or less successful in decolonizing Mali, rural socialism turned out to be a failure due to insufficient financial resources, difficulties in adapting a soviet-style economic model and France's attempts to sabotage the initiative. Social resistance grew as agricultural production and exports decreased, and the Malian franc was devaluated in 1967 (Bergamaschi, 2009:218).

In 1968, with the perspective of a deteriorating economy and increasing political unrest, military leaders within the ruling party organized a *coup d'état* (Bergamaschi, 2009:218) and Mali entered the period of its Second Republic, characterized by 23 years of military rule led by Moussa Traoré (1968-1991).[55] Although Moussa Traoré's military takeover constituted a dramatic regime change, with regard to institution-building strategies and redistributive practices there was considerable continuity between Mali's First and Second Republics (Hetland, 2007:107).[56] The goal of the new regime was to liberalize the economy, and consequently Mali became recipient of external financing from the USA and the World Bank, and France also reentered the scene. Nevertheless, Mali was severely hit by economic crises in the late 1970s and at the beginning of the 1980s. The economic problems had grown out of hand due to the mismanagement of state enterprises, the expanding number of public-sector employees, the initiation of ambitious public dam projects, corruption and the effects of the droughts in the early 1970s, and Mali had to submit to structural adjustment programs in order to receive foreign aid from the IMF and the World Bank (de Bruijn and van Dijk, 1995:92; Degnbol, 1999:90-92; Gaudio, 1988:110-113). During the 1980s the crisis continued, the country was hit by another severe drought in 1984, and international cotton prices dropped, which resulted in anti-government agitation.[57]

In 1991, three hundred demonstrators were killed in anti-government protests, after which the armed forces arrested Moussa Traoré in a coup organized by General Amadou Toumani Touré (ATT), who became the president of an interim government until elections were held in 1992. This ended 23 years of military dictatorship, and Mali adopted a new constitution and became a multi-party democracy under the presidency of Alpha Oumar Konaré (1992-2002), who had set up the *Alliance pour la Démocratie au Mali* (ADEMA) as an anti-military alliance.[58] The transition to democracy took place in close cooperation with UNDP and the Bretton Wood Institutions.

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[55] Traoré also led a very centralized regime and opted for state control of the economy, but the difference from the time of Modibo Keita was that the state was now controlled by the military.

[56] In 1974 Traoré established the *Union Démocratrique du Peuple Malien* (UDPM) as a national political party.

[57] The impact of the structural adjustment programs increased, which included privatization, liberalization and severe public-sector cutbacks (Degnbol, 1999:90; Gaudio, 1988:110-112).

[58] ADEMA obtained 74 of 116 seats in the parliament and formed a majority coalition government (Degnbol, 1999:92).

This section has described the historical trajectories of institutions of authority that is needed to understand the context of decentralization today. It has shown how political organization linking the pastoral and sedentary groups in the pre-colonial empires and pastoral confederations were organized and how they still inform local identities and ideologies of the past. Furthermore, this section has shown how the institutions created by decentralization not merely replaced the existing ones, but added to the layer of institutions that compete for legitimacy in water conflicts at the present day. Furthermore, I have examined how the chieftaincy authority has waxed and waned through various regimes in the past, particularly in order to reflect critically on how they have been promoted as guaranteeing rural or 'traditional' populations' inclusion in democratic processes of decentralization. As I explore in later chapters, chiefs are important actors in water conflicts, so this section has provided a context for understanding their roles. I now turn to how political organization has influenced and changed patterns of social stratification.

HISTORICAL TRAJECTORIES OF SOCIAL STRATIFICATION

As we saw earlier in this chapter and will see later, categories of identity and social stratification also constitute an important legitimization strategy in claims to authority today. The dichotomy between 'captives' (or slaves) and 'nobles' (or masters)[59] cuts across pre-colonial representations of society, discourses of the past, and in the present (Olivier de Sardan, 1984:27-61). Both everyday life and large-scale political events are informed by these terms, and everyday language is still filled with references to this dichotomy, although it was formally abolished during colonial rule.

Pre-colonial of Social stratification

The division between noble (free) and slave (unfree) also persisted among the sedentary *Songhay* in the pre-colonial period (see Olivier de Sardan, 1984:27-50). According to Olivier de Sardan (1984:85-97), there is plenty of heterogeneity in the nature of the chieftaincy in Songhay society.

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[59] Olivier de Sardan employs the terms 'captives ' and 'nobles', which he argues reflect everyday language use better than the terms 'slaves' and 'masters' (Olivier de Sardan, 1984:27).

For instance, he distinguishes between two types of chiefs: *aristocratic chiefs* and *village chiefs*, which is important for their legitimacy (Olivier de Sardan, 1984:88). Although this distinction is not always clear cut and there exist overlapping variations between the two, it provides the notion of the chieftaincy with ambiguity, due to the different meanings of the term. In my fieldwork location, the establishment of aristocratic chiefs in Koyra is an important element in claims to authority expressed in water conflicts, a matter I return to in Chapters 5 and 6. This ideology of social stratification was also related to the division of labor between the groups, and I observed that attitudes towards work still persist in local perceptions today. According to de Bruijn and van Dijk (1995), these attitudes have enriched the former 'lower classes', as they have not refrained from taking up income-generating activities requiring hard work, considered 'unworthy' of the 'nobles'. This I return to in the next chapter.

A similar social stratification existed among the *Fulbe*. The warlords (*ardube*) constituted the ruling elite, whereas the slaves (the *riimaybe*) were considered a pagan class to be exploited,[60] since there is an important relationship between slavery and religion in the Fulbe society. Slavery was legitimized in the Diina theocratic state, in which ethnic and religious identities became markers of social status. In the case of the Diina, the Fulbe who led the *jihad* became the ruling class in control of land and slave labor, and values, norms and ideologies associated with pastoralist life were closely connected to the concept of nobility (Azarya, 1996:20). Control of land and labor were the basis of the economy of the Diina, in which 'land and slaves were not only used together but were also means to acquire each other' (Azarya, 1996:20).

The pre-colonial *Tamashek* political organization was based on a rigid social hierarchy reflected in the separation into tribes. The hierarchy is made up of the several categories that people still use (Gallais, 1975:46; Nicolaisen and Nicolaisen, 1997; Lecoqc, 2005:45; Bernus, 1981:77). Furthermore, the warrior aristocracy controlled the land and offered protection to the *imrad*, who paid them tribute (Azarya, 1996:27).[61] The *Iklan* (or *bella* in Songhay; see former section) are the

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[60] The rimaybe were put in charge of agricultural production, which was considered unworthy of the nobles (see de Bruijn and van Dijk, 1994; 1995 for further details).

[61] Social stratification among the Tamashek is multilayered, but for present purposes some rough generalizations will be made (see Gallais, 1975:46; Nicolaisen and Nicolaisen, 1997; Lecoqc, 2005:45; Bernus, 1981:77).

slaves at the bottom the hierarchy,[62] whom their masters denied the possession of livestock.[63] As the geography of the Gourma[64] did not allow for any significant agricultural production, the slaves did not have an alternative way of enrichment but depended on their masters for food supplies and milk. 'In a pastoral economy, control over livestock implies control over people' (Winter, 1984:16). By denying slaves ownership of livestock, their masters guaranteed themselves a privileged position in the economy. Furthermore, the matrilineal inheritance of slavery status and the fact that slaves were largely endogamous meant that the slave population reproduced itself and that slaves were rarely incorporated in to the 'dominant kinship system' (Winter, 1984).[65]

I now turn to describe how the pre-colonial systems of social stratification were reinforced and later altered under French colonial rule, which provides the background for the status of these categories in today's water conflicts.

Colonial Influence on Social Stratification

In the first period of consolidation of French power (1893-1918), the abolition of slavery was a major priority for the French. However, due the importance of slavery to local economies abolition proved rather difficult, as it created unrest among the ruling chiefs, on whom the French depended for control and thus wished to avoid upsetting. Consequently, at the beginning of the twentieth century, slavery still existed. For instance, the French allowed the chiefs in Koyra to keep their slaves, although the slave trade was officially forbidden (de Bruijn and van Dijk, 1995:77). The hegemony of the Tamashek ruling class also persisted throughout the period from 1900-1940. According to Lecocq (2005), the representation of the Tamashek social hierarchy embedded in 'race' and 'bondage' was strengthened under colonialism through the interaction with the French and the Tamashek tribal chiefs. Despite the harsh resistance of the Tamashek,

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[62] Local people often make use of the red/black contrast to define social boundaries, although it is not always sufficient (see Hanonou, 2009:176).

[63] Slaves were sometimes given livestock, which once freed they could also possess, but in that case the former master would inherit the livestock at the death of the slave (Winter, 1984:15).

[64] The Gourma in Mali refers to a geographical region (not to be confused with the administrative regions) situated in the northern Sahel confined by the inner delta of the Niger river to the west, the bend of the river to the north and east, and the borders of Burkina Faso and Niger to the south (see Benjaminsen, 1993).

[65] According to Bernus (1981:75), marriages did nonetheless take place between the groups.

the French regarded the 'white' Tamashek as an elite whom they appreciated positively (Lecocq, 2005). Furthermore, according to Winter (1984) the persistence of Tamashek slavery was partly due to the ideology of the naturalness of the hierarchy in Tamashek society, which was also internalized by the slaves themselves, though also due to the pastoral production system, slaves in the Gourma 'had little economically viable alternative but to remain where they were' (Winter, 1984:22).

Nevertheless, from the 1940s onwards, the emancipation of the slaves started to increase, and the French began talking about the '*bella* problem'. This was initially created by emancipated slaves who were wandering from town to town committing crimes,[66] and since the slaves had left their masters, they were no longer under administrative control and refused to pay taxes. Consequently, in the 1950s the French decided that the *bella* could be registered, enumerated and taxed independently of their masters, which turned out to be a substantial recognition of the citizenship of slaves: 'the French inadvertently precipitated the most substantial series of "emancipations" in Twareg history' (Winter, 1984:24). Paying taxes through the administration was recognition of the equal citizenship of the former slaves. The process of emancipation and the inversion of social hierarchies started here and continue into the present. As we shall see in Chapter 5 becoming registered as citizens by paying taxes is a way of becoming recognized as citizens of equal worth of the aristocrats in Koyra today.

Because the former slaves of the Tamashek, the *bella*, were largest in numbers (Gallais, 1975:77), they were also the most prominent group. Following the large-scale exodus of former slaves leaving their masters, Gallais speaks about an *Iklanisation* of Gourma society, in the sense that other groups (farmers and former Fulbe captives) started to take up their way of life, hairstyle and language. Former Fulbe captives gave up their code of conduct of self-control to assimilate to the expressive form of the Tamashek *Iklan*. This shows a tendency towards 'ethnic mutation' (Gallais, 1975:89). However, as Gallais shows, the *Iklan* had acquired their masters' language, customs and ideas. Often the emancipation they wished for was not to return to their groups of social origin but to equal their former masters, as they had had internalized the latter's ideology along with the

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[66] Koyra constituted a *village de liberté*, where freed slaves could go to after liberation from their former masters. These villages were not a success in terms of slave emancipation, but former slaves migrated to such towns to take up employment considered unworthy by the elite classes (Winter, 1984).

notion of status being acquired through pastoralism and livestock. Thus, in the light of the depressed Tamashek aristocracy, the *Iklan* were considered to be the heritage of Tamashek culture as those who, through their previous masters, had learned how to be nomadic herders and come to know the water points, the pastures and how to raise cattle.

In the aftermath of a major exodus of slaves in the 1950s, eventually the Tamashek system of slavery broke down. This was, according to Winter (1984:28), primarily due first to increased commercialization and monetization, whereby slaves became incorporated into the local economy and could acquire livestock, which enabled them to establish sufficient herds to leave their masters. Secondly, increased economic opportunities in terms of urbanization and labor migration (to Ghana and the Ivory Coast) provided ex-slaves with alternative livelihood strategies. Finally, the context of the political environment questioned subordination and permitted emancipation. Finally trade routes changed in the colonial period, and the Tamashek also suffered from the decline in the trans-Saharan trade (Azarya, 1996:64; Fuglstad, 1973:82). This loss of privilege, authority and social status on the part of the Tamashek warrior aristocracy only intensified under the post-colonial regimes.

Post-colonial Marginalization of Tamashek

In the post-colonial state, many former Tamashek elites lost their former pride. Modibo Keita's new government did not share the colonial administration's appreciation of the Tamashek elite, who were ignored and whose nomadic life was considered an obstacle to the modernization of agriculture (Benjaminsen, 2008). Moreover drought of the 1970 and 1980s and pushed many young men of Tamashek origin in exile in Algeria and Libya where they were exposed to revolutionary discourses (Benjaminsen, 2008; Lecocq, 2005). This added on to already existing feelings of Tamashek marginalization at independence and pushed some of their leaders towards rebellion (see Benjaminsen, 2008 for a discussion and overview). Complaining about government policies, especially a planned land reform that might infringe upon their traditional area, a small group of Tamashek began a guerilla-style rebellion, attacking government targets in the north of the country, where most of them lived. The insurgency lasted from 1961 to 1964, with the military allegedly targeting both rebels and non-rebels during the period and eventually defeating the

former. As a result, many Tamashek fled to Algeria and Libya, where they were influenced by new revolutionary discourses (Lecocq, 2004). The rebellion of the 1990s can be traced back to former regimes' marginalization of the Tamashek and the history of their ambiguous relationship with the Malian state (see Gaasholt, 2009; 2011).

In the 1970s, Moussa Traoré continued Keita's anti-pastoral policies, and the Tamashek, who were again forced to migrate to neighboring countries, were hit hard by droughts (Seely, 2001). A new rebellion followed the droughts of the 1970s and the 1980s, and the subsequent refugee crisis resulted in a period of generalized political repression and crisis in Mali. We thus see that in general the groups who had not been included in state-formation processes in the pre-colonial era were marginalized further during the colonial and post-colonial eras. According to Azarya (1996), the extent to which pastoralist groups were marginalized or incorporated in the independent state depended upon 'the extent they were part of, or allied with, the groups who gained ruling positions in the new state' (Azarya, 1996:69). Particularly the Tamashek elite were subject to marginalization, whereas their former slaves enjoyed a new status and emancipation.

What also strengthened the position of former captives in Gourma society was that the Fulbe and the Tamashek elite were reluctant to send their own children to school but sent the children of their slaves instead, which meant that under the post-colonial state the 'educated slaves' could take up high positions in the administration. This contributed to a change in the distribution of wealth and access to political power. There is, however, disagreement in the literature as to what extent the abolition of slavery has implied the social mobility of former slaves or to what extent these categories of social stigma still persist. On the one hand, according to Lecocq (2005:58), despite emancipation processes, slavery stigma endures in Mali: 'Although, at present, people of slave origin might hold high official positions, they are still seen as 'slaves' without any prestige or status outside their personal achievements' (see also Hanonou, 2009). According to de Bruijn and van Dijk, at present the distinction between nobles (free in the past) and non-nobles (unfree in the past) and the pre-colonial division of labor still persists in local conceptions of the social hierarchy and partially defines local identities (de Bruijn and van Dijk, 1995; 2001:223). Others argue that with democratization the stigma of slavery has turned into a political asset (Rossi, 2009). In my fieldwork locations in Koyra and Aman, an ideology of hierarchy still informs the

division of labor between nobles, newcomers and people of slave origin, though the old power base is at the same time being challenged by new actors entering the sphere of local politics, a matter I shall explore in the next chapter.

Although many Fulbe groups elsewhere in Mali had gained a strong position in the new states, the Fulbe in Douentza were opposed to the regime of Modibo Keita and were not strongly represented in the subsequent governments (de Bruijn and van Dijk, 1995). Consequently, they lost their political impact, as well as large parts of their livestock and land, because central government officials forced the sale of a certain amount of cattle through state channels, often below market prices, and decreed that land would belong only to those who cultivated it. Despite these losses, the Fulbe maintained high ethno-cultural prestige due to Islam and the memory of their glorious past (Azarya, 1996:71).

We have now seen how the dichotomy between 'nobles' and 'captives' or free and unfree shaped social stratification in the pre-colonial Songhay, Tamashek and Fulbe societies, which was also reinforced by religious ideologies, the division of labor and ownership of the means of production. Although slavery was officially abolished under colonial rule, it persisted on the ground. In the last period of the French occupation the former slaves gained emancipation, partly by virtue of the recognition of citizenship gained by payment of taxes to the French. Nevertheless, despite emancipation, the former slaves had internalized the pastoral ideology of their former masters and, given the depression of the former Tamashek ruling classes, the future of pastoralism seemed to depend on the emancipated slaves. Post-independence policies and droughts only furthered the political marginalization of the pastoralists, and the Tamashek in particular felt mistreated, which later on pushed some of the young men returning from exile to carry out attacks on the Malian government.

Next I describe these historical trajectories of natural resource management and the production of institutions through control over key natural resources, i.e. the mutual constituency between institutions and natural resource management.

HISTORICAL TRAJECTORIES OF NATURAL RESOURCE MANAGEMENT

Pre-colonial Resource Management Institutions

Historically, pastoral space in the Gourma was ruled by loosely defined norms. Pastures and ponds are not objects of appropriation unless people invest physical labour in them, such as digging wells, thus making territorial claims to territory valid (Gallais, 1975:51). Thus, control over territory was gained by digging wells, regulating the use of pastures and limiting access to such water points (Thébaud, 1990; de Bruijn and van Dijk, 1995:335). However, how long such access right to water and pastures last is often negotiable (de Bruijn and van Dijk, 1995:336).[67] The principle of ownership of wells, according to Gallais, was also respected by the colonial rulers when they started drilling modern wells in the Gourma (ibid.). However, ownership consisted more in privileged access, as wells were also open to outsiders, according to specific rules (de Bruijn and van Dijk, 1995; 336). Furthermore, the recognition of a space as belonging to a tribe or a clan does not prohibit outsiders from using the territory. Likewise, nothing prohibits other groups from digging a well next to an already existing well. According to de Bruijn and van Dijk (1995:337), these loose tenure relations led colonial rulers, among others, to believe that 'no tenure regimes existed over these categories of land'. Ordering principles for the use of pastures in the dryland did exist, 'but consisted in the dynamic interplay between military power, the requirement for pasture, and occasional warfare and plunder' (de Bruijn and van Dijk and van Dijk, 1995:337).[68] Thus people on the dryland defended their livestock and kin, as well as the fields, for their slaves and dependants.

Claims to land in the agricultural zone are subject to a different set of practices and norms. In Mali in general, rights to agricultural land consist of a bundle of legislative and administrative texts, customary practices from the pre-colonial past and many policies introduced by colonial

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[67] This, however, is different in the Inner Delta, where use and tenure over pastures are regulated by the codes introduced by the Diina state, although these rules are also not fixed but subject to change (de Bruijn and van Dijk, 1995:338).

[68] Rights concerning the placing of camps are more specific. According to Gallais (1975:51), if a tribe, a clan or certain families pitch their tents in the same area for more than four years in a row, they acquire a definitive and indefeasible right to that place. Outside such settlements anyone can pitch a tent where he wants, to and he is the exclusive user of the place where he rests. The place signifies the minimum space or distance from another camp in order for the animals not to be made uneasy by the presence of another herd (Gallais, 1975:51).

and post-colonial governments. Rights to agricultural land thus reveal a complex amalgamation of both customary and statutory norms and practices (Djiré, 2004). However, the literature in general describes tenure relations in agricultural land as based on membership in communities composed of lineages. Within these relationships, a hierarchy of first-comers and the authority of the first settlers is defined (de Bruijn and van Dijk, 1995:336). As we shall see in Chapter 8, the heterogeneous principles of claiming land and territory are applied by different actors in water conflicts to serve various purposes.

The formation of the Fulbe theocratic state of the Diina and the establishment of rules to control access to pastures in the dry lands still inform norms and practices in natural resource management in Douentza today. This is because the Diina codified existing patterns of resource use such as transhumant pastoralism in greater detail than before (Moorehead, 1991:183). Koyra was the last outpost of the Diina empire, and to a certain extent it demarcated the limit of its control and scope of rules for natural resource management (de Bruijn and van Dijk, 1995; Gallais, 1967). These rules and patterns still inform negotiations of access to pastures and water resources in the drylands, themes I explore further in Chapters 7 and 8. Furthermore, important alliances between the Fulbe and the Songhay were established under the Diina, to whom the Koyra Koy submitted to gain protection against the Tamashek. The Fulbe also benefitted from their alliances with the Songhay in Koyra in order to control access to pastures in the drylands.

Colonial Degradation Narratives

During the colonial era, two principles were important for natural resource management in Douentza: the introduction of stricter resource control through sedentarization policies legitimized by desertification narratives; and digging of wells and the drilling of boreholes, which radically changed tenure relations in the pastoral areas and fueled conflicts over water and land.

In general, French land-use policies followed a pro-sedentary ideology, as pastoralism particularly was considered a destructive local land use and a cause of 'desertification' (de Bruijn and van Dijk,

1995:85; Benjaminsen, 2000).[69] In addition to introducing strict forestry policies, communal land rights were restricted, as these were regarded as having adverse consequences for natural resource management (Benjaminsen, 2000). Thus, colonial interpretations of land use practices justified an authoritarian approach to natural resource management to protect resources from mismanagement by local people (Ribot, 1999).[70] As a consequence, pasture land was converted into crop land, and the development of cereal and livestock markets changed the land-use strategies of the pastoralists, who became rather agro-pastoralists because it was attractive to grow cereals themselves in order not to deplete their herds of livestock, while agriculturalists started to invest in livestock. As a result, the socio-professional specialization in different economic activities diminished to some extent, although it is still an important identity marker for many groups (de Bruijn and van Dijk, 1995:83).

State control over natural resources was further strengthened by the establishment of state domains (*domanialité*) over all unoccupied land, which meant that property rights to land could only be claimed by demonstrating productive use or *mise en valeur* of resources, and this often meant agriculture (Benjamin, 2004:103).[71] According to de Bruijn and van Dijk, these changes in policies fundamentally changed the structures of authority over natural resources to the detriment of semi-nomadic populations in particular (de Bruijn and van Dijk, 1995:71).

The French also initiated development of water resources infrastructure. In 1956 and 1958 a number of boreholes were drilled in the central Douentza district as a result of investment in livestock production in Douentza, which became (maybe the only) priority of French policies (de Bruijn and van Dijk, 1995:87). The pastures of the area were considered of high quality but difficult to exploit due to the deep water table and insufficient rainfall (de Bruijn and van Dijk, 1995:86). The wells were often poorly constructed because maps and sufficient hydrological data

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[69] The Forestry Service (*Service des Eaux et Forêts*) was created in 1935 under legislation to protect forests (see Benjaminsen, 2000:97).

[70] Among other things, a forestry code and a forestry service were created (Benjamin, 2004:102; Benjaminsen, 2000), but because the French did not have sufficient manpower to occupy these posts, the authority to control and enforce the code was delegated to the local chiefs.

[71] In order to control the movements of the increased livestock herds, the French introduced a *laissez-passer* or identity card to ensure that the pastoralists returned to their countries of origin, which was nevertheless interpreted by the pastoralists to mean free movement of herds across borders, and consequently resulted in an increased number of herder-farmer conflicts because of the former trespassing on fields (de Bruijn and van Dijk, 1995:85).

were unavailable and the hydro-geological situation of the Gourma is difficult (de Bruijn and van Dijk, 1995:85; Gallais, 1975:60).[72] The drilling of boreholes changed the value of the land located close to them, which resulted in violent territorial disputes. This is of particular significance for the water conflicts studied in this thesis, as it shows that new water infrastructure also fueled conflicts in the past.

Natural Resource Management in Mali's Independent State

In general the strict forestry policies and control of local natural resources introduced by the colonial regime continued in Mali's First Republic (Benjaminsen, 2000:97).[73] As a consequence of the droughts of the 1970s and 1980s, Western governments became increasingly concerned with the degradation of the Sahel, which also revived the 'desertification' narrative and heavily influenced donor and government policies (Benjaminsen, 2000:97). In general, the government's control over natural resources increased in the aftermath of the droughts of the 1980s. More attempts to regulate land and forest resources and avoid overexploitation were taken, resulting in the amendment of natural resource and wildlife laws in 1986 (Benjaminsen, 2000:97). For the pastoralists, particular the Tamashek in the north, Modibo Keita's ideas of agricultural modernization further marginalized their way of life. Pastoralists were considered backward, unproductive, an obstacle to development and modernization and unwanted unless they converted into 'productive' citizens by taking up farming. The northern regions of Mali were defined as '*Mali inutile*' (Benjaminsen, 2008:828). The new Malian administration was even more hostile towards the Tamashek pastoralists than the French, which according to Lecocq was key driver for the violent Tamashek revolt in the Kidal area in 1963 (Lecocq, 2004; Benjaminsen, 2008:828).

According to Benjaminsen (2008), the strict natural resource policies benefited the national government in gaining control over land and resources, the urban elite who acquired positions in the donor-supported state forestry departments, and the international donor agencies who

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[72] The investment in livestock did include the digging of wells, but not large-scale borehole schemes as in the rest of the Sahel. See also Gallais, 1975:60 for a discussion of difficulties in relation to hydraulic works in Gourma-Rharous (a neighboring district).

[73] The law was revised in 1968, but with minor modifications (Benjaminsen, 2000:97).

received large-scale funding from the international community. However, the rural population of pastoralists and farmers were often the losers and had to pay the price of the stricter environmental policies, which introduced 'extremely high fines compared with the income level in Mali' (Benjaminsen, 2008:829; see also Benjaminsen, 2000:97-98).[74]

Pastoralists did not participate in the newly established political relations and were consequently removed from the political scene, a process which has started during the sedentarisation policies of the Diina, but became even more apparent during the droughts of the 1970s and 1980s, as well as after independence (de Bruijn and van Dijk, 1995:72). In the northern regions, due to the droughts of the 1980s the pastoralists lost most of their cattle. Emergency aid and food for work programs were offered by the international donor community, although a large part of this drained away through corruption within the administration (de Bruijn and van Dijk, 1995:94).

I have now described how pre-colonial access and control of territory, particularly in pastoralist areas, were acquired by digging wells and how the regulation of pastoral land was achieved through the regulation of access to water, to which 'owners' enjoyed priority rights, but which did not exclude others from access to water points. The loose structures of these regulation led succeeding regimes to believe that pastoral resource use is one of open access and chaos. In the nineteenth century the Fulbe theocratic state of the Diina codified existing loose patterns of resource use to a greater extent than before, which still informs claims to resources in the present. Furthermore, in the colonial and post-colonial periods restrictive natural resource policies, coupled with changes to the former system of social stratification described in the previous section, the reallocation of land and changes in land-use systems, further marginalized the pastoral populations of the Fulbe and the Tamashek, as they lost control over the natural resources that were crucial to their livelihoods.

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[74] The forestry service in Mali is known for its paramilitary organization and rent-seeking behavior, and it benefited from the desertification narrative to justify the plundering of farmers and herders (Benjaminsen, 2000; 2008; Degnbol, 1999).

SUMMARY

This chapter has presented the context of the decentralization reform in which the water conflicts in Douentza takes place. The reform has opened up a political space for new actors and institutions in local politics. At the same time, these new administrative units have been defined according to criteria of belonging, and the chieftaincy authority has been recognized in attempts to guarantee social capital and authenticity in the process. This has produced the narratives of autochthony and authenticity as registers of legitimacy. Furthermore, in light of the Tamashek rebellion in the 1990s, ethnic identity plays a role in local politics today, though it can be broken and reinterpreted strategically to serve various purposes and does not reflect political organization per se. Among other things, decentralization has transferred responsibility for natural resource management to the elected institutions, a break with the centralized policies of previous regimes, and it also promotes local ownership and sustainable natural resource use. However, decentralization can be criticized as being far from reaching these objectives and being characterized rather by elite capture and unaccountable institutions. Concerns were also raised about the further marginalization of pastoralists, as they do not meet current criteria of belonging.

Furthermore, the chapter looked back at the past and shown how authority was constructed historically through the production of institutions of authority, social stratification and natural resource management. This section showed first, how the pre-colonial organization of the Songhay, the Fulbe and the Tamashek still informs local identity and ideologies in the present. It also showed that new institutions do not simply replace existing institutions but add to the pile of institutions which have been created in previous colonial and post-colonial regimes (Bierschenk and Olivier de Sardan, 2003), this being important for understanding the types of institutions that act and are called on in water conflicts in the present. I have examined how the chieftaincy authority has waxed and waned through various regimes in the past, particularly in order to reflect critically on how they have been promoted as guaranteeing rural or 'traditional' populations' inclusion in democratic processes of decentralization.

Second, the dichotomy between nobles and captives, free and unfree shaped pre-colonial social stratification categories reinforced by religious ideologies of hierarchy. Although slavery was

abolished in late colonial ruling, it persisted on the ground and when they were emancipated many slaves had internalized the pastoral ideology of their former masters. The dichotomy of free and unfree still inform local perceptions of wealth and authority, but at the same time, and particularly within the pastoralist groups in Douentza, the reversal of these categories during the colonial and independence period marginalized the former ruling political class economically and politically.

Finally, the last section showed how historically in the pastoral drylands of Douentza, the digging of wells have been a way claim territory and how regulating water was a key to controlling of people and access to land. The principle of priority rights to wells did not exclude others from access to water points. In the 19th century the Fulbe theocratic state codified loose patterns of pastoral resource use, which still informs claims to resources on the drylands in the present. In agricultural zones, a hierarchy of first-comers and first settlers was established. Under colonial rule, loose tenure relations of pastoralism was interpreted as if no tenure regimes existed leading to degradation and overgrazing and strict resource use policies were introduced to the detriment of the pastoral populations. These perceptions and policies carried on into the post-independence natural resource management policies regarding pastoral land use as useless and an obstacle to development and modernization of the state; policies which further pushed pastoralists on the margins of the state further away only emphasized by a series of droughts in the 1970s and 1980s. In the following chapters I show how institutional actors draw upon these historical trajectories in legitimizing processes of establishing authority in water conflicts.

CHAPTER 4. CONTEXTUALIZING WATER CONFLICTS IN DOUENTZA

INTRODUCTION

This chapter presents an overview of the various conflictive and cooperative events and situations in Douentza in the period 1997 to 2007, outlining their extent, character, distribution and type, based on quantitative data collected within the framework of the Competing for Water Programme.[75] The aim is to give a broader understanding of the conflict processes analysed in this thesis, and in this, one can think of the quantitative data results as a satellite image sketching the contours of conflict processes in Douentza.

The first part of the chapter deals with the frequency and types of water use competition in Douentza and the actions taken in response. This part of the chapter shows that conflictive water-related events are more often reported to the authorities, often because cooperation is regarded as an everyday practice. The fact that cooperation is often not reported may contribute to the idea that scarcity leads to conflict, despite cooperative situations being more frequent than conflictive situations.

The second part of the chapter provides an overview of institutional involvement in water-related conflicts and cooperation. This part shows that institutional actors act as both direct parties and third parties called on in water-related events and what kind of actions parties in conflicts take. Furthermore, it discusses the fact that the involvement of institutional actors does not always lead to local-level conflicts being solved.

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[75] This chapter reflects the outcome of a collaborative effort, and is based on the result of an inventory undertaken as part of the Competing for Water programme and has been developed on the basis of the DIIS Working Paper, *Conflict and Cooperation in Local Water Governance: inventory of local water-related events in Douentza district Mali*, co-authored with Moussa Djiré, Amadou Keita, Abdoulaye Cissé and Anna Traoré as a result of collaborative fieldwork (Djire et al., 2010).

WATER CONFLICTS AND COOPERATION IN DOUENTZA

Situations of Conflict and Cooperation

As defined in the methodology of the Competing for Water programme (see also Chapter 2), situations in which there is competition for water are characterized as 'mainly cooperative' when parties negotiate or maintain agreements for water use and access, or 'mainly conflictive' when the water uses and access of one of the parties is contested (Ravnborg et al., forthcoming:8). As I explained in Chapter 2, to what extent a water situation is mainly conflictive or mainly cooperative is based on the assessment of the researchers collecting the data. Each situation may entail both conflictive and cooperative elements. An event may be highly conflictive, involving e.g. the violation of people or property, but several cooperative events may follow, such as attempts to make new agreements for sharing water resources. However, the gravity of the conflictive event may overshadow the cooperative events following such an event, and the overall situation may be assessed by the researcher to be mainly conflictive.

An example of a mainly conflictive situation would occur if the inhabitants of one village jointly use a pond for rice cultivation with another village, which uses the pond to water animals. A conflict may break out between the two villages if one of them has prohibited the other one's animals access to the pond, claiming that they destroy their rice fields. Now there may previously have been an agreement to share the pond (cooperation), a conflictive event occurs if a group of men from one of the villages confiscates the animals of the other in order to prevent them from accessing the water (conflict), which may again cause another event, namely fighting between the villages. If one of the villages then ask a third party to intervene, they might come to an agreement over how to use the point jointly again (cooperation). If then some of them break the agreement and for example confiscate the other village's animals, or that village does not respect the paths indicated for the animals to follow to avoid crop damage, another conflictive event occurs.

Both cooperative and conflictive situations appear in Douentza, but mainly cooperative situations are more frequent. Of the 39 situations, 21 (54 percent) were mainly cooperative and 18 (46

percent) mainly conflictive.[76] Despite the fact that the majority of the water-related situations were characterized as mainly cooperative, thirty-six percent of the mainly cooperative situations contain conflictive events. Furthermore, a considerable number of violent acts took place in Douentza District: forty-three events involved persons being threatened, and sixteen events involved persons being physically violated (Ravnborg et al., forthcoming:16).

As I explained in Chapter 2 the two case studies selected consist of several situations with a number of events. The case of Koyra contain one mainly conflictive situation of consisting of 11 events; whereas as the case study of Aman involves two (but related) mainly conflictive situations, consisting of 11 and seven events respectively.

Reported and Unreported Events

Interviews with representatives of the relevant authorities from the communal to national levels (including state administration offices, district and regional justice courts, the media and NGOs, as well as community members and resource persons where the event took place) revealed that in general water-related events are often not reported to external institutional actors outside where the events themselves took place.[77] Out of the 143 events, 51 (36 percent) were reported, while 92 (64 percent) were unreported. Furthermore, most reported events are conflictive: among the 51 reported events 34 (67 percent) events were conflictive and only 17 (33 percent) events cooperative. To take the example above, if the conflict does not escalate between the villages, nobody from outside is contacted to confirm the agreement on sharing the pond for different purposes. But if the first attempt to mediate does not succeed, one party might call on the mayor or *préfet* to mediate in the conflict. In that case the event is reported to institutional actors from outside where the event took place.

Furthermore, the events that are reported are most often conflictive. The reason why conflictive events are more frequently reported than cooperative events may be that in general the former are

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[76] Often mainly conflictive situations tend to contain a higher number of events per situation (6.5 events per situation, than mainly cooperative situations (4.6 events per situation) (Ravnborg et al., forthcoming:17, n.11).
[77] See Chapter 2 for a definition of events.

more visible and people tend to call in the authorities to mediate, for example, in the case of a dispute between two or more communities. Most of the time, cooperative events are regarded more as an ordinary form of praxis which does not require mediation by a third party and are thus not reported outside the community. For this reason, of the 92 unreported events, there are 67 (73 percent) cooperative events as against 25 (27 percent) conflictive events. The fact that cooperation is often unreported feeds into the logic that scarcity generates conflicts (Baechler, 1999; Homer-Dixon, 1999; Kaplan 1999; Nyong, 2007), a logic which ignores the fact that people also cooperate when water resources are scarce.

Geographical Distribution of Events

The 143 water events identified during the inventory are related to 39 situations in the fifteen selected communities. Now the distribution of events among the communities differs. In some villages there was found to be eight times more events than in others (Table 7). For example, there were 33 events in Koyra, where both case studies for this thesis took place, while in Kel-Tagassit only two events occurred. Drimbé follows Koyra, with seventeen events, and Sobo occupies the third position with fifteen events.

There are various reasons for the differences in the number of events in the communities. First of all, methodological in the case of Koyra, the large number of events found might have to do with the fact that more time was spent there, as it was chosen as a case study and primary site for the research. Staying for a long time in a location with a complex water management system influences the number of events examined.

Viewed on the basis of agro-ecological zones, events are concentrated in the Gourma agro-ecological zone (64 events), of which 33 are conflictive events and 31 cooperative, and in the Seno ecological zone (43 events), of which 11 are conflictive and 32 are cooperative (Table 7). The fact that conflicts are more numerous in the Gourma agro-ecological zone, and within it in Koyra, may be explained by the scarcity of water resources in the dryland areas of Douentza. On the other hand, the different conflicts identified in the Lacustrian zone are linked to the presence of the river, which is the main water source for farmers, pastoralists and fishers. In Drimbé, the

presence of a pond during the rainy season is a source of conflict between pastoralists and farmers from the municipality of Débéré. Concerning Sobo, the problem is also linked to the presence of the river Kolli-Kolli. Thus, scarcity does not seem to be the main reason for conflict in Sobo and Drimbé; rather, the availability of water resources and the difficulties in managing access for different categories of users are possible factors explaining the conflictive events.

Interestingly, the number of inhabitants in a community does not seem to be decisive for the number of events that occur (see Table 2). Lund also noted that population density and frequency of disputes are not necessarily related, and whether a simple disagreement will become a public dispute depends on a number of sometimes subjective factors such as people's character and personality, as well as personal relationships (see Lund, 1998:106, 111).

Map 2. Map of Douentza District
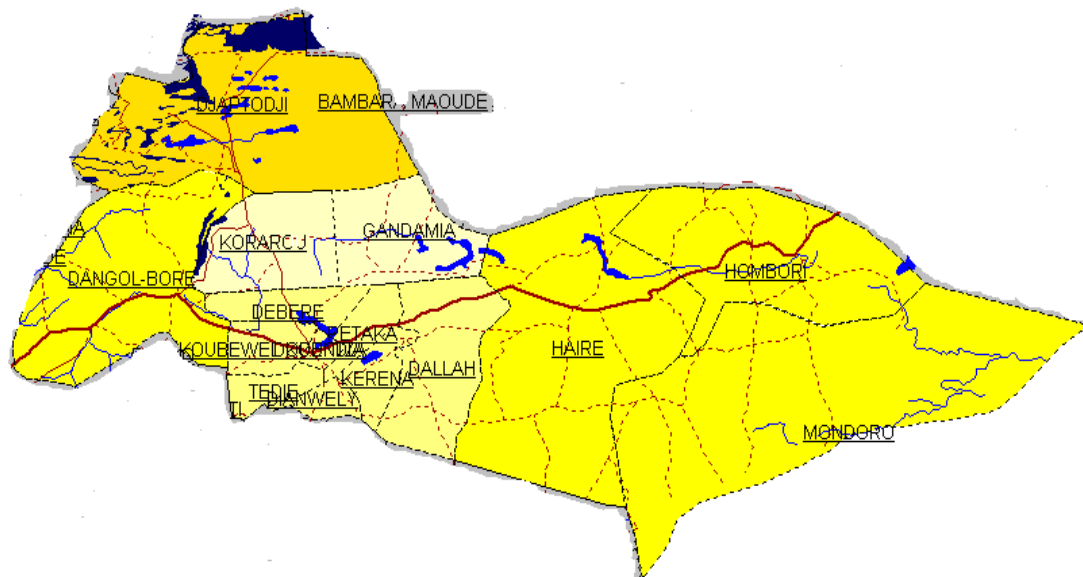
Table 2. Distribution of Events across Communities

Commune	Community	Number of inhabitants	Character of events		Agro-ecological zone
			Conflictive	Cooperative	
Dallah	Boumban	361	3	7	Gourma
Douentza	Drimbé	975	11	5	Gourma
Dangol-Boré	Falembougou	612	2	3	Gourma
Koyra	Koyra	3562	17	16	Gourma
Koubewel-Koundia	Dioni	230	0	2	Plateau
Tedie	Guenedoundé	804	0	0	Plateau
Haïre	Ouro-Fassy	193	3	9	Séno
Haïre	Boni	4493	6	7	Séno
Mondoro	Niangassadiou	2952	0	6	Séno
Mondoro	Ortongo	851	1	2	Séno
Mondoro	Modoro Dogon	2461	1	8	Séno
Diaptjodi	N'Gouma	320	1	11	Lacustrian zone
Diaptjodi	Kel Tagassit	NA	0	2	Lacustrian zone
Diaptodji	Dendia	609	4	1	Lacustrian zone
Diaptodji	Sobo	528	10	5	Lacustrian zone

Seasonal Distribution of Events

In the Douentza district as well as the rest of the Sahel, in the long dry season there is a general lack of water and pastures within large areas. Thus, it is of particular interest to see whether such scarcity actually leads to conflict, as suggested by the literature on scarcity-induced conflicts (Homer-Dixon, 1999; Kaplan, 1999; see also Turner, 2004b for a discussion). The data collected from Douentza shows that 116 (81 percent) of the events took place in the dry season, of which 45 (39 percent) were conflictive and 71 (61 percent) cooperative. Meanwhile 27 (19 percent) events occurred in the rainy season, of which 14 (52 percent) were conflictive and 13 (48 percent) were cooperative.

Thus the analysis shows that conflict is not the only result of seasonal scarcity. More events occur in the dry season, but most of these events are cooperative. Even in situations of seasonal scarcity, cooperation occurs. That fewer events occur in the rainy season might be due to the fact

that there is then less at stake regarding water resources because water is relatively sufficient at this time. However, the seasonal mobility of herds from the flooded Inner Delta and the presence of transhumant herders can provide reasons for the number of inter-communal conflicts and cooperative events during the rainy season (examples of such events are explored in Chapter 7).

Figure 1. Seasonal Distribution of Events
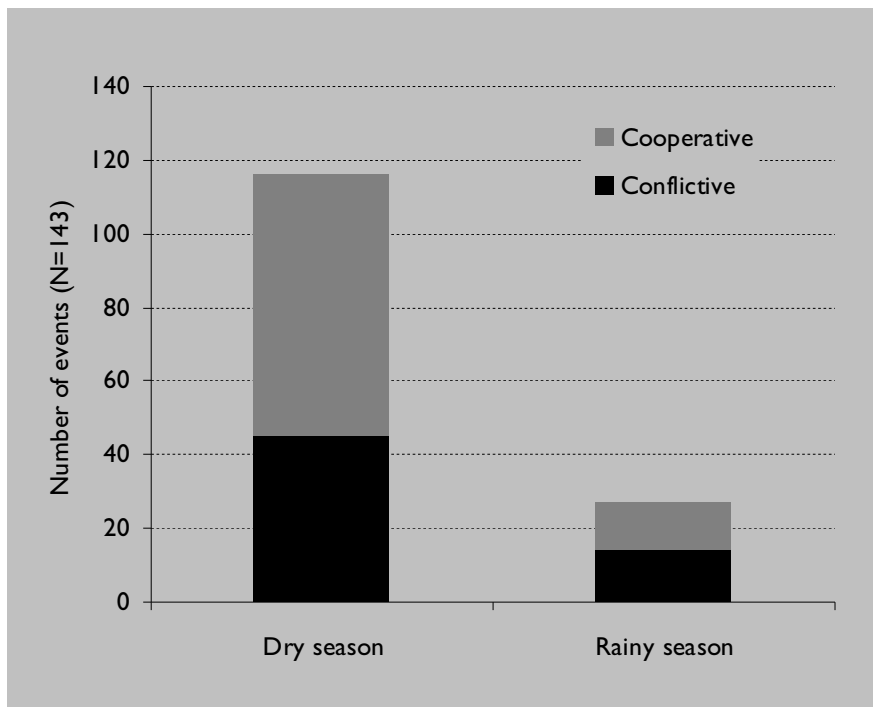
Temporal Distribution of Events

Figure 1 shows that the majority of events have taken place recently. From 1997 to 2000, few events occurred: only 36 events (25 percent). From 2001 to 2004 this number remained almost stable (39 events, i.e. percent). From 2005 to 2007, in three years, 68 events (48 percent) occurred. The relatively high number of events occurring after 2005 may be explained by the potential bias linked to the fact that, when an event is not reported, it is a real challenge for people to remember its exact date and they may remember more recent events better. Thus it is difficult to conclude to what extent water-related events are increasing or decreasing. Other factors influencing the

occurrence of events in this time period include the fact that, at the end of the 1990s, much important infrastructure consisting of modern wells and drinking water supplies have been constructed, possibly resulting in the high number of conflictive and cooperative events.

Furthermore, the decentralization reform adopted by the Malian government and implemented in 1999 has reawakened local identities in many parts of the country, resulting the marking and appropriation of territories and resources considered as belonging to ancestors. Political competition for the leadership of municipalities is also reflected in the number of water conflicts. It should, however, be stressed that some of the water-related situations and events began before 1997 and are still ongoing. According to Barrière and Barrière (2002:163-166), who made an inventory of environmental conflicts in the Inner Delta of Niger from 1818 to 1990, many recent conflict date back in history and are resurrections of previously settled cases, with most conflicts dating from after the colonial period due to the occurrence of droughts. They draw attention to the increase in conflict during the droughts of the 1960, 1970s and 1980s, thus linking the number of conflicts to resource scarcity. This study cannot confirm such direct links between scarcity and conflict, as conflicts also happen in the rainy season. This is discussed later in this chapter.

Figure 2. Inter-annual Distribution of Events
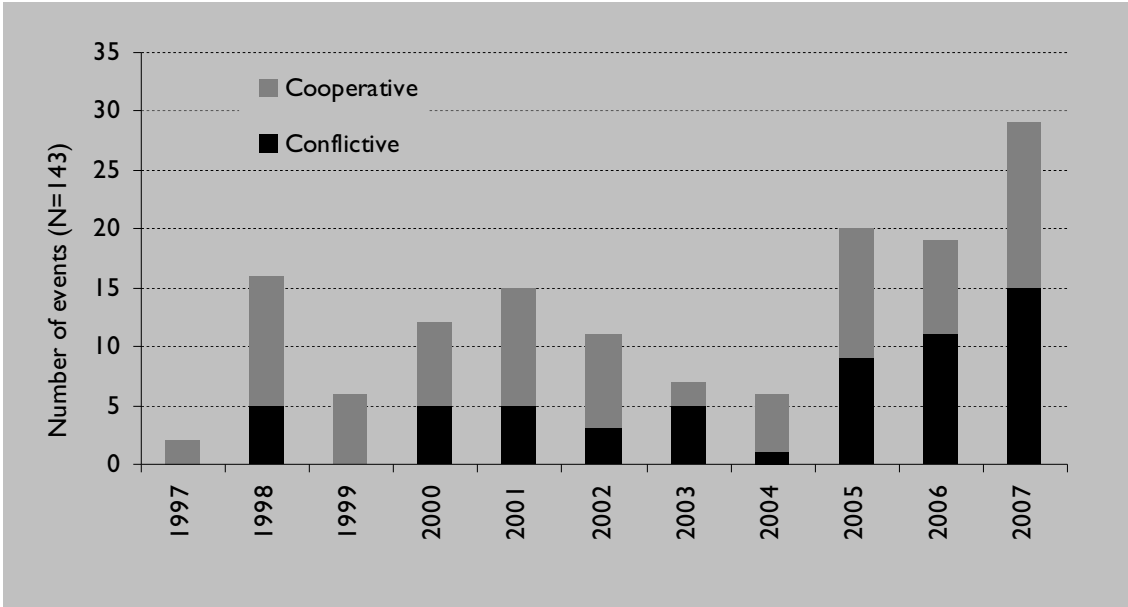
Types of Water-related Events

64 percent of all water-related events involved people who wanted to use a water resource for different purposes, such as drinking water for animals, drinking water for humans, fishing, fish-farming, irrigation and other consumption uses (non-drinking water). Most of these multiple use events were cooperative. Furthermore, most events concerned ground water or natural ponds.

Figure 3. Water Sources Involved in Conflictive and Cooperative Events
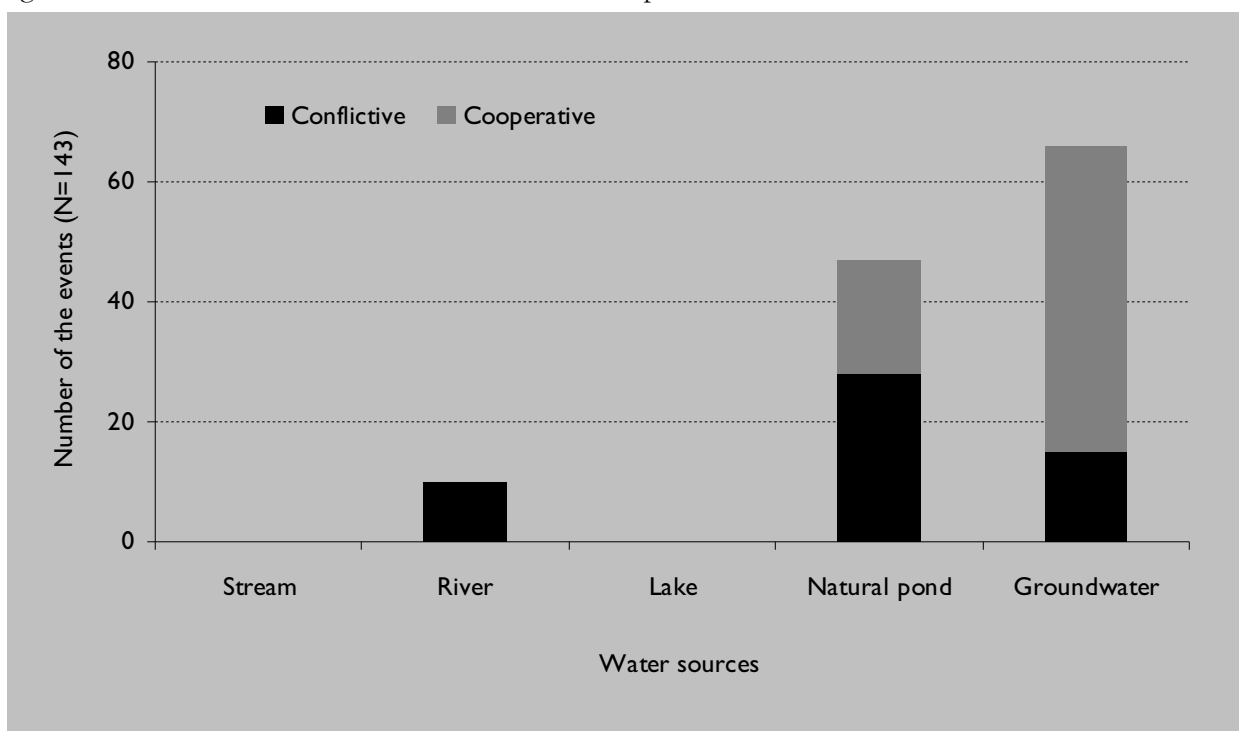
This can be explained by the circumstance that Douentza has a limited availability of surface water sources such as streams and rivers, and thus groundwater sources and ponds (point-specific water resources) provide water for several different purposes and tend to concentrate people with different interests in using the water around these points.

Figure 4 below shows that drinking water for animals and rural drinking water supply are the dominant water uses associated with the events occurring in Douentza. Drinking water for animals is associated with 101 of the events and is the most frequent, of which 44 are conflictive and 57 cooperative. This is due to the importance of livestock keeping in the district. Rural water

supply is associated with 66 events and is the second most frequent use associated with events. The two case studies analyzed in later chapters exemplify both conflict involving water for animals (Aman) and conflicts concerning rural drinking water supply (Koyra).

Figure 4. Water Uses Associated with Events
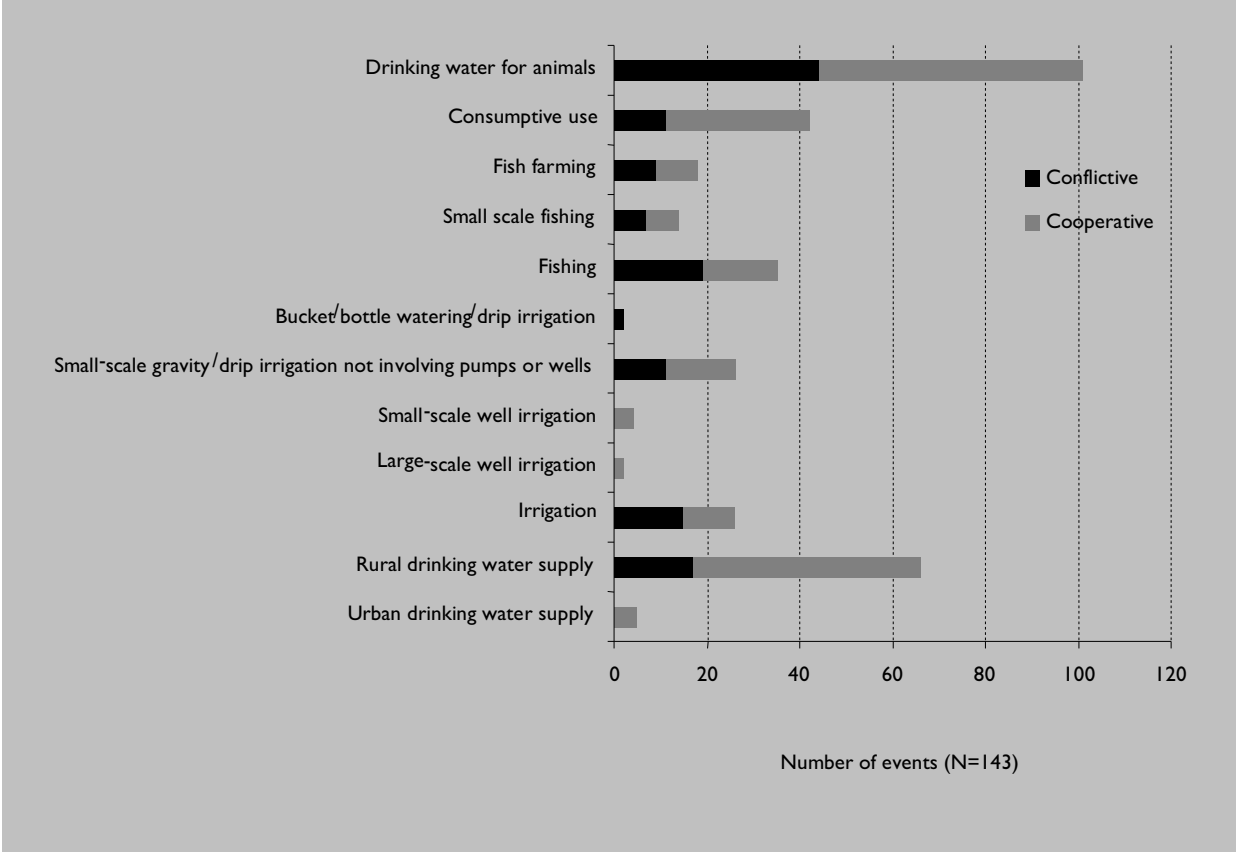
Each event may be associated with more than one type of water use.

Water infrastructure in Douentza includes piped water, tanks, wells, shallow wells, hand pumps, electric/diesel pumps and artificial ponds. 38 events concern wells, which constitute the main source of rural drinking water supply, the implantation and management of which give rise to small-scale conflictive and cooperative events. Most events around the wells are cooperative (82 percent), but 18 percent are conflictive. 33 events are related to piped water, of which six events are conflictive and 27 cooperative. Piped water comes in the form of modern urban water supply, which in Douentza has only been implemented in the semi-urban centers of Douentza, N'Gouma, Koyra, Mondoro and Niangassadiou. The implementation of such a project often

implies community meetings and the establishment of rules of use for the rural water supply. Conflicts related to modern rural water supply are explored further in Chapter 6.

I have now explained that in Douentza, mainly cooperative water-related situations are more frequent than mainly conflictive situations although they also contain conflictive events. Furthermore, cooperation are regarded as part of everyday practice and is not reported to external institutional actors as frequently as conflict, which may also into the idea into the logic that scarcity generates conflict ignoring that people also cooperate when water resources are scarce such as in the dry season and that many events occur both in the lacustrian zone and in the dry land zone of the Gourma. Most water events include people who want to use water for different purposes, which may be explained by the fact that Douentza has few available surface water sources. Consequently, ground water sources and ponds (point-specific water resources) provide water for most purposes and concentrates people with different interests in using water around these water points of which wells constitute the main source of rural drinking water supply. Due to the importance of livestock in the district, drinking water for animals is associated with most of the events in Douentza (44 conflictive and 57 cooperative). I now turn to examining who are the direct parties (actors) in these events, what kind of institutions are involved and what are the actions taken by the actors. Finally I discuss to what extent situations gets resolved.

Institutions in Water Conflict and Cooperation

Institutions are involved in water-related events, both as direct parties (actors) and as third parties called on to mediate. Most of the time, the conflicts are raised in community meetings or reported directly to the community leader, but when issues cannot be solved at this level, higher level administrative authorities become involved. In general, there seems to be a certain pattern of conflict escalation (Djiré et al., 2010). At first, the mayor or municipal authorities are involved (only in events since 1999, when the municipalities were set up). If this does not provide a result, state representatives or legal institutions are involved, though the latter are rarely asked to resolve conflicts over water points except in cases of physical violence. Furthermore, people collaborate with each other, with community leaders and chiefs or with local government authorities at

different levels, meaning that these authorities are involved in a large number of events. On average there are 2,8 direct parties per event, as can be inferred from the table below and Figure 5, indicating who these parties are. According to Law No. 01-004 of February 27, 2001 providing a pastoral charter in Mali (Decree No. 06, Articles 33 and 34), the conflicts related to the exploitation of pastoral resources are to be regulated through legal acts. But in any case, the appeal to jurisdiction should be preceded by negotiation in connection with local prevention and conflict management processes. If it is a conflict, the local process of conflict management ought to make an amicable settlement on the initiative of the parties involved. The council then issues a report on the conciliation or lack of conciliation to the municipalities, which are not, however, legally obliged to respect the observations of the community councils.

Table 3. Number of Direct Parties

Direct parties	Number of events
1	22[78]
2	53
3	27
4	13
5	25
6	2
7	1
	Total: 143

The five parties which are most frequently involved in such events are rural domestic consumers (60 events), community leaders (50 events), local government authorities (47 events), headmen and chiefs (40 events) and groups of pastoralists (39) (Figure 5). The rural domestic water consumers are more frequently involved in cooperative events (47) than in conflictive events (13). This also applies to community leaders, who were involved in 35 cooperative events and in 15 conflictive events, and the local government authority, which was involve in 33 cooperative events and in 13 conflictive events. The community headmen and chiefs tend to be almost equally frequently involved in conflictive events (19) and in cooperative events (21), like the pastoralist groups, who were involved in 21 cooperative events and in 18 conflictive events. The listing of

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[78] It can seem strange that an event can only have one direct party, but if somebody calls on a third party, the third party is not necessarily a direct party in the event.

the direct parties (or the actors) in conflicts and cooperation confirms that institutions are often actors in conflict.

Figure 5. Parties Directly Involved in Water Events
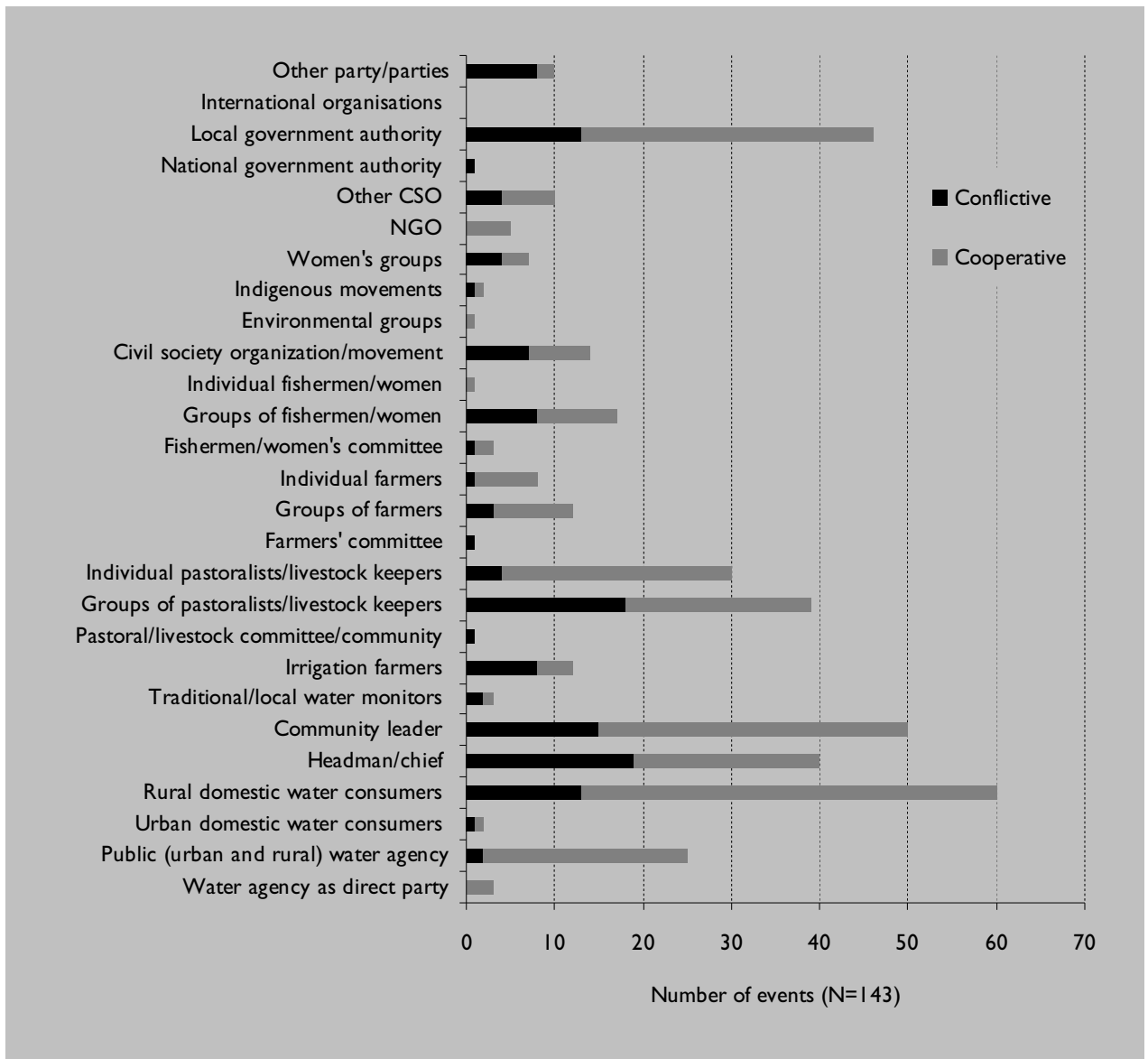
Each event may involve more than one type of direct party

In 76 percent of events, institutional actors are direct parties. Because situations consist of several events and a new event occurs when new institutional actors become involved, we must calculate

the number of institutions involved per event. On average there are 1.1 institutional direct parties per event.

Table 4. Number of Direct Institutional Parties

Institutional parties	Number of Events
0	36
1	68
2	32
3	7
	Total: 143

Third parties called on are in general institutional actors (see Figure 6) acting as brokers in conflicts. Different types of third party were called on 67 times (in 47 percent of the events): 38 times related (56 percent) to conflictive events and 29 times (44 percent) related to cooperative events. This confirms that institutional actors are invoked more in conflict than in cooperation.

Figure 6. Types of Third Parties Called On
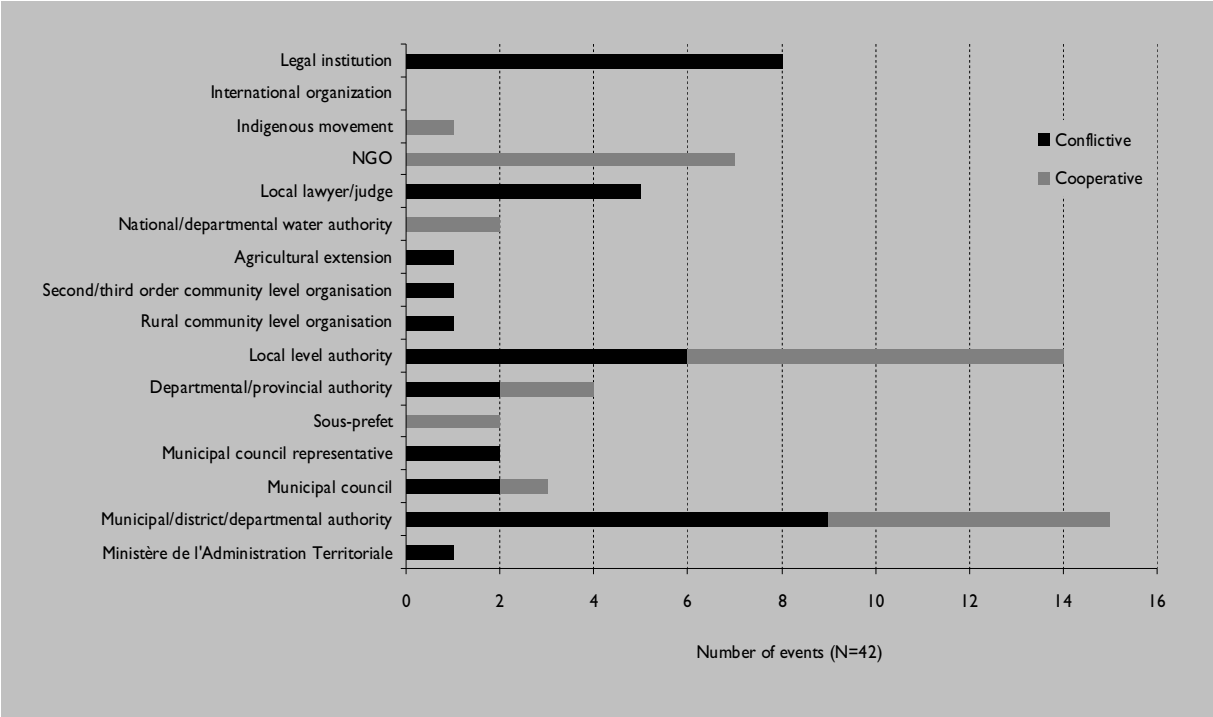
Two or more third parties may be called on in the same event, the main ones being municipal, district and departmental authorities (15 events, corresponding to 22 percent), local authorities (14 events, corresponding to 21 percent), and lawyers and judges (five events, corresponding to seven percent). According to another study of conflicts over land in Mali carried out by Barrière and Barrière (2002), administrative authorities are involved in the settlement of (54 percent) of land disputes. The courts (29 percent) reach amicable agreements. It is interesting to compare the processes of resolving conflicts, and although Barrière and Barrière (2001:166) only look at conflicts over land, they point out that since the land code was implemented in 1986, the administration has no longer been competent to act in land matters. But nevertheless, people still confer on the administrative authorities the ability to attempt amicable conciliation, because they are present in the field. This shows that people do not necessarily cease to address the institutions they are used to addressing to solve their problems, even when various competences of the state are transferred from one administrative unit to another (from the administrative authorities to the courts in this case). To transfer this observation to the context of decentralization, just because the law now says that the municipalities are in charge of certain affairs, this does not necessarily imply that people start addressing their concerns to them, or stop approaching the already existing institutions they are used to approaching. In this way, 'the old institutions' are actually still those that people consider the legitimate authorities.

Thus, apart from being direct parties in conflicts, people also address institutional actors as third parties. The table below shows how many third parties are involved per event in events where third parties have been called on. On average, in the events where third parties have been called on, 1.95 parties were involved. In 39 percent of events a single institutional actor has been involved, in 42 percent two, and in 23 percent three or four institutional actors.

Table 5. Number of Third Parties Involved

Third parties	Number of events
1	14
2	17
3	6
4	3
	Total: 40

However, as I shall now explore, conflicts do not necessarily tend to be resolved just because institutional actors become involved.

Actions Taken

Public meetings held (in 44 events), private meetings between parties (in 32 events), public oral agreement (in 25 events), public oral disagreement (in 23 events) and public written statements of disagreement submitted to third parties (in 15 events) are the most numerous types of action taken by the parties (Figure 7). Together, they constitute the main actions taken in the 143 events registered. Concerning conflictive events, one can observe that public oral disagreement (in 23 events) and public written statements of disagreement submitted to third parties (in 15 events) are still dominant, but with persons acted on (in 10 events) as the third most frequent type of action taken. Concerning cooperative events, the dominant ones are public meetings (in 39 events), private meetings between parties (in 26 events), public oral agreements (in 23 events), private memoranda of agreement between the parties (in 12 events) and oral agreements (in 12 events).

Figure 7. Types of Action Taken
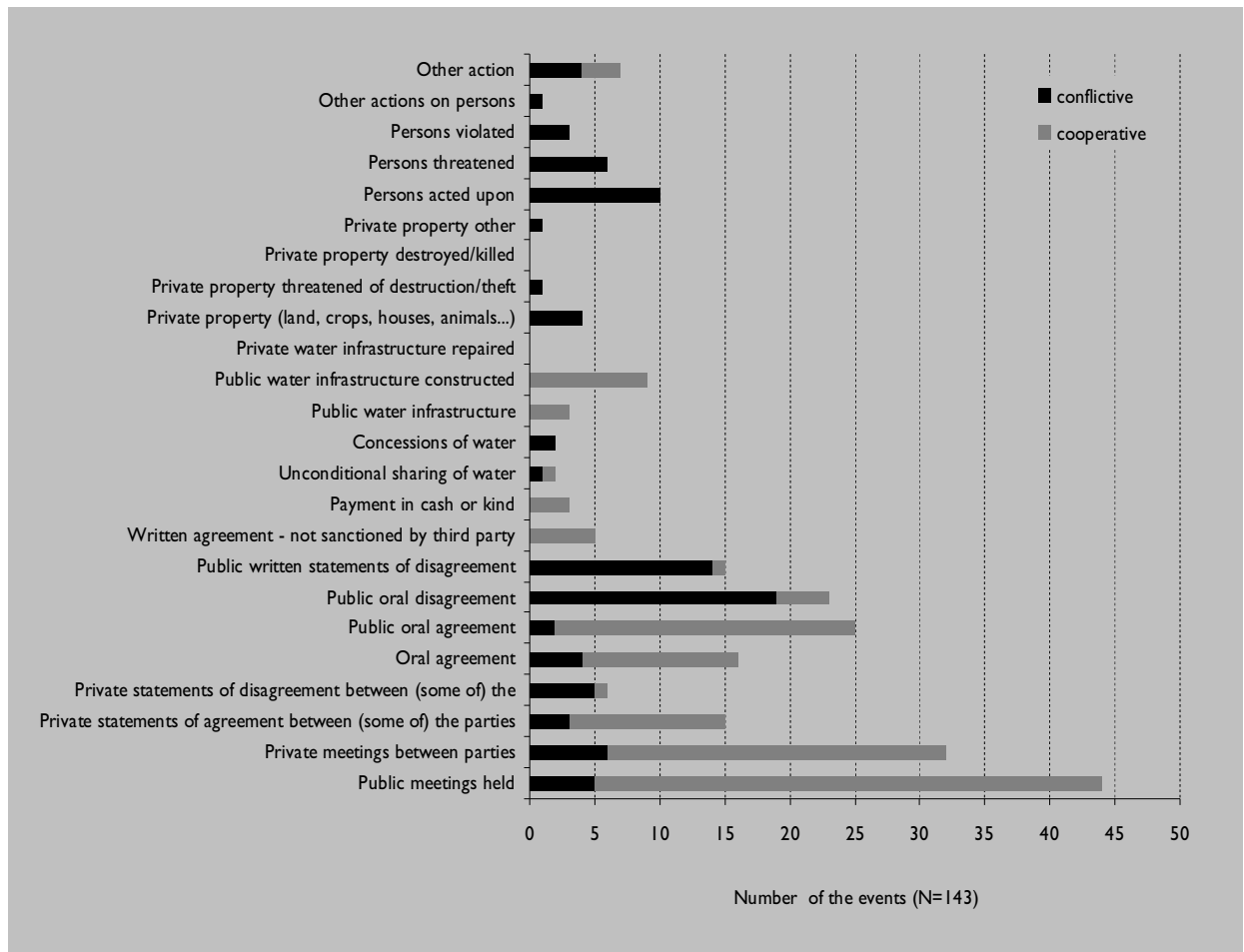
Each event may involve more types of action.

Current Status of Water Situations

Among the eighteen mainly conflictive water situations, only six have been settled with the agreements being maintained since they were made. Five situations have been settled but with the agreements regularly being violated, three are under negotiation and four are continuing at a similar intensity. Given the high degree of institutional involvement in water-related situations, the fact that only five conflictive situations have been settled indicates that institutional involvement does not necessarily means that conflicts are resolved: in fact, sometimes the opposite may be the case, namely that institutional involvement may aggravate and further complicate competition for water in Douentza. Among the 21 mainly cooperative water situations, fifteen are assessed as

continuing at similar or steady intensity, in four situations cooperation is strengthening, and in one situation it is weakening.

Institutional involvement does not necessarily entail that conflicts are settled or that a consensus is found. The data presented in this chapter confirms the literature on legal and institutional pluralism in this respect. von Benda-Beckmann, for instance, points out that local-level disputes are rarely settled and often reopened. Lund (1998) has also shown how conflicts are reopened when new forums for trying cases are put in place. Barrière and Barrière (2002:167) also shows that environmental disputes in the Inner Delta are often retried. They interpret the reopening of cases as a lack of respect for authority, whether central or traditional, and a sign of the institutional weakness reflected in the inability to made enforceable decisions. Moore (1992) argues, on the basis of a Memorandum from 1957 on local courts, that what encourages the Mchaggas to reopen a previously settled case is a 'change in the micropolitical situation in the neighborhood that makes the claimant think that a more favorable settlement is possible' (1992:33). She further explains that many events from outside the courts, such as changes in local leadership, can have an impact on juridical proceedings, because such an event produce changes in loyalty, which can make a claimant think that it may be worthwhile to retry a case. 'Subtle realignments and redivisions of partisanship may be expected to result from any power shifts within a local group' (Moore, 1992:34). So, according to her, the reopening of cases does not reflect the dysfunction of local legal institutions but the workings of micropolitics. In micropolitics, affairs from outside (an external to the case) the court can influence whether a community member thinks there is a reason to retry a case, even though there has already been a judgment on it. It also offers an explanation for why local-level disputes are rarely settled but seem to be reshuffled every time there is a shift in, for example, the local power base. Decentralization is one event which may reshuffle the power base and make people retry or reopen ongoing disputes. A new judge in the local court or the death of a local chief could have the same effect.

According to Barrière and Barrière (2002) the introduction of democracy has led to an increase in conflicts, especially since the coup d'état of 1991 and the process of decentralization.

In fact, in the rural world, the introduction of democracy has generated an impression of vacant state power and developed the idea that everything can be questioned and that freedom consists in the exclusion of all constraints, that it authorizes the violation of other people's rights (Barrière and Barrière, 2002:164).[79]

However, based on the historical account, it is difficult to determine to what extent conflicts have been more frequent since decentralization and would require more empirical analysis. Based on Falk Moore's interpretation of the memorandum from 1957 in Botswana, as well as other studies of local-level conflicts (Lund, 1998) the opening of previously settled disputes is not a new phenomenon, as Barrière and Barrière suggest (2002:164). Rather, it is an enduring characteristic of local-level disputes (von Benda-Beckmann, 1981).

SUMMARY

This chapter has provided elements for understanding the nature and character of water-related events and situations, their spatial and temporal distribution, and institutional involvement in conflict and cooperation. The inventory showed that conflict and cooperation are not mutually exclusive, but rather interwoven and overlapping phenomenon (Ravnborg et al., forthcoming:15). In Douentza District, more cooperative than conflictive events were identified. Of the 143 water events identified, 59 were conflictive and 84 cooperative. On top of this, in many places people cooperate on a daily basis and over time in managing wells and other water sources. This picture is not taken into account in the narratives of the Sahel as a water-starved and conflict-prone region. There is a correspondence between the predominance of conflict and agro-ecological and hydrological factors, but these factors alone cannot explain conflict and cooperation, and may not even appear to be the most important. Conflict events occur in zones characterized by water scarcities (e.g. Koyra), but also in zones with abundant water resources (e.g. the Lacustrian zone). In both zones, management issues appear to be the most determining factor for the presence of water conflicts. In terms of temporal distribution, the inventory shows that about three quarters of water-related events take place in the dry season and only one quarter in the rainy season. This

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[79] My translation of the original: *'En fait, l'introduction de la démocratie a généré dans le monde rural une impression de vacance du pouvoir étatique et a fait germer l'idée que tout pouvait être remise en cause et que la liberté consistait dans une exclusion de tout contrainte, qu'elle autorisait la violation des droits d'autrui'.*

situation is related to the fact that most of these events were cooperative. Furthermore, the seasonal mobility of herds from the flooded Inner Delta and the presence of transhumant herders may provide reasons of the number of intra-communal conflicts and cooperative events during the rainy season. Thus, although the concrete material aspect of water conflicts is not to be denied, several aspects have to be taken into account in explaining such conflicts.

The inventory also showed how institutional involvement in local-level water events is double-sided. Institutional actors are involved in water-related events both as direct parties and in virtue of third parties being called on. Most of the time, the problems are raised in community meetings or reported directly to the community leader, but when issues cannot be solved at this level, higher level administrative authorities become involved. Third parties are involved in several events, both conflictive and cooperative. Third parties called on are in general institutional actors (local-level authorities, municipal, district or departmental authorities). The inventory shows that institutional involvement is not decisive for whether conflictive situations are resolved. Rather, the inventory confirms other studies from different places and times (Barrière and Barrière, 2002; von Benda-Beckmann, 1981; Lund, 1998; Moore, 1992) showing that not reaching a consensus or final settlement of conflicts seems to be a defining characteristic of local-level disputes. According to Barrière and Barrière (2002:164), the absence of binding enforcement reflects the dysfunction of politico-legal institutions, indicating that people do not respect the authority of the institutions of government, whether 'traditional', administrative or juridical, and that the introduction of democracy has been interpreted as an absence of constraint, which gives people carte blanche to violate others' rights (ibid.) This portrait, I argue, reflects the development discourse of failing institutions in the African public sphere without taking into account the way conflicts are embedded in historical and political processes, as I will show in the next chapters. Along the lines of Moore (1992), I argue that the continuous reopening of previously settled disputes characterizes the functioning of micropolitics. Changes in circumstances may make it worthwhile for claimants to retry their cases, prompting a resurgence of conflicts at the local level. Such resurgence, however, does not imply that the system is dysfunctional but rather reveals the way it works.

PART III. STRUGGLING FOR WATER AND AUTHORITY IN KOYRA

Well in Koyra, February

CHAPTER 5. CHANGING STRUCTURES OF SOCIAL STRATIFICATION AND AUTHORITY IN KOYRA

INTRODUCTION

This chapter shows how the decentralization reform has influenced political organization and social stratification in Koyra, opening up space for new political actors. Yet, at the same time, ideologies of social stratification established in the past still inform local perceptions. Mauxion (2008) argues that in Songhay society today, it is no longer social status – aristocrat, noble, slave descendant – that solely determines people's role in the economy; often it is people's role in the economy that influences their social status (Mauxion, 2008:159). Consequently, despite categories of difference, there is room for maneuvering and for social entrepreneurs to influence and alter local authority structures. I argue that in Koyra, two contradicting processed are at play: On the one hand, social stratification structures division of labor and everyday practices around access to water between the social groups. This is reflected in 'traditional' water delivery services in Koyra. To illustrate this, in the first section, after setting the scene, I show how migrant Dogon women fight over water with the 'noble Songhay' women. On the other hand, due to decentralization, the strict hierarchy and structures of authority are changing among powerful actors aspiring to influence local politics, which has opened up the political space for new actors to enter the arena. The analysis of the competition for authority between these actors serves at the same time as an introduction to the actors in conflicts over water analyzed in the next chapter.

The chapter furthermore explores the registers of legitimacy that political actors draw upon to contest, establish or maintain authority in the local political arena and reveals how claims to authority are established through references to a contested past. Thus, history is not something which is simply there, but something people actively engage in and constantly (re)make through narratives and (re)production of truth (Hagberg, 2006:783). Through an analysis of the myth of origin in Koyra I examine how the Songhay aristocrats in the past established claims to territory and authority through the straddling of the spiritual world and the material world where control of water is an essential dimension of authority. However, the nobles, have to draw upon similar

registers of legitimacy in order to resonate with established ideas of order to become recognized as authority in Koyra.[80] This they achieve through contesting the authenticity of aristocratic chieftaincy. Before I turn to the analysis of social stratification and authority under decentralization in Koyra, I introduce the geographical, social and political setting of Koyra.

IN THE VILLAGE OF KOYRA

Historically, Koyra is one of the most well-documented sedentary town centers of the Songhay chiefdoms (Rouch, 1953; Baudais, 2009).[81] Today Koyra's village territory is composed of two zones: the plateau zone, commonly called uphill (*en haut*), which consists of four ancient neighborhoods, where the Songhay population and the chieftaincy live.[82] The plain zone is commonly referred to as downhill (*en bas*) and is occupied by a few civil servants of the state, divided between the *sous-préfecture* (see Chapter 3), the gendarmerie and the school. Here, most of the population consists in newcomers, i.e. Malians from elsewhere in the Douentza and neighboring districts who come to do local trade, herding etc. This geographical division also reflects the opposition between the old authority institutions embodied by the chief and the newcomers endeavoring to influence Koyra's political arena.

Koyra is a multi-ethnic village, home to around 3.562 registered inhabitants.[83] The main ethnic group is the Songhay, followed by the Fulbe, Dogon, Tamashek and Bambara.[84] The settlement of the Songhay aristocracy dates back to the conquest of Koyra by Sonni Ali Ber in 1467-68.[85] The

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[80] The terms 'nobles', 'aristocratic' and 'newcomers' are in quotations marks as they refer to how local people's own categorizations. From now on I will not use quotation marks.

[81] The more exact account of the region's history started with the Songhay settlement in the 10th century.

[82] The village chief's residence is a reconstruction of the royal palace of Askya Mohamed who lived there in 1492 before his accession to the throne of the Songhay Empire. The palace also encloses the tombs of the last four chiefs and constitutes an important reference point for Songhay identity

[83] Census 2001 (*Cartographie des infrastructures des communes rurales*). Although 3.562 people are registered more people are permanently living in Koyra. However, these numbers do not reflect the real number of inhabitants in as many have been living there for years without being registered as taxpayers and citizens of Koyra.

[84] The principal languages spoken are Songhay and Fulfuldé (language of the Fulbe). The Fulbe also take part in decision-making at village meetings, and Songhay and the Fulbe also intermarry (Marie, 1975).

[85] However, before this conquest, Songhay hunters, from Gow had settled in Koyra in the 10th century, as I shall explain in later sections.

Dogon were (and still are) considered pagans famed for their hard work and slave origin.[86] In recent times, newcomers, often traders and herders from elsewhere in Douentza and the neighboring municipalities, have moved into new hamlets downhill, close to the national road. At the same time, uphill families have started to settle downhill. There are many examples of individuals who transgress the noble/newcomer division, and it was confirmed in my interviews that newcomers also marry within the families of the nobles.[87] Nevertheless, and as I will return to later, the division between aristocrats and nobles and newcomers on the other side, also follows the division between the uphill and downhill population. These are very important boundaries, which people navigate according to, and which are used as a tool for political mobilization in Koyra.

Finally, several *ressortissants* (natives)[88] live in the capital Bamako, where they hold important positions in the administration in virtue of which they play a central role in the social economic development of the town, negotiating development projects towards Koyra through brokerage, as I shall further discuss in the next chapter. These natives, furthermore, constitute a national executive branch of Koyra's youth association, which is also an actor in the conflict analyzed in the next chapter.

I have now accounted for the geographical and social setting of the conflict analyzed in the next chapter and showed that there is a both a geographical and a socio-political division between the uphill, the old aristocratic chieftaincy, and the downhill population consisting of new comers who have allied with other Songhay families who have moved downhill and together they endeavor to gain influence in local politics.

I now turn to show how social stratification still plays a role in everyday life and in the organization of water delivery I now turn the example of the migrant Dogon women and their

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[86] The Dogon are famed for their hard work and magic skills. In the past they constituted a reservoir of slaves, for information see Gallais, 1975:97-124.
[87] For instance, Mamadou Maïga, administrative secretary in the municipality (2004-2009), is a new comer originating from Tombouctou, but has married the daughter of Ahmadou Touré (ex-mayor and son of Nouhoum Songhay chief) sister. Thus, the mother of his children belongs to the Koyra Koy.
[88] This term is applied by people s to talk about people coming from Koyra living in Bamako or elsewhere.

fights with the noble Songhay women, a conflict which I discovered while conducting fieldwork for inventory.[89]

SOCIAL STRATIFICATION IN RURAL WATER SUPPLY

At the time of my fieldwork, Koyra was facing water supply problems.[90] The population use water for household consumption (drinking, cooking and cleaning), watering of animals and construction of traditional mud houses. To satisfy these needs, the village disposes of several traditional wells, five modern wells, and a manual pump, supplementing the few natural ponds, which all dry out for the major parts of the year. Several water supply systems have been implemented in Koyra, but have all encountered various difficulties, as I discuss in the next chapter. In times of water supply break down, Koyra's population access water from cemented wells, all situated downhill, which also dry out towards the end of the dry season.

> My children fetch water, but since they are small, they cannot go far, and they fetch only in the wells just down the hill. But for drinking water they would have to climb two hills to go where the good water is. My girls are small they cannot go all that way, I am obliged to buy a bucket of drinking water from the *Kerinké* at 100 CFA from the women (uphill villager of Koyra).

This quote from the woman points to an important problem in relation to water supply for the households in Koyra. According to Songhay ideology of social hierarchy, it is considered unsuitable for married women to draw water. Fetching water is an obvious sign of not being married and associated with shame for the adult women. In poor households that cannot afford to pay others to fetch water for them, the children in the family are in charge of fetching water. The children often wake up at three o'clock in the morning to go to the wells (uphill villagers of Koyra).

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[89] The water-related situations and events which in which the Dogon women are part do not form part of the extended case study as they involve a different set of actors, nevertheless they illustrate how the organization of water delivery in Koyra are structured according to gender and class.

[90] Most of the information in this chapter stems from interviews.

A group of Dogon women called the *Kerinké*, originating from the village of Keri,[91] provide the oldest type of water delivery service, fetching water from the wells and bringing it to the people living uphill.[92] A bag of 20 liters costs up to 100 CFA depending on the length of the transport and the season. This expenditure is heavy, in particular for poor households and not all households are able to pay the *Kerinké* for water.

Since the time of their grandmothers, the *Kerinké* have come to Koyra in the dry season to sell water to make an additional income to their agricultural activities in Keri.[93] Their husbands do not appreciate them leaving the village but poverty forces them to go, as child care, clothing, seasoning and medicine are traditionally the responsibility of the women, while the men provide the millet. The women who have 6-8 children often have to stay for four months in Koyra. The fetching and delivery of water is physically demanding for the women as they carry the water in a bag of goat leather on their backs while climbing the hill to reach the uphill population. If the *Kerinké* earn well, they have 500 CFA a day and since a bowl of millet costs as much as 100 CFA, they often only allow themselves one meal a day (villagers of Keri). While I observed the *Kerinké* women and their children working at the wells, it was clearly visible to me that most of the children have swollen bellies and suffered from malnutrition.

The hierarchy between the women of the different ethnic groups is well illustrated in their interactions around the wells. There are two wells in Koyra that were attributed to the *Kerinké* fifty years ago by the former chief Nouhoum, but they contain many stones, and when they dry out towards the month of February, problems with the Koyra women arise as the *Kerinké* try to access other wells. The *Kerinké* are considered unclean by the Songhay: They explained to me that they were often harassed by the noble women and their children.[94] Even when they were the first to

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[91] Their name also refers to their home town Keri, which is famed for its hard resistance to the slavery raids and colonial occupation. The village was originally placed isolated on one of Koyra's surrounding mountains ranges but after it was conquered by the French in 1916, it was relocated to the foot of the mountain (see also de Bruijn and van Dijk, 2001:224).)

[92] There is a large well five kilometers outside of Koyra, but the women I interviewed complained that it was far away and that fetching water from this well is particularly labor intensive as the water is very deep (interview, 2008).

[93] For the last 20 years they have stayed at the same woman's house while working in Koyra. The woman provides them with food and shelter at a small cost.

[94] According to the *Kerinké* women, in 2008 one of their children was killed in a fight over water. But when a young girl mentioned this in the interview, she was told by the elder women to keep quiet and we were left with the

arrive at a well at four o'clock in the morning, the noble women of Koyra would not let them fetch water first, and often they would insult and hit the *Kerinké* or refuse to pay them for their water delivery service. The *Kerinké* women also told me that sometimes, people would cut their leather bags and they had to start fetching water all over again. Such incidents reoccur each year in the dry season. Some noble women, on the other hand, found the relationship with the *Kerinké* to be good and said that they have to stay on good terms with them because they depend on their water delivery service.[95] After an incident with a broken leather bag, the *Kerinké* once talked to the mayor about their problems with the noble women, and he paid the cost of the leather bag out of his own pocket. But the quarrels between the women continued, and the mayor's gesture of paying the *Kerinké* only emphasizes that he does not address the heart of the problem: the structural inequalities between the *Kerinké* and the noble women. As the mayor still needs the support from noble families in the municipal council, he is probably in no position or has no interest in addressing this issue.

The above examples show that women have different social positions by virtue of their ethnic affiliation and slavery origin, but that gender is also a major axis of difference and hierarchy in Koyra, as women in most ethnic groups are considered to be subordinate to men.[96] This has particular importance in relation to water, since fetching water for household consumption is traditionally considered the women's task (or in the case of the Songhay aristocrats, the task of children and unmarried women) (see also Olivier de Sardan, 1984:111). However, social stratification patterns also inform relationships between women and structure everyday practices of water management in Koyra, as illustrated in the conflictive situation between the Songhay and the *Kerinké*. The *Kerinké* who are considered to be of slavery origin, still carry out the labor intensive work of fetching water for the nobles in town, who despite their own impoverishment,

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impression that they are afraid of getting into trouble. Rumors in the Songhay families had it that the child was hit by a Songhay villager, but did not die because of the tapping, but because he/she was already very ill, and the accused children from Koyra were freed, after an autopsy which confirmed that the child was ill. Such rumors were never confirmed.

[95] It is furthermore interesting to note that, although the *Kerinké* are considered unclean, nobles do not refuse to drink their water. See also Mehta, 2006: 139 for a discussion on how in India religion and hierarchy prescribe whose water can be drunk by whom.

[96] There are many examples of difference in gender relations within the groups but it beyond the scope of the present purpose to elaborate further on this (see for example Olivier de Sardan, 1984: 111-113, 243-263 for the Songhay; de Bruijn and van Dijk on the Fulbe, 1995:367-395; Berge, 2000:180-84, 220-242 on the Tamashek).

hang on to an ideology of labor division from the past. As explained in Chapter 3, despite the official abolition of slavery, everyday language and practices are still filled with references to the dichotomy between nobles and slaves, people of free and unfree origin.[97]

I now turn to an investigation of how changes in social stratification also occur at a different level of society. The old base of authority in Koyra is challenged by decentralization, as new actors are entering the arena endeavoring to influence local politics.

ARISTOCRATS, NOBLES AND NEWCOMERS IN KOYRA

Contested Chieftaincy and New Neighborhoods

The influx of newcomers has influenced the socio-political setting in Koyra, because of increased population and economic activities. Following this process, some leaders of noble Songhay families, who do not belong to the aristocratic family of the chief, have recently moved downhill.[98] Taking advantage of the change of mayors in Koyra's second municipal election in 2004 (which I return to), these leaders requested from the mayor that the downhill area was turned into an official neighborhood, because some of the newcomers had lived more than twenty years in Koyra without paying taxes or being registered as citizens in Koyra.[99] The promoters of the new neighborhood wished to register these newcomers in order to broaden their election basis, gain votes and get more revenue for the municipality in terms of tax income (downhill villager of Koyra). Therefore, they made a complaint to the mayor, who did not refuse. Meanwhile, the son of the chief, who is also a municipal councilor, furiously contested that the new comers could become citizens because the official recognition of a new neighborhood could

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[97] One can be a noble, which are 'ordinary' people, who do not belong to the aristocratic family, but were still considered free in the past.

[98] I should note that in the Songhay ideology of hierarchy, there is a distinction between nobles and aristocrats. Nobles 'just' means free in the past, and 'ordinary people' are also nobles, whereas aristocrats belong to the family of the aristocratic chief as I explain further below (see also Olivier de Sardan, 1984).

[99] As mentioned in Chapter 3, becoming registered as tax payers fueled the emancipation processes of slaves in the colonial past.

imply the election of a new neighborhood council and the appointment of a new neighborhood chief (see Chapter 2).

However, the promoters of the new neighborhood did not wish to overthrow the chief by appointing a new one. They were mostly concerned with getting influence in the municipal council, which in the framework of the decentralization reform is the decision-making power. In order to get support for the refusal of the proposal, the son of the chief wrote to the natives in Bamako that the Songhay families who had moved downhill wanted to remove the chieftaincy.

Furthermore, the son of the chief informed his father, who got furious and interfered with the support of his family, 'those who command in Koyra did not want strangers to be registered.' Thus the proposal was rejected by the village authorities, under the pretext that the downhill population was inhabited by strangers (see also Djiré and Cissé, 2010). The registering of the many new citizens in Koyra could, however, demolish the influence of chieftaincy family in the rural council. Thus in order to sustain power in the rural council, the son of the chief mobilized support in his family to turn the proposal down by drawing upon feelings of superiority and the fact that the family of chieftaincy does not wish to be ruled by people of inferior class.

Consequently there is a strong rivalry between the aristocratic chieftaincy family and the mayor, because the chieftaincy feels threatened by the influence of the new comers and the possibility of a change in the authority base in Koyra. Furthermore, the municipality has taken over many functions of the chief, which de-legitimizes the power of the chief whose official role is reduced to that of consultancy (see Chapter 2).

This refusal of the recognition of the downhill area as official neighborhood is at the root of the rivalry between the uphill and down hill populations in Koyra. This competition has lasted for more than ten years and is reflected in many aspects of the political-socio-economic life in Koyra, in particular in the management of the various water projects as will be explored in more depth in the following chapter. The ideological struggle between the aristocrats, nobles and new comers in

Koyra is also reflected in the local game of politics and the struggle for authority in the municipality – a struggle which is furthermore informed by historical rivalries over chieftaincy.

Newcomers in Local Politics

With the decentralization reform in 1999, Koyra became head town in the rural municipality of the same name,[100] in which the son of the former chief Nouhoum Touré, Ahmadou Touré was elected mayor (1999-2004). His election represented the continuity of the power of the aristocratic Songhay chieftaincy in the municipal council. But in 2004, the balance of power between newcomers and aristocrats in the municipal council was altered as Ahmadou Touré was overthrown by Hama Ganaba (2004-2009) who mainly represented the newcomers in town but also other noble Songhay families, who were not in lineage with the chieftaincy family. Ganaba belongs to a noble Songhay family but is from a different family than the traditional chieftaincy, and it was in the light of his election that the promoters of the new neighborhood seized the chance for getting official recognition (interview, municipal councilor of Koyra). Since the settlement of the aristocratic chieftaincy of the Koyra Koy, Ganaba is the first village authority who does not belong to the chieftaincy family. He is furthermore supported by other noble Songhay families who have moved downhill. The election of Ganaba illustrates how new actors appear in local politics and how the elections create new opportunities for them to gain influence.

The struggle over the official recognition of the downhill area as a new neighborhood exemplifies exactly how the political space was opened up by the decentralization reform as it opened a window of opportunities not only for newcomers but also for other noble Songhay families, who are not members of the family of chieftaincy to gain an influence in the municipal council by mobilizing followers and new potential voters. At the same tine we saw that 'the old guard,' i.e. the aristocrats, creates narratives of autochthony and superiority to remain in the game. To better understand the way authority is established, maintained and contested, I analyze the registers of legitimacy that the political antagonists draw upon.

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[100] The area of Koyra municipality is 2,203 km2 with 18,984 inhabitants divided into 20 villages and four nomadic clans.

Legitimizing Authority

As I discussed in Chapter 1, legitimacy should not be understood as a quality that rulers possess. Instead, legitimacy is best perceived at as 'a conflict-ridden and open process, in which 'big men' and politicians as well as their audiences and 'judges' intervene' (Lentz, 1998:47). This approach to legitimacy accounts for the coexistence, overlap and complementarities between different sources of legitimacy (e.g. tradition, custom, law, history, wealth and position) as well as the possibility for actors to draw on different registers of legitimacy in different arenas. Local identities are structured around social hierarchies of difference related to aristocracy and nobility, according to which the aristocracy is regarded as superior to the nobles (and newcomers), something which plays a role in the internal competition and struggle for equal status between these two groups in Koyra. In this section I explore how authority is constituted through the settlement of the Songhay chieftaincy and how ancient rituals around water become politically significant and loaded with meaning. The ideology of social hierarchy constructed in the history of the Songhay Empire shows how social stratification was produced by contingent historical events and, not as a natural state. This analysis is important to elicit how norms, values and meaning are used to legitimate authority in local politics (Hagberg, 2006:781). In their claims to authority, the Songhay representatives of the aristocratic chieftaincy draw upon both their authority as belonging to a superior class of warrior kings and their particular relations with mythic ancestors, explicit in the 'myth of origin' a story of the past, which I return to below.

Aristocratic Claims to Authority

As mentioned in Chapter 3, there are two types of chiefs in Songhay society, although as we shall see there are often overlaps and interlinks between the two (Olivier de Sardan, 1984). *Village chiefs* refer to the preeminence of the first-comers. This type of chieftaincy is based on family lineage, with the chief being the first patriarch. However, lineage alone cannot explain the authority of the village chief; a second crucial aspect of his authority is his magic-religious role and the ability to bring 'luck' to the village, whether it is in virtue of his contact with the gods in the bush or the

protection of Allah.[101] The chief is a mediator between the material world and the spiritual world of the ancestors, and there is a strong spiritual and religious dimension in his claim his authority. There may, however, be contradictions between the principle of anteriority and the religious function of the chief. If the successor of a chief turns out to be just 'normal' or if disasters hit the village, this can question the chief's ability to bring 'luck' to the village. In such cases it becomes clear that the chief is but a mediator. He does not have the monopoly of violence nor of the means of production. He has the authority to allocate community land, but he does not possess it.

By contrast, the emergence of the *aristocratic chief* as a powerful class is a consequence of the specialization in war and making of warriors. The power of the aristocratic chiefs often derives from the fact that they are strangers or outsiders who come to protect a village or settle by the use of force. But in addition to his military strength, the warrior chief draws upon other repertoires of legitimacy (Lentz, 1998), which inscribe themselves in the registers of authority found in the local traditions of the conquered place. The military aristocracy defies the principle of anteriority of the village chief. However, the recovery of the functions of the village chiefs allows the 'outside' warrior chiefs to inscribe in village reality and give it a symbolic 'autochthonous' foundation. The warriors thus become a local aristocracy. As in the case of the descendents of Askya Mohammed, ruler of the Songhay Empire (1493-1528), little by little the principle of spatial anteriority, which characterized the village chieftaincy, transform into an anteriority of genealogy of the aristocratic chieftaincy (Olivier de Sardan, 1984:91).

Despite that an ancient population was already there, the aristocratic conquerors assigned themselves the privilege of being founders of the village. But by leaving certain rituals and functions to the first inhabitants the aristocrats became *fils de pays*. As the conquerors settled and secularized, they introduced not only their weapons but also their history and gradually erased the history of the first inhabitants (see Olivier de Sardan, 1984:91). This description correspond very well to the way Askya Mohamed's aristocratic descendents, the *Koyra Koy,*[102] established chieftaincy

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[101] Diverse associations between the religious and the political, the power and the symbolic, the chief and the holy is to be found in most Songhay societies (Olivier de Sardan, 1984:90).

[102] The children of Askya Mohamed were titled Koyra Koy, during his governorate of Koyra (Rouch, 1953:192; République du Mali, 2005:5). The descendents of the chiefs here constituted Koyra's aristocracy in the past and in the present.

authority in Koyra through conquest of earlier populations.[103] According to an agreement made with the autochthonous population during Askya's conquest, the Songhay took over the ancient village territory of the original inhabitants.[104] Thus the Songhay in Koyra today are not autochthons, but were 'stronger' than the first comers and settled by use of military strength.[105]

In a colorful tourist pamphlet, Ahmadou Touré presents the myth of the founding fathers of Koyra in relation to the 'sacred pond of Fondikari' (see village map).[106]

> When the first Songhay migrants arrived in Koyra, they found the men called the *Neroi*. The latter were primitive beings who were unaware of even the use of rock salt, the sauce to accompany the millet dough etc. Nevertheless, these very first inhabitants were great magicians. Even today this pond (the sacred pond of Fondikari) cannot be cleaned without the authorization of the descendents of the Neroi. The attempts to demonstrate the supremacy of Islam or western civilization, which have been made without their knowledge or in their absence, have all ended with the pure and simple death of the careless ones. This pond, whether filled with water or drained, always inspire fear in the inhabitants. Here many sacrifices took place up until 1966 (author's source).[107]

According to Ahmadou Touré, when the Songhay arrived, they came on horse. They sent their dogs into the forest,[108] and after a while the dogs came back with mud on their paws. When the thirsty Songhay saw this, they decided to cut down the lianas, finding the pond Fondikari, which

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[103] The Songhay and some groups of Dogon do possess their own tarikh, which also contains a genealogy of the kings (see Tarikh Es-Soudan, 1963).

[104] Local myths and archeological findings show that an even earlier population, the *Telem,* had lived in Koyra (Marie, 1975:141-42)

[105] According to the elderly sources in Koyra (and Rouch 1953), the first Songhay settlers in Koyra were the Gow hunters who came from the Tindirama desert to the North West (Rouch, 1953:166) which was even before the not the Akia's, although references to the hunters are made in the myth of Koyra's origin, the distinction between the Gow hunters and the Askia's is erased. De Bruijn and van Dijk, (1995) explain in the story of settlement of Fulbe in the Serma it was also three hunters and that in order to legitimize their authority it had to be someone from the outside. Hagberg (2006:782) mentions the ancient tradition of hunters' brotherhoods in West Africa, which dates back to the 10th century and that hunters play a central role in wars and political.

[106] This myth is furthermore related to the origin of the name of the village. According to Ahmadou Touré, Koyra means 'today is good', which the founding fathers apparently, have yelled out when they found the pond.

[107] Translated from the original: *'Lorsqu'ils arrivèrent à Koyra les premiers migrants Songhai, trouvèrent sur place des hommes qu'on appelait les Neroi. Ces derniers étaient des êtres primitifs qui ignoraient jusqu'à l'usage du sel gemme, de la sauce pour accompagner la pâte de mil etc. Cependant, ces tout premiers habitants étaient de grands thaumaturges. Même de nos jours, cette mare ne peut être curée sans l'autorisation des descendants des Neroi. Les tentatives effectuées à leur insu ou encore en leur absence pour démontrer, soit la suprématie de l'Islam, soit celle de la civilisation occidentale, se sont soldées par la mort pure et simple des imprudents. Cette mare, qu'elle soit remplir d'eau ou asséchée inspire toujours la crainte aux habitants. Il s'y est déroulé longtemps des sacrifices et ce jusqu'en 1966'.*

[108] Oral tradition tells that there used to be a tropical forest before the droughts.

belonged to the primary inhabitants. The Songhay did not dare to take water from pond if the Songhay chiefs had not first made sacrifices to the descendents of the ancient people. The settlers then negotiated an agreement with the first inhabitants, whose magic powers they were afraid of, by offering them meat. At the end of the rainy season, the pond was filled and sacrifices were made before digging the pond (interview ex-mayor of Koyra). The sacrificing ended in 1966, apparently after Nouhoum went to Mecca, and the marabouts prohibited the sacrifices, referring to Islam. After that no one dared to touch the pound.[109] Today, the chief still tells the youngsters in town when to dig and maintain the wells and except from the rural water supply, which I return to in the next chapter, historically the chief has been in charge of the management of water resources (interview, chief of Koyra).

There are important links between water and authority in the above-mentioned myth of the origin and the sacred pond.[110] As water is a crucial issue, and the exercise of digging a pond is long and trying, the story comes to symbolize the strength and authority of the settlers, further emphasized through their close relations to the mythical ancient inhabitants (Olivier de Sardan, 1984:89).[111] The previous inhabitants are portrayed as primitive animists but also as someone to respect because of their magic powers and close connections with the ancestors. When Askya and his followers conquered Koyra, they assigned themselves the privileges of the founders of Koyra: the civilized aristocratic locals. As such, the Koyra Koy strengthened their authority as chiefs through their relationship with and sacrificing to the mythic first inhabitants.[112] So on the one hand, the Koyra Koy deprived the first inhabitants of their land and submitted them to their power. On the other hand, they derived authority from this intimate relationship with the magic people and their contacts with the ancestors. The myth of origin also shows how ancient knowledge about water sources is rooted in local belief systems, a knowledge that is perhaps forgotten in the construction

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[109] Previously, there seemed to be ideological, but no practical contradictions between Islam and animism.

[110] In many others stories about settlement, it is symbolized by the digging of a well (Olivier de Sardan, 1984).

[111] Olivier de Sardan argues that there are many associations between the religious and the political, the chief and the sacred, in Songhay society (Olivier de Sardan, 1984: 90) and is also recognized by the chieftaincy of the Koyra Koy. The historical sources and oral traditions portray Sonni Ali Ber as a magic king and to begin with, Askya Mohammed, his general, was also associated with the magic powers the of Sonni Ali Ber's but later on he turned to Islam to support his authority (Baudais, 2006; Rouch, 1953, Tarikh es Sourdan, 1964).

[112] The Songhay enemies, the Kel Akal, also expressed respect and fear of super natural powers of the Koyra Koy (interview in Akal, see also Chapter 8).

of narratives of the Koyra as having a permanent water crisis, something which I shall discuss further in the next chapter.

Newcomers and Nobles' Claims to Authority

People told me that Ganaba based his election campaign on anti-corruption discourses signifying a break with previous times' unaccountable elites. Ahmadou Touré, who was beaten by Ganaba in the 2004 elections, claims that his antagonist defeated him, because he bought up votes (various interviews, Koyra). However, to what extent Ganaba's buying up votes was sufficient to make him win the game of politics in Koyra is questionable. While I was conducting fieldwork, in addition to Ahmadou Touré, several municipal councilors told me that they were bribed to appoint Ganaba. Furthermore, rumors said that Ganaba's brother, a billionaire who works in the oil industry in Niger, had generously supported his brother's political campaign by buying up votes.[113] Buying up votes in order to win elections is, however, almost routine in local politics, and whether this was what determined the election is not to say. Rather the accusations show how Ganaba's political antagonists engage in discourses of anti-corruption, to de-legitimize his authority in front of a 'Western woman'.

Ganaba does not belong to the aristocratic chieftaincy family and there are several interpretations of his origin. Some people say that his family originates from the ancestors of Koyra and that they are great magicians. Since he cannot claim aristocracy, in his effort to sustain his power, in addition to having close relationship with wealthy individuals, who support his campaign, he also has to draw upon others registers of legitimacy, i.e. that of authenticity (Lentz, 1998). To emphasize that his worth equals that of aristocrats, Ganaba claims that his family held chieftaincy in Koyra before the French colonization and before the Touré chieftaincy. The Touré, he claims, were slaves of the Ganaba, but the Ganaba chief gave away their slave, Bocary Touré, to the French during colonization, because they would not sacrifice their own children. The French authorized the educated slave as chief during their occupation of Koyra. This confirms how

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[113] According to a municipal councilor, the mayor paid 100,000 CFA to each counselor who voted for him, except to his own family member, Amadou Ganaba. Rumors told that Amadou's family threatened him that if he did not vote for Hama, Hama's younger brother, who was married to Amadou's niece, would divorce her.

colonial rule initiated a change in social stratification patterns by educating the slaves. According to one of my informants, during the time of Bocary, the Ganaba controlled half of the population of Koyra and Bocary was a slave of the Ganaba. But when Bocary died, Nouhoum was put in power by the French and took the Ganaba as slaves to be used as a messenger between Nouhoum and the French. This is, however, contested. Other sources say that Ganaba's family belongs to the former inhabitant in Koyra, the magicians, and that their family was taken as slaves by the Koyra Koy (interview, Chieftaincy of Akal). This contestation of the chiefly office still informs local politics, and in the registers the actors draw on to claim of legitimacy. The struggle between newcomers, nobles and aristocrats in Koyra rearticulates former chieftaincy rivalry in the Songhay aristocracy. It shows how history and narratives of belonging are important registers to legitimize authority. Finally, Ganaba also draws upon the legitimacy that the support of newcomers can give. The newcomers often interpret the aristocrats' nobility and feelings of superiority as 'unhealthy;' because of their feeling of superiority; the aristocrats do not work as hard as the newcomers do, and thus do not achieve anything:

> You have to be patient to live here and not even pay attention to what people say. If you want to do something here, work. Don't say that someone is noble or slave. That mentality never goes away here. Even though you are about to die of hunger, you prefer that instead of working, because you are not slave. You are noble and you do not work. However you have nothing. While I who am a slave, I work the mud, and you are not embarrassed to come and ask me for money? What does your nobility serve you? That is what one call 'unhealthy nobility (municipal councilor of Koyra).[114]

This reversal of aristocratic virtues serves to legitimize equal worth of the people of inferior origin. Furthermore, the newcomers and non-nobles actively engage in hard work and economic activities which are considered unworthy by the Songhay aristocrats. This different attitude towards life and work can make the new comers more economically successful and causes jealousy in town (author's interview).

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[114] Translated from original : '*c'est très difficile de vivre ici. Il faut être patient quoi .Il ne faut même pas écouté ce qu'on dit. Si tu as envie de faire quelque chose ici .travaille il ne faut pas dire que un tel est noble ou esclave. Vous savez ça ne quittera jamais ici. Même si on doit mourir de faim on préfère ça à aller travailler, parce que moi je ne suis pas esclave. toi tu es noble tu ne travailles pas alors que tu n'as rien. et pourtant moi qui suis esclave je travaille le banco et tu ne gênes pas de venir me demander de l'argent ? Qu'est ce que ta noblesse ta servie ? C'est ce qu'on appelle la noblesse mal saine'.*

It is the straddling of various arenas of registers of legitimacy of anti-corruption (which I turn to in the next chapter) and access to wealthy individuals combined with an attempt to reverse the categories of social stratification, which constitute Ganaba's claim to legitimate authority. This straddling to achieve authority also confirms the point made in Chapter 1, that in personalized institutions, the authority at stake is the authority of individual actors.

SUMMARY

In this chapter I have argued that first, social stratification and hierarchy are still at play, determining one's position in the village. The dichotomy between nobles and non-nobles cuts across several aspects of Songhay society: the division of labor and practices around water are structured according to this dichotomy. The example of the migrant *Kerinké* and their fights with the noble Songhay women illustrated how social stratification plays a role in everyday life and in the organization of water delivery, and that occupational pursuits differ according to ethnical affiliations and slavery origin, at least to a certain extent.

Second, despite historical legacies I have argued that social structures are increasingly being challenged through economic change, immigration of newcomers and the decentralization reform. That social structures are challenged is exemplified in the changing status of the Koyra aristocracy and the influence of the newcomers and their assertions to superiority towards the Songhay aristocracy. The influx of newcomers has influenced the socio-political setting in Koyra, because of increased population and economic activities.

Finally I have showed that there is strong rivalry between the chieftaincy family on the one side and the mayor and the new comers on the other side. The chieftaincy feels threatened by the influence of the newcomers and the possibility of a change in Koyra's structures of authority, challenging the role of chieftaincy authority in the municipal council. Thus, despite categories of difference established according to historical trajectories of social stratification between aristocrats, nobles and captives (Chapter 3), there is room for maneuvering and for social entrepreneurs to influence and alter local structures of authorities and existing hierarchies of

difference. But, in order to gain legitimacy, the noble representatives of the newcomers also have to engage in the registers of authenticity to associate and give meaning to their authority. The articulation of difference between aristocrats, nobles and newcomers has become increasingly important because of the fear by locals to be outvoted by numerous newcomers. The urge to belong is accelerated in current political discourses where the main agenda of the former aristocrats is to exclude the supposed newcomers from authority and positions in local politics.

This analysis also provides the background for understanding the actors in conflict we meet in the next chapter, which presents the conflicts in the village water supply.

CHAPTER 6. CONFLICTS OVER WATER MANAGEMENT IN KOYRA

INTRODUCTION

As I showed in the previous chapter, social stratification and categories of identity linked to aristocrats, nobles and newcomers constitute a register of legitimacy that local actors make use of to claim authority in the rivalry between the uphill and downhill populations in Koyra, reflected in almost all socio-economic and political aspects in Koyra. This chapter analyses conflicts over the management of a rural water supply in Koyra and shows how this competition also influences disputes to control public rural water supply.[115]

Even though Koyra has suffered from serious water scarcity for decades, particularly in the dry season, establishing a sustainable water supply system in the village has been a complicated process. Frequently, conflicts have emerged in relation to the occurrence of new water supply infrastructure in the form of development projects. The village has benefited from various water supply projects, which have all been confronted with management problems around which the different interests of the village crystallize (Djiré and Cissé, 2010). Water supply systems are supposed to benefit the village as a whole and thus constitute a public good. The conflicts over rural water supply are situated in the larger context of decentralization and changing structures of authority. As mentioned in Chapter 3, during the 1990s, the Malian government adopted a community-based strategy for rural water supply in which rural communities were increasingly engaged in water management to ensure ownership at the local level.[116] However, development projects sometimes imply differentiated participation by villagers and are easily transformed into an arena of struggle where personal ambitions and claims to authority are expressed and

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[115] This case study is based upon fieldwork I carried out in Koyra in different periods from 2007-2009 (see Chapter 1). Within the framework of the Competing for Water Programme, my colleagues Moussa Djiré and Abdoulaye Cissé have also carried out a case study of the conflicts of the rural water supply in Koyra (Djiré and Cissé, 2010). I have drawn on their findings to back up my own data and observations, and have also benefited from fruitful discussions with them along the way.

[116] Three official texts are central to this approach: the decentralization law, which specifies the transfer of competences within the water sector to the municipalities: *Loi et Décret et de Décentralisation Décembre, 1996* (Articles 9, 14, 15, 180), *Stratégie nationale pour l'alimentation en potable dans les centres ruraux et semi-urbain* (the text was adopted in 1997 after a national consultation in 1996); and *Loi 02-006 2002 Portant Code de l'Eau* (the texts were finalized in 1999 and adopted in 2001).

legitimized (see also Mauxion, 2008). This strengthens the point made in Chapter 4 that seasonal water scarcity is not always a trigger of conflict and that new water resources are often associated with conflictive events. In this chapter, we see how the implementation of new water infrastructure prompted both new and old conflicts in the competition for authority to control the management of water supplies, a competition which is highly imbedded in local politics. In the present case study of conflict over the management of Koyra's rural water supply, I examine the everyday practices of local institutions involved in public water supply, such as the municipality and the various public water management committees. I argue that the management of rural water supplies constitutes an arena i.e. a social and spatial location where actors confront each other, mobilize social relations and deploy discursive and cultural means for the attainment of the specific ends (Long, 2000:192). In the conflict the everyday practices of these institutions become visible, and I demonstrate that, in addition to social stratification explored in the previous chapter, corruption and anti-corruption narratives constitute pairs of opposition in the registers of legitimacy that powerful actors draw on to establish their authority.

First, the chapter provides an overview of the different rural water supply systems in Koyra in the form of an outline of the events and actions taken in the conflictive situation. Against this background, we are able to understand the roles of the actors involved and the claims they make in conflict processes. Second, the chapter analyses the actors and their claims in conflicts. Finally, it analyses the registers of legitimacy of corruption and anti-corruption narratives which institutional actors draw on to claim authority. The point is to link the conflictive events and situations to the larger context of decentralization through the extended case study in order to see how the actors' positions change.

CONFLICTS OVER KOYRA'S WATER SUPPLY

This section contains outline of the different events, actors involved and actions taken in conflict processes in Koyra's water supply in the period 1996-2009. The outline provides the background for the following analysis of the conflict which provides the context in which the second rural water supply emerged, the object of the analysis.

The First Water Supply System

In 1996, before Ahmadou Touré was elected as Koyra's first mayor in 1999, he served as *sous-préfet* in Niafunké, where he established a personal relationship with the team leader within a branch of the German Development Cooperation, by virtue of which he managed to persuade the latter to finance a rural water supply scheme in his home town of Koyra (interview, Koyra).[117] This water supply system was implemented through a participatory approach introducing water user payments to cover the costs of maintenance and repair. In general people were willing to pay the fee,[118] and a water management committee was appointed to guarantee transparency of the management of the income from the water supply and assure local ownership. The first management committee was appointed at a general assembly held by the chief (Soleyman Touré, 1981-2003) and headed by Ahmadou Touré himself, and it functioned until the end of 1999. The management committee also included a vice-president, a general treasurer and his assistant and an administrative secretary and his secretary (see table below), most of them representatives of the uphill population.

This water supply encountered several technical and financial obstacles under the management of the former mayor, Ahmadou Touré. The system ended when a deficient pump[119] broke and there was no money to repair it. The management committee was accused of fraud, but according to the treasurer of the management committee, particular in the rainy season when the demand for water was low, the income from the water supply system could not cover the running expenses, and the costs of repairing the pump could not be supported. Furthermore, the mechanic could not repair the pump, and Ahmadou Touré accused him of stealing the parts and reselling them. The case ended up in trial but fizzled out (interview, Koyra). In 1999, due to this series of accusations, the management committee finally announced its withdrawal during a general assembly. A new committee was elected, but it was unable to run the water supply without the pump or funding, so the system closed permanently.

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[117] The programme was implemented through the Programme Mali du Nord, which provided 28, million CFA for the building of a water supply system, which contained 21 water posts distributed both uphill and downhill, although only three water posts and a drinking trough were installed downhill.

[118] The willingness to pay the fee (10 CFA per bucket =0.015 Euros) should be compared with what households in Koyra often pay to water deliverers which is up to 100 CFA in the dry season (see Chapter 5).

[119] The pump had a capacity to pump five m³ of water per hour in a well that only had the capacity of three m³ of water per hour, so it took in sand and broke.

Table 6. Management Committee Members 1996-1999

Member[120]	Position	Role in the village	Origin
Ahmadou Nouhoum Touré	President	Mayor, 1999-2004 Municipal counselor 2004-2009	Son of chief Nouhoum Touré (1921-1966) Aristocrat
Boureïma Touré	General treasurer	2nd deputy mayor 1999-2004 Deputy mayor 2004-2009	Aristocrat downhill
Souleyman Touré	Assistant treasurer	Municipal councilor 2004-2009	Aristocrat uphill
Ibrahim Ganaba	Administrative secretary	Municipal councilor 2004-2009	Noble uphill
Abdoul Touré	Account commissionaire	Schoolteacher	Aristocratic uphill
Mohammed Touré	Conflict secretary	Municipal councilor 2004-2009	Aristocratic uphill

The personal trajectory of Ahmadou Touré emphasizes several dimensions of 'local development brokerage' (Olivier de Sardan, 2005; Lewis and Mosse, 2006). The concept of development brokerage explains how local actors come into relationships with international development agencies through development projects. A process which is often mediated through 'local development brokers' i.e. social actors who represents the people and their needs in a local arena. In other words, brokers mediate between the 'target population' and the development agencies, they are 'the interlocutors of support and financial aid' (Olivier de Sardan, 2005:173). Brokers often mobilize and acquire development aid for the benefit of the people they assume to represent and thereby attempt to reinforce their own position in the local arena (ibid.:174). However, as Blundo and le Meur point out, brokers are not only strategic consumers of development rent. They are also 'producers of development' (Blundo and le Meur, 2009:31). In this context, the aspects of brokerage is revealed in the way Ahmadou Touré facilitated the implementation of development projects, through his personal connections in the German Development Cooperation, his personal appropriation of the project through his presidency of

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[120] Some of these members have later moved downhill. Members in committees are often assigned in order to meet project criteria for committees, but often not all members are equally active and present in the work of committee. It was therefore often the case, that people cited names of members who playing a significant role in the committees and sometimes names were missing (see also Dagobi and Olivier de Sardan, 2001).

the management committee and his avoidance of external controls over how these projects are managed (see also Mauxion, 2008). This way Ahmadou reinforced his position in the village by negotiating the financing of a water supply system in Koyra. In virtue of this favorable position he also assign himself the authority to control and run the system, without too much external control of how the income from the water sale enter and leaves the system. The experience of the first management committee also shows how the link between water and authority is still maintained. Ahmadou Touré's ability to provide Koyra with a new rural water supply through his external contacts strengthened his authority. When the water supply broke down and the money had all gone, however, he had to resign from his position as president of the management committee, just before he was nonetheless appointed mayor in 1999. As we shall see below, some of the problems of the first management committee, such as technical obstacles, accusations of fraud and contested authority, recur in the story of Koyra's second rural water supply.

The Second Water Supply System

In 2000, a native (*ressortissant)* of Koyra employed by the Liptako Gourma Programme at the national hydraulics department (DNHE) managed through his contacts in the DNHE to ensure that Koyra would be among the target villages to receive financing for a new water supply system.[121] However, at the first meeting between the DNHE and the population concerning the installation of the water supply, there were huge disagreements between the downhill and the uphill populations regarding the placement of the water posts: both parties wanted the water supply to be situated close their homes, within their neighborhoods. Eventually, the problem was solved by the technical staff from DNHE, who explained that the water supply could only function in the downhill neighborhood because of the low capacity of the solar panels supplying electricity to the water tower. This was accepted by both the uphill and the downhill populations. Meanwhile, the hydraulics department demanded that the rural water supply system be run by a management committee to be elected by a general assembly in the presence of the chief and mayor (Djiré and Cissé, 2010).

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[121] The new water supply comprised three water posts, a borehole, a metallic water castle and 48 solar panels to supply the energy.

According to informants from both parties, now that technical considerations had ruled out the installation of the water posts uphill, the uphill population wanted to monopolize the management of the water supply (to acquire control over the income from the selling of water). So by the end of 2001 the Liptako Gourma water supply system was ready, but it remained closed for several months due to this disagreement. Finally a technical staff member from DNHE assisted the election of the management committee, with a majority of representatives from the downhill population (see Table 7).[122] This committee was to be in office for three years, including one year of possible reelection. During these three years, the committee was able to run the system and managed to repair damage on several occasions.

Table 7. Management Committee Members 2001-2005

Member s	Position	Role in the village	Origin
Garba Maïga	President	Municipal councilor 2004-2009	Noble downhill
Alou Gariko	Vice president	Municipal councilor 2004-2009	Noble downhill
Ali Hama	General treasurer	N.A	Noble downhill
Ina Gariko	Assistant treasurer	Midwife at CESCOM	Noble downhill
Mohammed Cissé	Administrative secretary	School principal 2ieme cycle	Fulbé, down hill
Abdoulaye Maïga	Administrative secretary 2	Secretary typist at the municipality, brother of Abba, married to the sister of Ahmadou Touré	Newcomer from Tombouctou, downhill
Issa Sidibé	Auditor	N.A.	Fulbé, downhill
Ibrahim Maïcouba	Surveillance committee	N.A	downhill
Yussouf Abba	Surveillance committee	N.A	Noble downhill villager
Bama Sidibé	Surveillance committee	N.A	Fulbé, downhill

In July 2005, the management committee was to be renewed. Protesting against the committee, the uphill population accused the members of mismanagement and insisted on taking over the new committee. They also accused the *sous-préfet* in Koyra of supporting the committee and the downhill population. The tension reached a point where the representatives of the uphill and

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[122] The election process took place in the village chief's court and lasted two days with huge disagreement.

downhill populations started fighting each other. To end the fighting, the *sous-préfet* intervened and suspended the meeting.

Following the suspension, the youth association of Koyra (which represents an extension of the uphill population, as I discuss further below) organized a protest march and threatened to destroy all the water posts. Facing this threat, the *sous-préfet* asked the gendarmes to call the youth association to order. Subsequently, the youth association asked for arbitration from the *préfet* in Douentza, who organized a meeting between the protagonists.

During this meeting, the son of the chief, a municipal councilor, claimed that the committee was illegal. The president of the committee on the other hand, claimed that the committee was legal according to the water programme's documents. The two antagonists were about to fight, but the audience at the meeting intervened to keep them apart. Furthermore, the conflict between the uphill and downhill during the meeting were structured around the same conflict lines as the conflict between the promoters and the protestors against the new neighborhood we saw in the previous chapter. The *préfet* decided to dissolve the contested committee and reminded people that there is no uphill/downhill division in Koyra. He then gave the mayor a mandate to establish a new preliminary management committee to run for six months. This committee was composed of five members, all appointed by the mayor. A representative from Koyra's youth association was appointed president. He was at the same time comptroller in the municipality and people in Koyra often accused him of being one of the mayor's close conspirators.

So, when the management committee of downhill members was replaced in 2005, the mayor assigned the committee to uphill representatives, leading the power balance between the uphill and the downhill populations to change once gain. According to the former president of the first committee, the mayor had no option but to hand over the management of the water supply to the representatives of Koyra's youth association after they had threatened to destroy the water supply. This time the mayor needed the support from the uphill population, and he could not risk the complicity between him and the new president to be revealed. He consequently appointed many members of Koyra's first rural water supply as new committee members (various interviews, Koyra).

Table 8. Management Committee Members 2005-2007

Members	Title	Role in the village	Origin
Issa Touré	President	Ex-comptroller in the municipal council, running for mayor, active member of Koyra's youth association	Aristocrat uphill
Boureima Touré	Vice president	2nd deputy mayor 1999-2004 Deputy mayor 2004-2009	Aristocrat downhill
Abdoul Touré	Administrative secretary	Teacher	Aristocrat, uphill
Ibrahim H. Ganaba	Administrative secretary 2	Municipal councilor 2004-2009 (ADEMA)	Noble downhill
Yamadou Cissé	General treasurer	Proxy at the service of husbandry	Newcomer downhill

The mayor's choice of representative of the youth association as president of the management committee shows how alliances cut across the assumed divisions in the population. That the mayor could not afford to lose the support of the uphill population in the municipal council, and therefore he chose the new members from the youth organization based upon personal relations in the municipal council (aristocratic villager of Koyra).

At the end of the temporary committee's mandate in 2007, it was replaced by a permanent committee of twelve members. However, most of the old members, including the president, stayed in the chair until the water supply finally broke down. The new committee was unable to find a solution to the breakage and did not remain active for very long due to damage and the lack of funds to pay the repair. The account was in deficit, and the committee was accused of fraud. At the time of the confrontation, the water management committee was in a legitimacy crisis: accused of having misappropriated the funds, the members tried to defend themselves by claiming that the repairmen had run away with some of the money. But people said that since 2005, the committee has advanced diverse sums to the municipality to cover municipal expenditure, in this case to receive external delegations.[123] The fact that the income from the water supply is used for political activities and municipal affairs which are not accounted for illustrates the reciprocal relationship between the management committee and the municipal

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[123] Many people said that the funds were, among other things, used to pay for the reception of important visitors, among others the district delegation.

authorities. The members of the management committee tried to justify the stopping of the scheme by citing technical, not financial problems. But at some point a disagreement between the president and the mayor broke out, with each of them accusing the other of stealing, but neither wanted the problems to go further, and the situation ended in ambiguity (author's interview, 2009). According to some of my informants in the municipal council, in January 2008 the district tax collector accused Gaston of mismanagement and gave him in to the *préfet*, who addressed the mayor on the issue, but apparently nothing happened. In the end Gaston kept his position in the municipal council until June 2008, when he resigned from office in order to run for mayor in the 2009 municipal elections. He himself explained to me that his position as president of the management committee allowed him to position himself in the campaign (author's interview).

Finally this water supply system was removed, and the remaining water infrastructure was transferred to a new water supply project financed by the West African Economic and Monetary Union (Uemoa). This project was promised by the president of Mali during one of his travels, in March 2007. The project was in its preparation phase at the time of my second and third periods of fieldwork. It was to be executed by the company Hydro-Sahel, but had several financial and technical problems, and the timeframe of the contract was therefore exceeded. According to several informants, the mayor insisted that the downhill water taps for the new water infrastructure should be situated next to the three buildings he owns (interview, Fama Gariko). In 2009, Ahmadou Touré, a member of the aristocratic chieftaincy family, was elected mayor of Koyra.

To sum up, the outline of the conflict shows three important things: first, the division between the uphill and downhill populations in Koyra is also at the heart of the conflict over the management of the rural water supply, although we also saw how alliances sometimes cut across this division to serve particular purposes. The struggle over water management in Koyra discloses an underlying conflict of authority in the population between the uphill and the downhill populations, which touches on the issue of recognition and social status.

Second, the struggle over water management illustrates how the principle of participatory management on the local water committee is hampered by conflicts of interest between the uphill and downhill populations over the representation of the members of the management committee

Third, well-known practices of corruption and mismanagement of funds (Blundo and le Meur, 2005) are general practices in Koyra. Access to financial resources constitutes a stepping stone to further positions. At the same time, people also draw upon counter-narratives of anti-corruption to de-legitimize antagonists while presenting themselves as 'accountable'. The situation resonates with the myth of origin presented in the previous chapter: As such, controlling water is a means of controlling people through the redistribution of funds to clients, substantiating the link between water and authority in Koyra. The following section elaborates further on who the actors are and their claims in the conflict in order to understand local water conflicts as more than struggles over scarce resources. As discussed in Chapter 2, claims offer an entry point into the understanding of conflicts, as this is the way actors articulate conflicts.

ACTORS AND CLAIMS IN THE CONFLICT

As I explained in Chapter 1, institutions are both actors and arenas in conflicts. The above description of the water committees showed that many members are both members of the management committee and the municipal council, confirming that institutions (e.g. the water committee and the municipal council) are both actors and arenas in the conflict, in so far as these members sometimes act on behalf of the institutions they represent, while at other times they use their position in an institution to pursue their own goals. In other words, it is both possible that the institutions, appear in the conflict as actors themselves, and that the individuals within the institutions act as a third party by virtue of the mandate of the institution they represent. For instance, we saw that in the conflict, the mayor acted both as himself to protect his own vested interest and a third party representing the municipal council. Finally, the institutions that actors represent become arenas of struggle which these actors endeavor to influence. I shall elaborate on this point further below and return to it in Chapter 8.

The main actors in the conflict are the representatives of the uphill and downhill populations (including Koyra's youth association), the members of the management committees, the municipal counselors, the mayor, and the state representatives at municipal and district levels. In this section, in order to portray the conflict of interests within the striving actors, I group them into an uphill/downhill division even though this division (which corresponds to that between aristocrats and nobles and newcomers on the other) is manipulated by the actors in conflicts in order to exacerbate tensions and mobilize actions. These categories of social stratification and identity are often negotiated and changed according the purpose they serve. For instance, when the son of the chief claims that the water supply is for the 'whole of Koyra', he strategically erases the division. A division he in other situations draws on to legitimize his authority. Furthermore, many nobles are registered as living uphill, although they live downhill. Often what is at stake is often not so much a definition of the local, but rather a struggle to exclude others from access to new avenues of wealth and authority, gained through donor-funded water supply programmes. The claims to nobility or aristocracy should be viewed within the context of a specific political discourse, which is instrumental in maintaining and reinforcing claims to authority. However, as we have just seen in the description of the conflict, alliances also cut across the uphill/downhill, aristocrat, noble and newcomer divisions.

Actors and Claims in the Uphill Population
As I explained in Chapter 3, the *uphill population* consist in mainly the representatives of the aristocracy, i.e. family members of the chief. The uphill population is threatened by the arrival of new administrative offices and a growing population of other Malian citizens. They want the water supply to be located uphill, because they consider the uphill neighborhoods, where the chief lives, to constitute the real village of Koyra. But now that the technical criteria do not permit that, they argue that their neighborhoods should control the committee. The prime protestor against the new neighborhood (see Chapter 5), the son of the chief and municipal councilor, is also a main actor in the conflict over the water management, as he has managed to mobilize support from Koyra's youth association by directing attention to the mismanagement of funds and the unequal representation of the population in the committee. In order to maintain their position in village politics, they combine the register of being first-comers or belonging in opposition to the

newcomers. But underlying the narratives of belonging is also a question of social stratification and the ancient hierarchy I examined in the previous chapter, according to which the 'aristocrats' do not consider newcomers and nobles to be of equal worth to themselves. Therefore they do not find that the downhill population constitutes a legitimate representative general assembly, as they do not wish to be governed by people of inferior social status or 'strangers' who do not belong to Koyra.

Koyra's youth association consists mainly of young men from uphill and is an extension of the uphill population. To clarify, youth associations does not imply an age limit on the members, but refers to a socio-political category like chiefs, elders, etc. 'Youth' means literally, the politically active who consider themselves opinion leaders' (Lentz 1995:395).[124] Their aim is to mobilize the rural populations and to obtain a hearing for local interests in regional and national politics, often as spokespersons of their ethnic groups (ibid.). On the one hand, Koyra's youth association is a mobilizer of development by virtue of its engagement in various community development activities, such as festivals and maintenance of the public wells, to mention a few. As briefly mentioned in Chapter 3, the natives of Koyra living in the capital constitute the national executive branch of the youth association, which attempts to exert an influence over national policy and through the government administration. On the other hand, in the conflict it acts as an 'armed wing' of the uphill population marching to protest and threatening to break the water installations: These actions are a sign of civil unrest and of how narratives of belonging and authenticity are used to fuel conflict (see also Lentz, 1995). It was because of the natives that Koyra received the water supply in the first place, and many people the uphill population feel they had been passed over when the downhill population takes on the management of 'their' water supply (interviews, Koyra and Bamako).

> It was government financed, and its management was to be ensured by the village chief, who was my uncle. But they didn't want to associate with him, me or anyone else from the village [uphill]. Many of the positions [in the committee] were given to the people downhill, and little was given to the people from the village. It was an outsider who imposed these people [the members of the management committee] and not the villagers ourselves (aristocratic villager of Koyra)

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[124]The names of the associations often have ethnic groups, chiefdoms, home tows or districts (Lentz, 1995:395).

To support their claim to control the water committee, they argue that because the customary authorities live uphill, this zone should have supremacy in the management committee and that people downhill are 'strangers'. Furthermore, they claim that the management committee has been forced upon them by outsiders and was not legitimately elected by them. The following quote by one of the uphill representatives exemplifies their objections to the committee:

> After the management committee was set up, the situation began to deteriorate. The first receipts were entirely eaten by the first management committee. Eventually, the *préfet* tried to calm the population, who were in a rage. But it didn't help. And even though they had the text on the matter at their disposal, a new committee was set up without the population's participation. I knew this was wrong. I am older than they are. I know the texts, while they are ignorant. In the end the members of the new committee were those who had political affinities or were employed by the mayor. I asked the mayor for an explanation of what was going on. He told me that the management had been passed on to a salesman, who had been hired for the job. He didn't want to give his name and said he didn't even know about the receipts. I left it like this and said OK, 'domestic kitchen' and held my tongue (aristocratic villager of Koyra).

The quotation shows how the uphillers he accused the downhillers and in particular the mayor of mismanagement of funds expressed in the analogy of 'domestic kitchen', which is a metaphor which associated the politics of the mayor with food and the 'politics of the belly' (Bayart, 1993). Often people used the term that the money from the water sale was 'eaten'. Power and politics have often been associated with metaphors of food and eating, (Bayart, 1993; Mbembe, 1992; Médard, 1992; see also Lentz, 1998) to emphasize the way money has been use to nourish the authority of the mayor and the people who depend on him for redistribution.

> For a whole year, an entire water post served only the construction of bricks for his [the mayor's] building; they brought in 50 persons from Niger, who all used water, but neither the mayor nor his brother paid anything. I wanted to say something, but realized that it would create hatred between people. People might think it was to incriminate someone. But it is not. A water supply has come in a social framework to serve everyone; and then one person takes that into his own hands without paying anything – that is criminal (aristocratic villager of Koyra).

In the quote the uphill representatives expresses how the mayor employed the new members of the committee according to his own 'election principles' and not according the law. This reference to 'legal obligations' is a matter I shall return to in later sections.

From the above we learn that the uphill population considers that the real village of Koyra is located uphill where the chieftaincy lives and that the nobles and new comers are of inferior social status: They therefore consider that they should be dominant in the water committee as they do not wish to be governed by people they consider inferior. The uphill population feels passed over because, in the first place, it was one of their natives who pull string so that Koyra received the water supply. The son of the chief, who also aspires to become influential in local politics, mobilizes Koyra's youth association by accusing the downhill dominated management committee of mismanagement of funds.

Actors and Claims in the Downhill Population

As we saw in the previous chapter, the downhill population consists mostly of newcomers and 'noble' Songhay families who have moved downhill and are making their way into local politics. The downhill population wish to become recognized as citizens in Koyra, but were not recognized as having equal worth of the uphill population. But by claiming a majority in the committee the downhill population attempts to prove its equal worth to the uphill population. The hope is that through the mastery of the water supply the downhill population can change its situation of inferiority (Djire and Cissé, 2010) and alter the previous social differentiation represented by the Songhay aristocracy. The majority of the members of the committee, ruling from 2001-2005, are downhillers who also hold important positions in the municipal council and supported Ganaba when he was elected in 2004 (see Table 7).

To disclaim the preeminence of uphill members in the committee, they refer to the proximity of the water posts and to the bad management of the past water supply by the uphill population. Furthermore, they refer to the programme document texts, which stipulate that the management committee should be composed of representatives of the direct water users. This claim is supported by the technicians from the national hydraulics department.

> They [the youth association] couldn't say a word, because with us, there had not been deficit. All that they wanted was to take over the management. It is written in the programme documents that it is the consumers who ought to manage; and that is the people downhill. But the *préfet* said he didn't want to hear of downhill and uphill and that all is Koyra. But when they [the youth ass.] wanted to destroy the water infrastructure, the mayor entrusted the management to the youth uphill (noble downhill villager of Koyra).

Members of the first management committee claim that since the mayor to control and appointed a new committee, money from the water sale has been borrowed by the municipality and never returned, and the distinction between a loan for public expenditure and private expenditure is fluid (various interviews, Koyra).

Moreover, as stated in the interview below, according to a representative of the downhill population, there is a personal interest in accessing the means to fund the son of the chief's own political career behind his mobilization of the youth association.

> Moussa Touré [the son of the chief and municipal councilor] wanted to access the funds from the water supply to position himself as political candidate in Koyra. However, the management committee refused his request for 'a loan' and he got furious and pushed the youth to support him by claiming that only the people living in the new part of town benefited from the money collected from the water supply (noble villager of Koyra).

According to this interpretation, the agenda behind the uphill opposition is to apply exactly the same benefits that they accuse the committee member of exploiting. In order to justify the change of position, the uphill population refers to the 'legal obligations' (which I return to in the next section) to legitimize their claim and to mobilize the youth association to gain support.

In the above presentation I showed that the downhill population wish to control the management committee to prove their equal worth as citizens in Koyra with that of the uphill aristocrats. In order to support their claims they refer to the programme documents and the technical staff from Bamako, who defines that the management committee should be composed of representatives of the water consumers, who they claim is the downhill population, because the water posts are

located downhill. The downhill population accuses the mayor and the second committee of mismanagement, when they take over the control of the management committee.

The Representatives of the State

The local state representatives in the conflict are the *préfet*, the *sous-préfet* and the *mayor*, who on the one hand are called upon as third parties, and at the same time are actors with different interests in the conflict. The *préfet* and the *sous-préfet* are responsible for ensuring that the law is respected and have the responsibility for defending the general interests of and peace within the population. In virtue of their titles they intervene to calm down the population and take measures to reactivate the management committee (see also Djiré and Cissé, 2010).

The *préfet* first directly assign the mayor the responsibility for the management committee including the appointment of the new committee members. However, by doing so, the *préfet* is not sensitive to the conflict of interest between the uphill downhill populations and he does not realize that the mayor is not neutral, but a direct actor in the conflict. Interestingly, despite the decentralization reform and the transfer of the competences of the state to the municipal council, it is still the *préfet* who has the final say and the real authority to make decisions in this context. This confirms the point made in Chapter 3, that the new institutions of authority do not simply replace the existing one, the latter continue to function, and sometimes there is competition for authority between them (Bierschenk and Olivier de Sardan, 2003).

The *sous-préfet* is an actor who is called on in the meeting, while he himself also calls on the gendarmes to assure order. To illustrate how many downhilllers see the situation, the *sous-préfet*, a newcomer in Koyra, gave me the following explanation:

> Those who live downhill are very new here. They are the direct beneficiaries [of the water supply]. Now those who live uphill are the autochthones who think that nothing ought to be done without their consent. Everything that one do in the village they have to approve beforehand, as they think they should manage everything uphill. Therefore, [in municipal and development matters] there has to be a consultation with the chief so it appears as if it is the village chief who decides on these matters (*sous-préfet* of Koyra).

The quotation of the *sous-préfet* confirms the uphill/downhill division in the population and also points to the behavior of the chief as resistance to the circumscription of the chieftaincy authority as a result of the inauguration of the municipality. As I explained in Chapter 3, due to decentralization, it is the municipal council and the mayor who is the decision-maker in several public sector domains, and the role of the chief is reduced to one of consultancy. But according to the *sous-préfet*, the chieftaincy family in Koyra does not seem to agree with the reduction of their influence. According to the downhill population, the uphill population still act as if, they were in charge of village affairs. However, as the *sous-préfet* is a newcomer, and the uphill population does not trust him, and they accused him of be partial in his support to the newcomers.

The *mayor* is supposed to be responsible for the management committee, representing the municipal authorities, and he ought to delegate the management of water supply to the management committee. However, in this case, the mayor himself is already directly involved: when the responsibility of the management committee is assigned to him by the *préfet*, the mayor has complete control over the income from the water supply, which according to several sources he uses for various purposes other than water management, and he never really denies the accusations of misappropriation.[125] As we learned in Chapter 3, according to rumors, Ganaba had bribed the municipal councilors to elect him as mayor. Furthermore, he had access to wealth and control over its redistribution to clients, constituting an important register of legitimacy to support his authority in local politics, a matter I return to below. When later on, the new management committee, appointed by the mayor is accused of fraud and in now position to justify its spending, everyone is pointing there finger at the mayor as responsible. Consequently, the denunciation of the management committee is, at the same time, the denunciation of the mayor (Cissé et al., 2010). This emphasizes the processual aspects of water conflicts, in the way the positions occupied by the actors change in different situations over time (Mitchell, 1983). The mayors' position change from being in charge of the water committee, shortly after he is elected in 2004, to being accused of fraud without support from the nobles who initially supported his elections, as he has given the management committee over to the uphill population.

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[125] With me he was never shy to ask for a new computer, cash envelopes or my watch, which I always politely refused, but he would always let me know that he expected something in return for an interview, and although he was partly joking, it sometimes made it an uncomfortable exercise.

I have now examined who the actors are and what are the claims to authority are, showing how the struggle between the uphill and downhill populations over representation in an institutional arena (the water committee) overlap with the struggle in another arena (the municipal county) and that actors need to straddle between the two to position themselves (see also Chapter 1 and Lentz, 1998). Furthermore, the involvement of the representatives of the state, the *préfet*, the *sous-préfet* and the mayor, who are supposed to ensure that the law is respected, does not solve the conflict. Each of them, in particular the mayor has vested interests in the conflict and in the management of the income from the water sale. In the end, the mayor is in a legitimacy crisis and has lost support both from the uphill and the downhill population, the latter of which supported his election. I now turn to the registers of legitimacy of corruption and anti-corruption narratives that actors draw on to acquire the authority to control Koyra's water supply an analysis of corruption and anti-corruption narratives.

REGISTERS OF LEGITIMACY AND ACCESS TO AUTHORITY IN KOYRA

In this, section I analyze corruption and anti-corruption narratives in the actors' claims as registers of legitimacy in the struggle for authority and in the mobilization of protest against the other party. As I argued in Chapter 1, authority is legitimate social control which involves an element of voluntary compliance. Furthermore, I argued, inspired by Lund (2006b) that when an institution exercise authority it involves a claim to legitimacy. As such we can distinguish registers from claims. Claims are the individual statements that actors assert, while registers constitute the broader frameworks of meaning according to which claims are organized. Furthermore, legitimacy is not an absolute or fixed category but a conflict-ridden process in which institutional actors establish authority and position themselves in water conflicts. I should also note that in the following I talk about both the actual involvement in corruption and corruption narratives as avenues to authority in Koyra. The oppositional relationship between them, only confirms, as mentioned earlier, that the registers can contradict one another, overlap and be inconsistent, but are used strategically for various purposes depending on the situation and who the audience is. For instance, a management committee member would not refer to the programme documents, if

one of his family members came to ask him for a loan (of the income from the water sale) to buy a sack of millet to feed his children, because the family member would not recognize the project law as a sufficient reason to turn down his request. But if the situation is that of an audit in which technical staff from the hydraulics department or donors are present, the committee member would refer to the programme documents, to remain in his position because, in this situation, the staff consider the reference to the 'project law' to be meaningful.

In order to take the analysis further, I suggest that the management of the rural water supply and its interconnectedness with local politics be understood within the framework of 'moral and legal obligations' (Moore, 1978). Moral obligations are different from legal obligations because they are not legally enforceable but depend upon the relationship of which they are part. They can be gifts and ways to make sure that the redistribution of public resources takes place in ones interest. 'The inducements and coercions involved in this system of relationships are founded on wanting to stay in the game, and on wanting to do it well' (Moore, 1978:62). Another illustration of the interplay of moral and legal obligations when the downhill population refers to the programme document texts to emphasize that 'the direct water users should be in the committee' (interview noble downhill villager of Koyra), legality becomes a resource, a capital, a capacity in the conflict process. State (and project) law is an outside force that actors mobilize in their bargaining, illustrating 'The capacity of persons inside the social field to mobilize the state on their behalf' (Moore, 1978:64). In the conflict process, actors from inside the arena can draw on or threaten to draw on the law or other forces from the outside. However, as Moore also points out the potentiality of state action and law enforcement is often less effective than moral obligations, because there is 'no need for legal sanctions when such strong extralegal sanctions are available' (Moore, 1978:61-62).

Corruption and Anti-corruption Narratives in Water Management

It has been well established that West African institutions are characterized by corruption[126] and neo-patrimonial relations (Bayart, 1993; Blundo and le Meur, 2009; Blundo and Olivier de Sardan, 2006; Dagobi and Olivier de Sardan, 2001; Médard, 1992). In the present example, corruption (the moral obligations) and anti-corruption narratives (the legal obligations), which derive from decentralization and the democratization ideology of accountability, are part of the registers of legitimacy that actors draw on to stay in business in the rural water supply. What some would call corruption in the context of the rural water supply is an example of the enforcement of moral obligations. If actors in the game of politics want to remain legitimate authorities, they have to redistribute to their supporters. In order to be able to redistribute, one has to have access to funds, which in this case come from the income from the water supply. In this way, the mutually constitutive relationship between authority and water acquires an additional dimension to the one we saw in the myth of origin: being in authority and controlling the funds in the water supply provides the necessary means to remain in authority.

The actors are subject to the moral obligation of expectations of client redistribution, which implies the extraction of funds for various purposes. The obscurities of the management of funds are symptomatic: account notebooks are almost absent, and formal rules and procedures of the management committee are constantly (re)negotiated in accusations. This obscurity reinforces the suspicions of the management committee, and spreading rumors of corruption is a well-known avenue for authority in Koyra. In the absence of precise accounts suspicion increases, and everybody makes their own judgments. Honor, humiliation, mistrust, shame and suspicion constitute well known strategies used in the maneuvers to take control of the committee that the register of the legal feed into (Dagobi and Olivier de Sardan, 2001).

In the present case, what is at stake is the money earned from the water sale, a considerable income that the local political actors almost expect to misuse for personal benefits and redistribution. However, access to this money is not only about rapid personal enrichment; it is

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[126] By corruption I do not mean a strictly definition of what is legal and illegal, but a broad range of cultural logics and everyday forms of the reciprocity and obligation contributing to the reproduction of the 'complex of corruption' including the informal redistribution of public resources (Olivier de Sardan, 1999; Blundo and Olivier de Sardan, 2006).

also an opportunity to become a patron and build or maintain a patron-client network (interview, Koyra, 2009; see also Blundo and Olivier de Sardan, 2006; Hanonou, 2009). In Koyra, to become an authority, actors operate through patron-client networks and engage in informal redistribution of public resources. Such practices are related to the struggle for authority in a situation where the possibilities for personal achievement are rather limited. A key issue is the 'art of redistribution', and in order to succeed as 'big men', individuals must redistribute their accumulated wealth, which gives them political capital and permits them to accumulate further (Lauterbach, 2008). 'you need to have political power to be rich, you need to be rich to maintain it' (Médard, 1992:172)[127].

In taking control of the management of the water supply, the downhill population sought a possibility to alter the old structures of authority in Koyra. Nevertheless, the redistribution of the income from the water sale, although all actors expect to redistribute, are not accepted as 'formal' rules of the game. This constitutes a discrepancy between norms and practices (Olivier de Sardan, 2008b). Involvement in corruption is a result of the actors' strategic weighing of the present and future possibilities and limitations of the social arena, and not necessarily a dysfunctional aspect of post-colonial African institutions (see also Olivier de Sardan, 1999). Rather, corruption constitutes mechanisms of the everyday practices of institutions, which, however, requires us to rethink the boundaries between public and private institutions and resources (Blundo and Le Meur, 2009). Corrupt practices are widely accepted as generalized informal practices that both the rulers and their opponents engage in or rely on. '[E]veryday corruption is a social activity which is regulated de facto and in accordance with complex rules, and tightly controlled by a series of tacit codes and practical norms' (Blundo and Olivier de Sardan, 2006:5). In this case, it can be discussed to what extent the management committee and the mayor have transgressed the limits of what is socially tolerable and have gone beyond the tacit codes at work in the corruption complex, or whether their antagonists were engaging in narratives of anti-corruption to take over control of water, people and authority in Koyra.

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[127] Translated from the original: 'Il faut avoir du pouvoir politique pour être riche, il faut être riche pour le conserver'.

The anti-corruption narratives are expressed by uphill opponent emphasizing their will to act in the interests of 'everyone' and in defense of the villagers' right to water. As we saw in the section on claims, the mayor's self-imposed exemption from paying user fees and monopolizing the public drinking fountains for his personal use without paying for the water is presented as an injustice by his political antagonist. The downhill population draw upon the law when referring the programme documents according to which, they are the rightful members of the committee. The law is part of the picture in so far as, the downhill members would not have occupied their powerful positions if it had not been for the programme documents enforced by the representative from the national hydraulics department. They thereby obtain a legal right to collect money from the water sale, which enable them to redistribute. The uphill population also refers to legal rights when they mobilize the representative of the state, the *préfet*, to act on their behalf. In this case the reference to the ideology of equality between the uphill and downhill population is interesting, as it contradicts the hierarchy of social stratification, which the uphill population often draw upon to claim superiority. But in front of the *préfet*, the register is not valid. This contradiction emphasizes that the various registers of legitimacy do not necessarily reflect socio-political organization in a local setting, but the normative repertoires that institutional actors can draw on to legitimize authority. These registers easily change, contradict or reinforce each other, according to the purpose and audience they serve. When I interviewed the youngsters and the uphill population, they would refer to official norms and anti-corruption narratives to emphasize what should be the right practice, but only in order to denounce the legitimacy of the committee in front of a foreigner; but also at times in public meeting to win control over the resources, that is, to be able to apply the exact same practices themselves in order to stay in business once they have taken control. The actors have to know when to draw upon the law or threaten to do, in order to get e.g. a state representative from outside the arena to act on their behalf.

To sum up, authority is legitimized through registers of corruption and anti-corruption narratives in water management. In order to become authority in Koyra, the actors have to master the corruption complex to be able to enforce the moral obligations and expectations of clients, while simultaneously mastering the legal register of rights to be able to denounce rivals from access to scarce public resources in front of external representatives of the law (e.g. state and donors).

CONCLUSION

In Koyra, it has been a complicated undertaking to establish a sustainable water supply, and conflicts have emerged in relation to the occurrence of new water supply infrastructures, which come in the form of development projects. Revealing the complexity of management of rural water supply the chapter has argued that development initiatives such as water projects and decentralization reforms are negotiated, appropriated, interpreted and transformed into a local context. The conflicts over rural water supply are situated in the larger context of decentralization influenced by a community-based strategy for rural water supply. In the context of decentralization, the water conflicts showed how the institutions of authority, the management committees and the municipality in particular, tackled the new responsibility for water infrastructure. The water supply was turned into an arena of struggle where personal ambitions and claims to authority were expressed and legitimized. This strengthens the point made in Chapter 4 that seasonal water scarcity is not always a trigger of conflict and that new water resources are often associated with conflictive events. In this chapter these points were important:

First, as we saw in the previous chapter, social stratification and categories of identity linked to aristocrats, nobles and newcomers constitute a repertoire of meaning that local actors make use of to claim authority in the rivalry between the uphill and downhill populations, reflected in almost all socio-economic and political aspects in Koyra. The analysis of the conflict in this chapter showed that the division between the uphill and downhill populations, which touches on the issue of recognition and social status, is also at the heart of the conflict over the management of the rural water supply. Although, we saw how alliances sometimes cut across this division to serve particular purposes.

Second, I argued that the management of rural water supplies constitutes an arena through which the everyday practices of these institutions become visible. In this arena the members all endeavor to influence the management committee and the analysis showed that many members are both members of the management committee and the municipal council, confirming that institutions (e.g. the water committee and the municipal council) are both actors and arenas in the conflict. This means that these members sometimes act on behalf of the institutions they represent, while

at other times they use their position in an institution to pursue their own goals. For instance, the mayor acted both on the behalf of the municipality by virtue his position as mayor. At the same time he had own vested interests in controlling the water supply to sustain his political career. Confirming that institutions are personified, the mayor's legitimacy crisis is reflected in the conflict and in the way in which his position shifts from favorable to challenged in the course of the events.

Third, I argued that the struggle between the uphill and downhill populations over representation in one institutional arena (the water committee) overlaps with the struggle in another arena (the municipal county) and that actors need to straddle between the two to position themselves. The ways in which the different actors attempted to appropriate the water committee are at the same time a competition for access to central positions in the local political arena.

Fourth, actors in conflict draw on different registers of legitimacy to establish authority in a context of social and political change. Authority is legitimized through registers of corruption and anti-corruption narratives in water management. In order to become authority in Koyra, the actors are subjected to both moral and legal obligations. They have to master the corruption complex to be able to enforce the moral obligations and expectations of clients. Simultaneously, they have to master the legal register of rights to be able to denounce rivals from access to scarce public resources in front of external representatives of the law (e.g. state and donors).

Finally, as I showed in the analysis of the myth of origin in the previous chapter, water is a crucial issue, tied to authority and control of people in Koyra. Through an extended case study emphasizing the processual aspects of the conflicts, in particular the position and (re)positioning of the actors in various situations, this chapter showed that water conflicts are not only about water, but about authority. Since authority is established by controlling both water and people, water conflicts occur when these structures and institutions of authority and the positions of the actors change, as in the case of decentralization. Structures over authority changed under decentralization but also earlier in time, as we saw in Chapter 3. As such water conflicts are not a new or passing phenomenon but part of everyday practices of institutions of authority in Douentza.

PART IV. WATER - GOD'S GIFT?

Measuring the water table in Aman

CHAPTER 7. THE BECOMING OF AMAN: A PLACE IN THE MAKING

INTRODUCTION

We now leave Koyra village and change our focus from struggles over authority in rural water supply to struggles over ownership of an open water resource – Lake *Aman*.[128] In the area in which Lake Aman, is situated, nomadic pastoralism has been partly abandoned as a single livelihood strategy, thus changing tenure and territoriality relations around Lake Aman. The lake presents a complicated tenure situation and various claims of ownership of the lake co-exist, starting from settlement and hereditary claims to more clearly defined struggles over positions and authority. The water conflicts over the lake are analyzed in the next chapter. This chapter examines Aman as product of historically contingent processes and provides the background for understanding the actors in the conflicts over Aman. In order to do this, the chapter accounts for the multiple categories of identity and relationships of reciprocity and obligations which exist between the groups in Aman. The emergence of Aman as a village site is the result of an interplay between local historical events, the settlement of different actors and changes in structures of authority.

This chapter presents the following arguments. First, I argue that there are different ways of claiming authority, illustrated through portraits of three aspiring chiefs. Second, demonstrating the registers of legitimacy of settlement, development brokerage and state recognition, I show how these chiefs claim authority in Aman. I argue that the mode of appropriation of space explains how local actors respond to various development interventions and reinforced by ties to the local state. These interventions have shaped the composition of the population in Aman which has a bearing on the way territory is claimed and appropriated in Aman (Olivier de Sardan, 2005:150).

After describing the origin of the lake and the development of a village around it, the chapter accounts for the historical alliances between the different groups settling in Aman. Theses

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[128] The name of the lake has been changed. The lake discussed is referred to as Aman, which means 'water' in Tamashek (Berge, 2000). The names of the municipalities discussed have also been changes and I gave pseudonyms to all people referred and cited.

alliances constitute an important registers for contemporary claims to Aman. Then the section provides an overview of settlement in Aman in the present and the people's different interests in the multiple resources in Aman that are more or less spatially fixed and strategically located close to the national road. I show that the actors have different assets available to them in claiming access right to the lake and to the valuable resources around Aman. The final and main section of the chapters offers the analysis of the three chief and the registers of legitimacy they draw on to become authority in Aman.

THE BECOMING OF AMAN

25 kilometers further down the road towards the east lies Lake Aman, on the borders between Koyra and its neighboring municipality of Akal. Aman became permanent in the 1990s,[129] coinciding with the establishment of the municipalities. As Aman is situated on the borders of the municipalities, the presence of the permanent water source has become a reason to struggle. The interest of the municipalities in controlling the lake is to obtain tax income (and potential votes) from the residents in Aman. Furthermore, several economic activities are taking place in Aman, such as fishery, vegetable gardens, herding, *bourgou* pastures[130] and local trade (see village map). Moreover, Aman is developing into a village site with economic potential, such as the establishment of a rural market (a considerable income for the municipality). Thus Aman is a resource worth getting in conflict over because it is spatially fixed, permanent and strategically located on the national road. In Aman, the appearance of the lake was often presented by the people I interviewed as a 'God's gift', which sometimes implied that no one, humans at least, could own it and that everyone had free access to it. Lake Aman is a natural open water source which a municipality cannot claim ownership of, since lakes are state property and for public use.[131] However, the municipalities can claim the territory in which the lake is situated and thereby

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[129] The emergence of new ponds in the Gourma is not a unique phenomenon, but the causes are not yet fully understood. See Gardell et al., (2010) and Mougin et al., (2009) for thorough discussions of the emergence of Aman and the dynamic and changing character of the Sahelian climate.

[130] The *bourgou* is a water-grown fodder plant, which is available in the dry season and one of the most prized resources in the area; see Cotula (2006).

[131] According to local norms and practices, lakes and ponds are regarded as a public resource and cannot be privatized. This is also backed by the law regarding the water code (see République du Mali ,2002). However, its

obtain a legitimate claim to the derived benefits from the resources and economic opportunities that the lake brings with it.

This exacerbated a conflict between the two neighboring municipalities over the ownership and control of Aman and its surrounding lands. Lake Aman is situated at the intersection of the two neighboring rural municipalities of Koyra and Akal, in a valley of the same name, which includes the pastoral sites of Tinbadiowane and Intaylalane[132] and the village site of Aman. The area belongs to the pastoral zone of Mali and used to be a salt plain[133] with a pond in the middle, which dried out after the rainy season. The pond was surrounded by forest and abundant pastures, and people cultivated millet during the rainy season. According to local informants Aman means *all of the wells*[134] in Tamashek and refers to the ancient water collection method of digging small wells or holes at the bottom of ponds when they dry out towards the end of the rainy season. Aman constituted a strategic point for pastoralists, who would settle for a couple of months in order for their cattle to regain their strength. In 1991, after a year of heavy rainfall,[135] the lake became permanent. On the basis of remote sensing data Mougin et al. (2009) have shown that the surface area of the lake has increased from less than 10 ha at the end of the rainy seasons in the 1960s to about 60 hectares in 1996 and is nowadays between 440 and 560 hectares (see Figure 8) (Mougin et al., 2009:28).

Article 3 deviates from this disposition provided that the privatization is done according to the law and respecting the customary authorities (Law of République du Mali, 2002: Art. 3).

[132] According to local informants Intaylalane is a toponomy which means 'one of the guinea fowls' in Tamashek, although these birds are now gone; the toponomy of Tinbadiowane likewise refers to animals, 'one of the horses' (see Bernus, 1981:67).

[133] Salt plains are particularly important for both Tamashek and Fulbe pastoralists who migrate with their cattle to the plains towards the end of the rainy season in order for the herds to prepare for the dry season and the long journey further south.

[134] Translated from French *l'ensemble de puisard*. This meaning, however, is not verified by the work of Bernus on toponomy (Bernus, 1981:65-70).

[135] The years from 1988-1991, when Aman and two other lakes in the area became permanent, have been relatively good years in terms of rainfall (see Gardell, et al. 2010; Mougin et al. 2009, for a discussion).

Figure 8. Surface Increase of Aman from 1966 till 2006
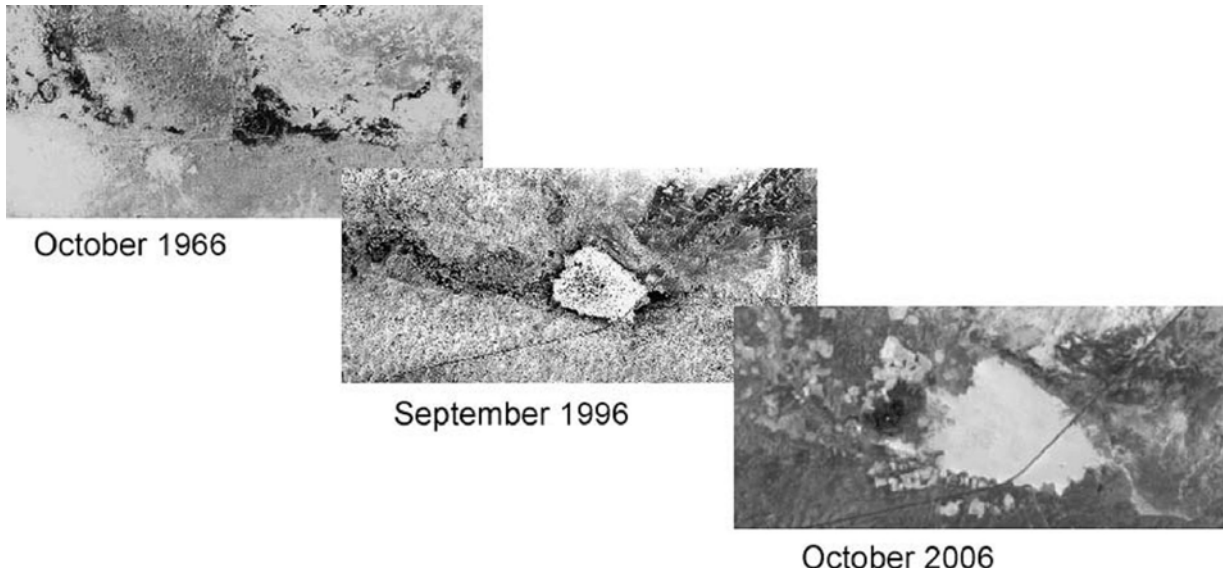
Based on a comparison of satellite images and aerial photographs recorded over Lake Aman at the end of the rainy season in 1966 (satellite image), 1996 (aerial photograph) and 2006 (satellite image) (image and explanation from Mougin et al. 2009:28; see also Gardell et al. 2010).

As Aman is situated at the interface of the agricultural and pastoral zones where people did not settle permanently, while agriculture was practiced in villages nearby, different historical tenure regimes are in play (see Chapter 3). The exact origin of the place is, furthermore, difficult to determine, due to the fact that narratives of belonging have become strategic means that actors apply in the conflict over this valuable territory. Claims to land and water in the present are often vested in heterogeneous historical norms and practices. As I show in this chapter, the heterogeneous principles of claiming land and territory in Aman are applied by different actors in the absence of clear principles for ordering these tenure relations and a hierarchy among them.

Alliances and Settlement in Aman

Changing Alliances in the Past

As I explained in Chapter 3, in pre-colonial times the relationships between the Fulbe, the Songhay and the Tamashek were characterized by warfare, mutual plunder and raids, but also alliances between these groups. In this section I explain how past alliances between these groups are related to settlement in the territory of Aman.

At the beginning of colonial rule, the Foulankriabé, a subgroup of the Fulbe, were under the protection of the Kel Akal and were well integrated in the Tamashek social hierarchy as slaves of the Kel Akal warrior aristocracy. The Foulankriabé were in charge of herding their masters' animals, but they also kept a herd of their own, which allowed them some degree of independence; in return they received military protection from the Kel Akal (Marie, 1975:154). However, during the Tamashek rebellions against the French colonists and in various wars, the Foulankriabé were used as cannon fodder by the Kel Akal, which at some point led the Foulankriabé to change sides and seek protection from the Songhay chief of Koyra, Nouhoum Touré, who was allied to the French (Marie, 1975:154; various interviews, Koyra and Akal). As a result, the Songhay chieftaincy gave the Foulankriabé user rights to the pastures around Aman. According to local sources in Akal, Nouhoum of Koyra asked the Kel Akal for user rights to Aman in order to give his new subjects a place to stay. But according to Ahmadou Touré (and Marie, 1975) Aman was a territory which the chieftaincy of Koyra had reoccupied from the defeated Tamashek where they founded a village in which to keep their captives (Marie, 1975:154; interview, Ahmadou Touré). In 1936, the French constructed a well in Aman to serve the Foulankriabé so that they could exploit the pastures in the dry season, but also to demarcate the territory taken back from the Tamashek. The presence of a permanent water resource allowed the herders to exploit the pastures after the rainy season, when the temporary ponds dry out, and this also attracted other pastoral groups, among others the Kel Akal. This exacerbated conflicts between the Kel Akal and Koyra, and the latter asked the colonial rulers to intervene. In 1939, a convention between the Kel Akal and the Koyra chieftaincy was drawn up to settle the limits of the Foulankriabé's grazing areas to avoid intrusions of the Kel Akal. The convention was assisted by the colonial rulers. According to local informants, after this the chiefs of the Kel Akal accepted the limits, and the relationship between Nouhoum in Koyra and the Kel Akal became one of

brotherhood and mutual respect. Nevertheless, small disagreements could occur, but these were settled between the two groups:

> We have never discussed the question of Aman with the people from Koyra. It is the people who come from outside who bring jealousy between Koyra and Akal. That is the root of the problem. Before, our population and Koyra's population lived peacefully together. Each of us kept his respect towards the other (clan chief of Akal).

As I will explain in the following chapter, not until the creation of the municipalities did serious conflicts occur between the actors in Aman. However, the Foulankriabé remained in an ambiguous position. Situated in a village territory of the Songhay, without the means to conquer their own territory they were literally exploited by the Koyra chieftaincy, who took their cattle as tax.[136] This situation of exploitation caused a crisis among the Foulankriabé, who separated into three clans, some of which are living in Aman today under the administration of Koyra, while others remain under the administration of Akal (Marie, 1975:154). In this case, the Foulankriabé's shifting alliances in history have become an important asset in the conflict over Aman and illustrate how history is continuously invoked in contemporary claim-making (Hobsbawn and Ranger, 1983; Turner, 2004b:878). Moreover, the need to integrate into ethnic communities different from one's own shows that ethnicity is hybrid and negotiated, and that there are blurred boundaries between the different ethnic groups in the Sahel.

Present Population in Aman

Today the settlement in Aman is developing into a village, although it has not yet been officially recognized by the national government authorities. About 150 households, corresponding to approximately 1000 people, live around Aman more or less permanently. The population is composed of Songhay, Tamashek and Fulbe groups,[137] who are furthermore divided into sub-groups or clans and who have settled at different times.

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[136] Nouhoum Touré was supported by the colonial rulers and was famous for confiscating herders' animals (Gallais, 1975:49).

[137] The ethnic categories are used by the people. See Chapters 1 and 2 for further discussion of ethnicity and representation. In addition to these groups, migrating Bozo fishermen also come at certain times of the year to fish in Aman.

Table 9. Population in Aman

Ethnic Group	Subgroup/ Clan	Approximate population size[138]	Social and administrative attachment	Main economic activities
Songhay	Nobles	60 households	Koyra, Douentza	Farming, vegetable gardens, fishery
Tamashek	Iderfan	30-40 households	*Freed Slaves* Akal, Rharousse	Herding and farming
	Imakeltadack II	15-20 households.	*Imrad (nobles)* Akal, Rharousse (originating from Bourem)	Bourgou pastures, gardens, forest resources, herding, petty trade
Fulbe	Foulankriabé	15-20 households	*Former captives of the Kel Akal* Koyra and Akal	Herding, agriculture, construction of bricks
	Djelgobé	N.A.	Burkina Faso, Koyra and Akal	Herding
	Migrant Fulbe herders	Depend upon season and availability of pastures	Konna, Mopti (inner Delta)	Herding

The groups employ different livelihood strategies, such as agriculture, herding, growing *bourgou* pastures,[139] vegetable gardens, fishery and petty trade (see Table 9). In addition to the people living in Aman, individuals from Koyra and Akal try to access the resources in Aman and buy up land, which has increased in value.[140] For example, both the former mayor, Ahmadou Touré, and a municipal councilor in Akal have bought land to make vegetable gardens on the banks of the lake. One of the women's groups in Koyra has also borrowed a piece of land from one of the chiefs in Aman to grow and sell vegetables. Thus it is the presence of these various resources and the economic potentials derived from them which have made Aman a territory worth struggling for. The presence of new resources, new actors and new institutions therefore triggered conflicts over Aman.

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[138] Numbers are based on estimates from a household survey as official numbers are often inexact because people in the Gourma, particularly the pastoralists, do not take them seriously and abstain from registering a certain number of persons, often entire families, for fear of demands for taxes and school attendance (Ag Mahmoud, 1992:24). For the pastoral clans, this number does not necessarily indicate the number of people settling in and around Aman since groups of families might be spread as far as Mondoro, although administratively they still belong to Akal (interview, chief of the Iderfan, Aman).

[139] The Bourgou are thick stemmed water grown pastures, which grow during the flooding of rivers and ponds and are grazed when the water recedes. In the Niger these pastures are highly prized for dry-seasonal grazing (Cotula, 2006). They are situated on small islands in the water and on the borders of the plains.

[140] See also Mathieu et al., (2003) for a discussion of ambiguous land transactions in West Africa.

The village map below shows the strategic resources in Aman and the settlement of the groups and how people have settled in rather segregated neighborhoods.

Map 3. Village Map of Aman
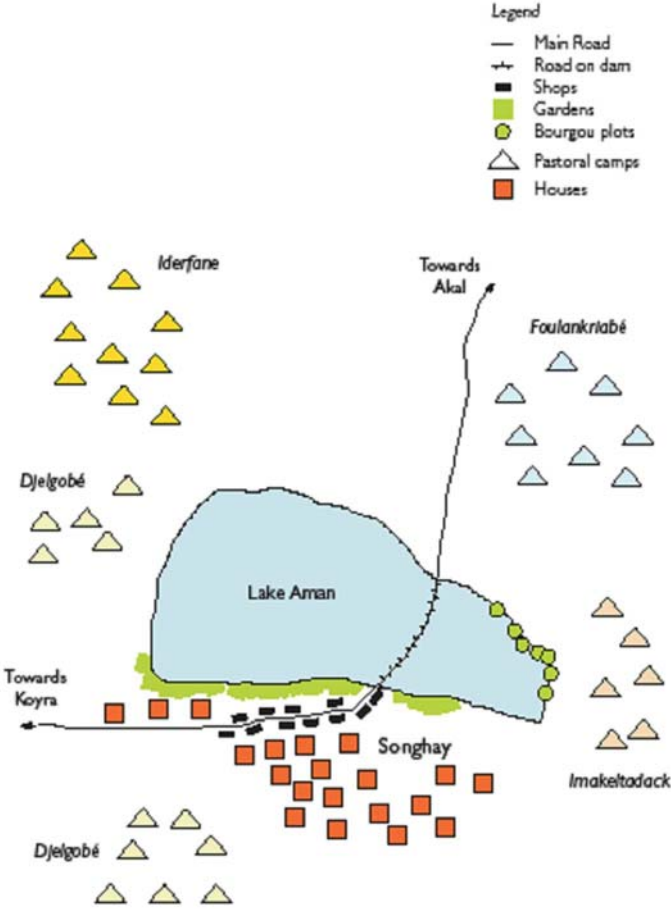
As I show in the biographies of the chiefs below, the ethnic diversity and settlement in Aman today is to be understood in the context of drought intervention and post-rebellion ex- and repatriation programs. In the aftermath of the 1980s' droughts, international NGOs intervened in the area to help the population recover from their loss of crops, cattle and pastures by constructing wells, distributing grain and making livestock loans. Since 1984, particularly the intervention of Norwegian Church Aid (*Aide l'Eglise Norvégienne*, AEN) facilitated the influx of drought victims from different zones to the Gourma (Ag Mahmoud, 1992; Berge, 2000:172). In Aman they helped pastoral groups to settle through 'food for work' schemes (which included a grain bank and a well) in the earlier phases of AEN's programme in Mali (interview, Akal; see also Benjaminsen et al., 1997; Gaasholt, 2011). During the Tamashek rebellion in the 1990s many Tamashek families sought refugee in Burkina Faso, which also influenced how people settled and resettled around Aman.

This section has showed how historical alliances between the Foulankriabé and the Songhay shaped settlement in Aman, including in the colonial past, in which Aman was also a contested territory in the struggles between the Songhay and the Tamashek. In recent times, the drought of the 1980s and the succeeding aid interventions, the lake becoming permanent in 1992 and the repercussions of the rebellion have shaped settlement around the lake, where several ethnic groups belonging administratively to both Koyra and Akal co-exist and make use of the water for different economic activities. Along with these patterns of settlement, different claims to the chieftaincy authority have been raised. These claims are also important claims in the conflict over Aman explored in the next chapter, as claims to Aman are also articulated around claims to authority and positions. Given this background to the becoming of Aman, I now turn to the biographies of the local leaders in Aman and the registers of legitimacy they draw on to establish authority as chiefs in Aman.

The Warrior, the Nurse, and the Emancipated: Claims to Chieftaincy in Aman

In the conflict over Aman, to be discussed in the next chapter, the municipal boundaries are contested. As chiefs are an administrative extension of the municipalities, the question of who is chief in Aman is also at stake. Furthermore, the chiefs are also some of the actors in the conflict over Aman. Therefore it is interesting to look at how three leaders claim to be chiefs of Aman: Abdrahaman, chief of the Imakeltadack clan (the Warrior); Issa, leader of the Songhay (the Nurse); and Inadeydey chief of the Iderfan (the Emancipated).[141] The following analysis of the local leaders' strategies to become chiefs in Aman is based on how the leaders presented themselves to me and others around them, as the recognition by others is an essential part of becoming authority: 'the very question of just how "big" they can become seems to depend not least on some degree of acceptance by their cronies and other "big men" as well as their wider public' (Lentz, 1998:52). In this perspective, the way people talked and gossiped about the chiefs to me provided important testimonies in assessing their legitimacy.

The Warrior

The current chief, Abdrahaman, used to live in Kel Eguel[142] together with the rest of his clan, Imakeltadack, under the chieftaincy of his cousin Mohammed Youssouf, who originated from Bourem (see Gaasholt, 2011:118-119). Abdrahaman did not get along with his cousin, and their infighting ended up in a trial the 1980s. During the trial, it was decided to split the clan in two, and Abdrahaman's clan, the Imakeltadack (II), was forced to move away from Kel Eguel. After the droughts of the 1980s, AEN supported the Imakeltadack in settling in Aman through the

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[141] It is notable that the Foulankriabé do not claim chieftaincy in Aman, even though many people acknowledge them as first comers in Aman. The fact that they do not pursue the chieftaincy is due to their weak social organization and self-chosen strategy of retreat (interview, Algalass, leader of the Foulankriabé, 2009; personal observations). However, as we also saw in the previous chapters, in village areas settling chiefs accept the role of the first inhabitants as 'chef de terre' (see Chapters 3 and 5; Olivier de Sardan, 1984).

[142] Kel Eguel also became a permanent lake in 1991 and probably has similar hydrological character to Aman (see Gardell, et al., 2010 for a discussion). Kel Eguel is a pastoral site in the municipality of Akal, where the chief of the clan Imididarenes, former chief of the Kel Akal tribe, lives. In 1994, Kel Eguel was attacked by rebels. The Songhay, Foulankriabé and Djelgobé, living under the protection of the Imididarenes, were expelled from Kel Eguel.

implementation of food for work programs and the digging of a well for this clan[143] (interview municipal councilor, Akal).[144] As a side note, this shows how development project interventions became important factors in shaping the local demography and claims to territory. The warrior claims he was the first to construct a house in Aman in the 1980s, but that the house was washed away by the rains in 1991. During the Tamashek rebellion in Akal in 1992, although Abdrahaman was not a rebel himself, he was nevertheless caught by the Malian military, who harassed and tortured him, accusing him of being involved in the rebellion. Consequently he sought refugee in Burkina Faso, where access to UNHCR aid programs enriched him (interviews, Aman and Akal). Abdrahaman came back to Aman in 1996 from his stay in Burkina Faso, where access to emergency aid enabled him to gain support and followers and establish himself as clan chief in Aman (interview municipal councilor, Akal).[145]

Appropriation by Settlement Clan chieftaincy in the pastoral zone is not necessarily related to a territory but to administrative attachment. As in the example of the emancipated below, a clan chief may have people under his administration who live in another district. As I showed in Chapter 3, historically chieftaincy is not claim on the basis of settlement in pastoral areas as it was in agricultural zones. Furthermore, according to the looser tenure relations regulating pastoral space, the recognition of a space as belonging to a tribe or a clan does not prohibit outsiders from using the territory. Likewise, nothing prohibits other groups from digging a well next to an already existing well. However, as pastoral livelihood strategies are changing, settlement has become part of claiming chieftaincy in Aman. Settlement has enabled Abdrahaman to monopolize one part of the lake and control of several economic activities in the village. By settling in Aman, Abdrahaman can direct development projects implemented through the municipality of Akal towards his site. Abdrahaman himself claims chieftaincy in Aman based on his settlement there during the time of the AEN. In the logic of pastoral claims to land mentioned above, the drilling

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[143] He and his clan members were paid to plant trees to limit the damage of the drought.

[144] During the rebellion in Akal in 1992, Norwegian Church Aid's cars and material were confiscated by the rebels. At the end of the 1990s Norwegian Church Aid decided to let local NGOs take over their activities. But the funding was used to finance local political parties in Akal. In 2000 Norwegian Church Aid withdrew completely from financing the local NGOs (for more information see Gaasholt, 2011).

[145] Access to emergency aid enriched local Tamashek leaders and provided a means for them to gain positions in local politics afterwards (see also Gaasholt, 2011:148-152).

of the well is also an affirmation of his privileged right to the territory. However, this affirmation has been exploited by Abdrahaman as an opportunity to monopolize territory and access to water in Aman, a matter I shall return to in the next chapter.

<u>Development Brokerage</u> Abdrahaman also plays the role of a 'development broker' in his community in terms of attracting various development projects for its benefit. More recently, Aman has received funding from the government-supported project of the *Liptako Gourma*[146] to plant *bourgou* in order to develop the pastoral sector in Mali (République du Mali, 2008). This *bourgou* project has been personally appropriated by Abdrahaman, who has put himself in charge of it. However, he has a tendency to monopolize the various projects in which he engages, which seems to undermine his abilities as a chief for all of Aman in the view of the other inhabitants and their chiefs. As we shall see in the next chapter, the project has been become an important asset in one of the conflicts. Here it is sufficient to say that there are diverging ideas of the status of the *bourgou* as private or public between the migrating herders and Abdrahaman's clan.[147] Nevertheless, the general reputation of the Imakeltadack as violent and the way the other leaders see him, undermines his position as chief (see also Gaasholt, 2011:118-119). He is often described by the other inhabitants in Aman as moody, almost paranoid, complicated and as having problems with his temper. He and his clan members are often used by other groups as scapegoats to explain the reason for the conflicts between the municipalities and the residents in Aman. Moreover, some people think it is likely that Abdrahaman suffers from post-traumatic stress disorder due to his experiences with the army during the rebellion (interview, Catholic Sister, Akal). At the same time, life is not easy for Abdrahaman. He has dispossessed himself as herder by selling a large part of his herd to invest in a jeep to be used as public market transportation and

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[146] The Liptako Gourma (*Développement de l'Elevage dans la région du Liptako-Gourma* PDELG) is a co-financed programme between the government of Mali and the Islamic Development Bank, running from 2005-2010 and costing 1,301,000,000 CFA. The objective is to contribute to the development of livestock breeding and food security by improving the revenues and conditions of life of the pastoral and agro-pastoral populations (my translation from French). One of their activities is the planting of 450 hectares of *bourgou* in among other places Aman (République du Mali, 2008).

[147] One can distinguish between private and public bourgoutières (fields of bougour). Access to the latter is open to all, although the animals of the communities who hold the customary rights to the bourgoutiere have priority access. Access to private pastures requires a payment to the owners who have invested in growing the *bourgou* (Ag Mahmoud, 1992).

provide him with an income. But the car frequently breaks down, and since spare parts are expensive and the public transportation project is becoming a cost instead of an income. In addition, he has health problems (interview Abdrahaman and his driver, Aman). These personal problems limit his ability to really become a 'big man' in Aman. He is not able to combine the different avenues of authority in a way that his 'judges' and opponents consider would be fruitful.

State Recognition of Chieftaincy Finally, by virtue of his position as chief, Abdrahaman has established contacts in the municipality in Akal. Abdrahaman draws legitimacy from his status as official clan chief and from being of superior social status. To illustrate this, he never asked the Iderfan or the Foulankriabé (see scheme above) for permission to settle and take up the land. This was interpreted by others as if Abdrahaman considers these groups to belong to inferior social categories (various interviews Koyra, Aman and Akal). Abdrahaman's authority is also supported by his brother, who lives next door to him in Aman and, has served in the Malian army. There is an element of post-rebellion politics in the north in the way the municipality in Akal is supporting the Imakeltadack, but this is not the full story.[148] The Akal municipalities support Abdrahaman claim to authority and resources in Aman, which constitute part of Akal's strategies for claiming ownership of Aman, a matter I return to in the following chapter. As we saw in Chapter 6 the law is something that actors from inside the arena can mobilize on their behalf.

To sum up, the warrior claims authority on the basis of his formal status as chief and personal relations within the Akal municipality. This status enables him to direct development projects towards his site. But although he succeeds in achieving projects, the way he seems to monopolize them, so that they mostly benefit his own clan members, undermines his legitimacy in the eyes of his antagonists. The adoption of a sedentary livelihood strategy by the warrior chiefs is diagnostic of the changes that must be made in pastoral life in order to meet the criterion of accessing public service delivery.

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[148] The incorporation of Tamashek leaders in the army was part of the Malian government's peace negotiations (see Poulton and Youssouf, 1998).

The Nurse

Issa, was trained as a nurse by AEN in Kel Eguel and among the citizens who were expelled from Kel Eguel when it was raided by the rebels in 1994 (see also Gaasholt, 2011:144-148). When the rebels attacked Kel Eguel, Issa fled to Aman, and while Abdrahaman, chief of the Imakeltadack, was in exile in Burkina Faso in the 1990s, Issa, settled and constructed the first houses and the mosque and created a village association in Aman. Today, Issa is leader of the 60 Songhay households settled in Aman, which administratively belong the Koyra municipality. The chieftaincy authorities in Akal say that Issa he is like a chameleon because his parents were administered under the authority of Nouhoum in Koyra, while he himself is administered under the authority of Akal (interview, clan chief of Akal). So Issa strategically plays upon his double claims of belonging to win followers.

<u>Chieftaincy through Settlement</u> Issa often presents himself as chief of Aman, although he is not legally recognized as such, nor by the other chiefs. Instead he claims chieftaincy authority referring to the fact that he constructed the first houses of mud and created a mosque, and to the illegitimacy of the clan chiefs, since they are not first comers or first settled. Issa claims that:

> We are equal in water and in land. Only the first comers are different than the others. When, I first came here, there was nobody on this spot. But the spot where I chose to cultivate, one of the first comers came to tell me, no, that is my field. Afterwards, the old man agreed to lend me his field so I could cultivate it. In our culture there is always a village chief. Here in our place, there are clan chiefs. They are nomads and they move around all over the zone.

We learn several things from this quotation. Issa claims that no one was living where he settled his house. However, his field was owned by somebody else. This old man he talks about is the chief of the Iderfan (the Emancipated). Now, one can ask how a nomadic clan chief can claim land ownership, given the loose pastoral tenure relation regulating pastoral space as we saw in Chapter 3. In this case, this is due to the slavery origins of the Iderfan, who used to be agriculturalists, but who have also adopted their former masters' livelihood strategy of herding. This explains why the land claims are based on norms applying to land in the agricultural zone

(see Chapter 3). The lending of the land to the nurse by the emancipated also illustrates a relation of trust between the chiefs.

Development Brokerage In 2008, while the AMMA research programme was being conducted in Aman, Issa's neighborhood received a water pump, which was installed in Issa's field (municipal counselor, Akal). I often heard that other researchers talked about Issa as chief in Aman, and this was the way he presented himself to strangers. As his status as a chief is contested by the other leaders in Aman, development brokerage is an important register for establishing authority and affirming his abilities as village leader. In this case in particular, his ability to negotiate the establishment of a water pump added to his authority among his own people. But the installation of the pump on Issa's field caused jealousy between Abdrahaman and Issa. This also illustrates the aspect of development brokerage as an avenue to authority. The fact that Issa can introduce development infrastructure from the outside into his locality reinforces his legitimacy as a chief in the eyes of his community. It also confirms Lewis and Mosse's (2006) point that brokerage is not only about monopolizing development projects, but also contributes to the development of local populations (Blundo and le Meur, 2009:31; Mosse and Lewis, 2006:31; Olivier de Sardan, 2005).

Moreover, Issa is trusted in Aman by virtue of his training as a nurse. Issa provides health treatments to the population living in and around Aman. Access to health services is a scarce resource in the area, and as Olivier de Sardan (2005:149) points out, '[r]esponsibilities for the local distribution of medicines is a useful resource in building clientelist relationships'. As far as I was informed, he received payments for medicines, but people did not pay for the service itself (Issa of Aman).[149] Issa draws on his ability as a nurse to establish followers and also continuously refers to the common religion of Islam to erase ethnic differences. Issa also hosts the many non-resident herders who stay temporarily in Aman and provides them with shelter while his wife prepares them food, which is often repaid in gifts or animals, illustrating the bonds between the Fulbe and the Songhay in Aman, which I return to in the next chapter. As mentioned in Chapter 3, according to the decentralization law, chiefs are to be elected by the village councilors. Issa's

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[149] According to the midwife of the CESCOM in Koyra, all patients have to pay 100 CFA for treatments, although the prices vary within the district of Douentza.

aspirations could therefore be fulfilled if his neighborhood was officially recognized as a village and he is elected.

To sum up, the nurse bases his claims to authority in Aman according to the norms and practices applying to agricultural lands. He manages to have development projects pushed in his direction by virtue of his personal efforts and abilities. Furthermore, by virtue of his double advantage in belonging to both Koyra and Akal, he claims not to distinguish between kin and non-kin in his activities. There is, however, an important difference in the authority of the chiefs, since the warrior and the emancipated are officially recognized clans in the municipality of Akal. Law is not a register Issa can mobilize on his behalf as he does not have official status as chief, and his claims to chieftaincy. In front of the authority of Akal his claims to authority is not worthwhile, which also plays a role in the water conflicts in Aman, a matter I return to in the next chapter.

The Emancipated

To the North of Aman, in the camps of Inteylalane, lives the clan of the *Iderfan*, black-skinned Tamashek. According to themselves and other sources they are nobles who were liberated in past (Bernus, 1981:75). However, because people know they were former slaves (in this case their liberation is still remembered), their slave origin is still associated with their identity (ibid.). Furthermore, the Iderfan have a much better relationship with the Songhay in Koyra than the Imakeltadack. He is considered respected and thoughtful by the women in Koyra and by many people in Koyra and Akal (interview, Koyra).

Chieftaincy through Settlement The emancipated chief lives a bit north of Aman and prefers to stay to themselves and to have space for their animals, he explains to me. Despite the remote settlement of his own camp, claiming that large parts of Aman's land belong to him, the Iderfan's claim to chieftaincy is based on settlement.

I was born in Aman like my father and my grandfather. My father was tribal chief since colonial times, when there was not even a house in Akal and you paid your taxes in Rharouse. Now people pay their taxes to me and I will go on camel back or by foot to collect them.[150]

We learn from the quote that the chief has inherited his chieftaincy from his father, who became chief during colonial rule, which exemplifies how former slaves became registered citizens during the late colonial liberation movement (see Chapter 3). The Iderfan have also lent land to the women in Koyra, although the chief considers that Aman belongs to Akal illustrating his alliances across both municipalities.

Recently, in order to strengthen its claim to Aman, Akal municipality has tried to persuade the Iderfan to move closer to Aman in order to occupy the space. The Iderfan, however, have refused because their clan prefers to have space for their animals, which also shows the chief's firmness and unwillingness to be manipulated by the municipality in Akal.

<u>Development Brokerage</u> The chief's claim authority in Aman based on territorial settlement is tied to development interventions and the appropriation of projects. According the chieftaincy authorities in Akal:

> For the nomads, what has influenced particularly the Tamashek is the change in way of life. That is, sedentarization. Before people were with their animals. At the moment, there are many sites of sedentarization, which are becoming villages. Several factors influence people's way of life. Decentralization did not exist before. What facilitates the sedentarization is the NGOs coming in here, providing schools, the wells and drinking water.

This reveals that these claims are embedded in a sedentary logic, which does not fit the more loosely defined tenure relations in the historical notion of space introduced in Chapter 3. It also shows how, within the process of sedentarization, the nomadic clan chiefs are starting to claim chieftaincy based upon territory, not just people. In the case of Iderfan, the size of his clan also

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[150] I have provided an English translation for the interviews conducted in the local language and translated into French. But elsewhere when the original language is French I have kept the quotation in French.

influenced the Akal municipality's incentive to push development projects towards his site. In 2009, a vaccination park financed by the Liptako Gourma project was established next to his camp, even though his camp is situated at a considerable distance from the other inhabitants of Aman.

State Recognition of Chieftaincy Today, the Iderfan in Aman constitute one of the largest nomadic clans in the Akal municipality, which stems from the fact that many liberated slaves have become administrated under the chief's authority.[151] The chief has an important role in the municipality, among other things because of tax income[152] and the voting strength of his clan. The size of a clan adds to its voting strength. The aspect of brokerage recurs in the registers of legitimacy the Iderfan draw upon to establish his authority. As chiefs are often elected in the municipal councils (Hetland, 2007; Gaasholt, 2009), and as, since the decentralization reform, NGOs have a mandate to implement their projects in cooperation with the municipalities, chiefs have an opportunity to negotiate projects for their communities through their representation in the municipal council (Gaasholt, 2009:83). The personal background of the emancipated chief makes him a potential successful 'big man', as is also reflected in the way many people wish to be under his administration.

To sum up, the emancipated, although he does not wish to be settled in Aman, claims chieftaincy on the basis of his inheritance of the land and title as clan chief inherited from his father. The claims to chieftaincy enable the emancipated to direct development projects toward Aman. Finally, provides his personal background of emancipated slave, many people confide in him and his authority is strengthened in virtue of the many people who wish to be under his administration.

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[151] 432 individuals from the Iderfan clan were registered as voters in 2009 (République du Mali, 2009).
[152] Chiefs collect taxes for the government and receive ten percent.

SUMMARY

This chapter has presented the becoming of Aman as a product of historically contingent processes. It also provides the background for understanding the complicated tenure situation of Aman, which is composed of various claims of ownership, starting from the historical legacies of the settlement of the Foulankriabé to the more clearly defined struggles over the chieftaincy authority. Through the account of the settlement, the chapter has also provided the historical background to and socio-political categories of the main actors in the conflict over Aman, as I shall explore next. Finally, the biographies of the three aspiring chiefs in Aman show that claims to authority are legitimized through control of territory and resources.

I have discussed the registers of legitimacy, chieftaincy through settlement, development brokerage and state recognition, which the local leaders draw on to claim chieftaincy in Aman. In this process, I argue that first, their role and success as development brokers is crucial. What has changed the lives of the pastoralists is access to public service delivery provided by among others development projects, NGOs and the new local authorities of decentralization. Second, I demonstrated how settlement and modes of claiming space were linked to appropriation, monopolization and taking advantage of development interventions on the part of the chiefs. This does not mean an end to pastoralism, as pastoralism is more tied to self-perception than economic specialization (de Bruijn and van Dijk, 1995), but only that people adapt to circumstances and changing environments. Third, official recognition as chief is important in a context of decentralization where authority is claimed over people, and increasingly over territory. Whether the chiefs succeed in acquiring authority depends on the extent to which they manage to combine and straddle the different registers of legitimacy available to them. As I explain in the next chapter, the groups and individuals in Aman all claim access to the lake and the surrounding land, but they are not in the same position to access and control these resources. I now turn to how these relationships of tenure, territoriality and authority affect conflict processes in Aman.

CHAPTER 8. WHO OWNS AMAN?[153]

INTRODUCTION

This chapter addresses the interrelated struggles over territory, authority and access to natural resources taking place in the context of the changing structures of authority of decentralization and the way these changes are negotiated on the ground. New institutions and actors of authority have emerged, as the decentralization reform creates new arenas for competition for authority in local politics. One way for the new powerful actors to establish and maintain authority is through their control over water resources and the people who use them. The emergence of Lake Aman has (due to its fixed and permanent character) provided an opportunity for other productive activities and land uses, which the municipalities have an interest in controlling. In this way the lake has created a territory that is worth struggling over for the municipalities.

Despite the increase of the surface of Lake Aman discussed in the previous chapter, the unequal access to water and pastures between the different actors creates conflicts around Aman. Different actors adopt different livelihood strategies to secure access to the lake; and while some succeed, others, particularly the seasonal migrating Fulbe pastoralists from the inner delta, are excluded from full access to the lake. Furthermore, the unequal access to resources is related to issues of authority. Claims of access to resources have to be backed by institutions. In the conflicts presented here, I argue that the authority of the institutions needed to back these claims is equally at stake, which expresses the mutually constitutive relationship between authority and control of water (von Benda-Beckmann, 1981; Lund, 2006b; Lund and Sikor, 2009).

In order to bring out the relationship between water and authority, two interrelated conflictive situations are analyzed. These conflicts involve both different and overlapping sets of actors, and particularly the municipalities play a role in both. I analyze the situations separately in terms of who are the actors and the claim-making involved, but also point out the ties between them.

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[153] This title is inspired by Lund (2008). An earlier draft of this paper is to be published as a book chapter entitled Between a Rock and a Hard Place. Decentralization and Struggles for Water in Mali in: Cascao, A. and Anne, I. (eds.) Forthcoming. *Water in Africa - Hydro-pessimism or Hydro-Optimism?* CEUP, University of Portugal..

The first situation illustrates how the two municipalities of Koyra and Akal struggle to define the territorial boundaries in such a way that Aman remains within their territorial and administrative jurisdiction in order obtain the tax income from lakeside residents and from the developing economic activities in Aman. The second situation shows how different actors, such as the seasonally migrating Fulbe herders and the warrior chief (presented in the previous chapter), take advantage of the conflict between the municipalities to enhance their own access to the water and pastures at Lake Aman. Hence, the two conflicts are interrelated and display different dimensions of a conflict over contested territory and what it implies both for the authorities and those claiming access to the lake, who depend on those same authorities to back their claims. The extended case study of the two conflictive situations also shows how the changing positions of the actors in the conflicts over Koyra's water supply influence the position they occupy in other arenas of conflict.

The chapter is structured as follows. First, it outlines the events of the conflictive situation between the municipalities in order to analyze the actors and their claims. Second, in similar way, the chapter outlines the conflictive between migrating Fulbe from the inner Delta and the warrior chief's clan to analyze the actors and their claims and how it is tied to the conflicts between the municipalities.[154]

CONTESTED TERRITORIAL BOUNDARIES

Outlining the Conflictive Events

With the creation of the municipalities in 1999, Lake Aman became a source of conflict between the municipalities of Koyra and Akal, as the territorial boundaries between the administrative units were not defined. The territorial boundaries were initially thought to be established as part of the decentralization process; however, as I discussed in Chapter 3, this never happened because the Malian Government was concerned that this would further land disputes between administrative units (Idelman 2009). However, the present case study also shows that the attempt

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[154] Most of the information in this chapter is based on interviews and letters from the archives of Koyra's municipal office.

to avoid the demarcation did not solve the land disputes between the new administrative units. On the contrary, the uncertainty about the boundaries intensified claims to land and territory in Aman.

The conflict over Aman began in 1999, after the introduction of the municipalities as new administrative units. In seeking to ensure territorial control over the new lake, the mayors of Koyra and Akal began writing letters to each other and to the district, regional and national authorities. In this correspondence they each claimed that the new lake was situated within their respective municipal territories, and that consequently the land, the population and the economic revenues from the agricultural and pastoral activities should be under their jurisdiction.

At first, the dispute mostly took the form of an exchange of letters between the two mayors, each trying to demonstrate their authority towards the higher level authorities. The situation eventually escalated when Mali's Ministry of Decentralization delegated a mission to set up an entrance gate on the national road, which marked the entrance to the region of Tombouctou. This apparently mundane action had significant consequences, since it directly implied that Lake Aman was situated within the municipality of Akal (which is situated in the Tombouctou region). When a group of men from the Songhay community in Koyra Municipality were informed of this, they held a protest march to the gate and destroyed it. Putting up an entrance gate, although unintended, was a symbolic proof of Akal's authority over Aman, which Koyra denied by rejecting the territorial demarcation that the entrance gate indicated. While doing so, they referred to the convention agreed upon in colonial times, which stated that Aman belongs to Koyra (see also Chapter 7).

After this incident, the mayors of the two municipalities, their counsellors and the state representative of the two districts gathered to discuss the issue with the people of Koyra and Akal. During the meeting public quarrels broke out, and no agreement on the ownership of the lake was reached. The construction of the entrance gate, however, was abandoned. During a subsequent meeting between the authorities, the *préfet* of Douentza proposed to divide the lake in two. The inhabitants of Aman did not regard this as feasible, and the question has never officially been resolved. Likewise, the *préfet*s and the ministry of territorial administration did not reach a

decision on which municipality controlled the lake. Formally, this deadlock was caused by the lack of a clear delimitation of the territorial boundaries of the new municipalities.

Most recently, the Municipality of Akal appears to be employing a strategy of continuous investment in public infrastructure in the area, such as a vaccination park, a public school and an environmental protection programme. As we saw in the previous chapter, this confirms the intimate relationship between development projects and the appropriation of space. But while this approach appears to have increased Akal's control over the area to some extent, the lake remains disputed territory open to different interpretations of ownership. Furthermore, after Koyra's first mayor, Ahmadou Touré, was overthrown by Ganaba, Koyra has lost more control over Aman. Ahamdou Nouhoum Touré, by virtue of his personal background as a son of Nouhoum Touré who defeated the Tamashek in the colonial era (see Chapter 3), his active use of history and his ties to the aristocratic chieftaincy of Koyra, is well-placed to make historical claims against his antagonists from Akal. This shows how abilities, skills, and personal background influence avenues to authority.

This outline of the situation has shown that conflicts over Aman started with the creation of the municipalities, as the territorial boundaries of the administrative units were not defined, and both Koyra and Akal municipalities wanted to control the lake. The conflict exacerbated when the government put up signposts indicating that Aman belonged to Akal, which fuelled public demonstrations and interventions from higher administrations. Meanwhile both municipalities have sought to win control over Aman through appropriations of space based on various claims which I explore in the next section.

Actors and Claims in Conflict over Control

The main actors in the conflict are the chiefs, whose interest in Aman was presented in the previous chapter, the two mayors of Koyra and the mayor of Akal, the municipal, district and regional authorities, as well as representatives of ministerial authorities called on as third parties, though their actions in the conflict are limited. In this case the mayors representing the municipalities are the main actors in the conflicts. As I discussed in the previous chapter, Aman is

situated on the borders of the municipalities and the presence of the permanent water source has become a reason to struggle. The interest of the municipalities in controlling the lake is to obtain tax income (and potential votes) from the residents in Aman. Furthermore, several economic activities are taking place in Aman, such as fishery, vegetable gardens, herding, *bourgou* pastures[155] and local trade (see village map in Chapter 5). Aman is developing into a village site with economic potential, such as the establishment of a rural market (a considerable income for the municipality). Thus Aman is a resource worth getting in conflict over because it is spatially fixed, permanent and strategically located on the national road. Lake Aman is a natural open water source which a municipality cannot claim ownership of, since lakes are state property and for public use.[156] However, the municipalities can claim the territory in which the lake is situated and thereby obtain a legitimate claim to the derived benefits from the resources and economic opportunities that the lake brings with it.

According to the *préfet* in Douentza, it was the first mayor of Koyra, Ahmadou Touré, who started the dispute over Aman (interview, *préfet*, Douentza). Interestingly, Koyra's claim to Aman continued after the first mayor, who initiated the conflicts, is defeated, and Ganaba, who followed him, continued the track and defended Koyra's ownership of Aman during the meeting with the superior authorities. However, this change of actors on Koyra's side in the conflicts has consequences for Koyra's claim to Aman, which I return to below. Furthermore, the mayors also used the conflict over Aman to position themselves as authority by wining control of a contested territory, and thus the authority of these representatives are important stakes in the conflict.

The traditional authorities in Akal do not have the same respect for Ganaba as they have for Ahmadou Touré. According to the chieftaincy authorities in Akal, Ganaba's great grandfathers were the first inhabitants from whom the Askias took over the land when they conquered Koyra:

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[155] The *bourgou* is a water-grown fodder plant, which is available in the dry season and one of the most prized resources in the area; see Cotula (2006).
[156] According to local norms and practices, lakes and ponds are regarded as a public resource and cannot be privatized. This is also backed by Law No 02- 006 of 31 January 2002 Portant Code de l'Eau. However, its Article 3 deviates from this disposition provided that the privatization is done according to the law and respecting the customary authorities (République du Mali, 2002: Art. 3).

A society has its head, its trunk and its feet. The head of Koyra is the Koyra Koy[157] […] one day in Aman he (Ganaba) addressed me concerning the Bozo (fishermen in Aman), but I told him you are too small to address me and I left him with that advice.

The quotation shows that the chieftaincy authorities in Akal consider the family the legitimate authority of Koyra, and that Ganaba is not entitled to address the chieftaincy of Akal on matters concerning Aman. This confirms that in struggles over authority the legitimacy that is up for debate is that of the patron (Chapter 1). In this case Ganaba is not considered the successful or even rightful authority by his antagonists in Akal. Furthermore, apart from the investment in fish-breeding in Aman, which was carried out by Ahmadou Touré during his time as mayor, Koyra is not as successful as Akal in having development projects directed towards Aman (interview, Aman).[158]

Koyra's Claims to Aman

Koyra draws upon historical legacies to create a legitimate claim to Aman in the present. In a letter contesting the distribution of land in Aman, the former mayor of Koyra, Ahmadou Touré, articulates his claims as follows:

I draw your attention to the inconveniences which will result from the distribution of Aman's land, which is about to be carried out or is proposed to the riverside residents by one of your clan chiefs.[159] I consider this operation highly inconvenient at this stage of setting up the municipal councils. In addition, in my view, the communal councils ought first to obtain the conventions of the demarcation texts before proceeding to the distribution of land in a site subject to a controversy. Such a task requires that we first handle the problem and ensure no parties are taken. Effectively, in the case of Aman, there is reason to recall: 1) that the place belonged to the ex-canton of Koyra, which I personally commanded temporarily in 1952; 2) that the well of the site is drilled under the auspices of the same canton in 1936; 3) that the official limit between the canton of Koyra and the tribe of Kel Akal is situated far north of Aman (Letter, January, 2000).[160]

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[157] The Koyra Koy are the aristocratic chieftaincy family, see Chapter 5.

[158] Some of the Songhay residents in Aman also stated that they did not want to reelect Hama Ganaba, since he did not keep his promises to help them invest in a drip irrigation project (interview, Aman).

[159] The mayor is referring to the distribution of land by the Iderfan chief.

[160] Translated from the original : *J'attire votre attention aux inconvénients qui résulteraient de la distribution des terres d'Aman, qui est en train d'être mener ou d'être proposée aux riverains par l'un de vos chefs de clan. J'estime cette opération hautement inopportune à cette phase d'installation des conseils communaux. Aussi dans mon idée, les conseils communaux devraient d'abord obtenir de textes de convention de délimitation avant de procéder à des distributions de terre sur des endroits sujets à controverse. Une telle tâche exigera de nous*

The letter shows how the distribution of land in Aman triggered conflicts between the municipalities. The land dispute reveals the interrelatedness between water and land, as the presence of the lake has increased the value of the land around Aman. In 2000, an informal market for sale of land emerged in Aman when the Iderfan chief started to sell plots there. Denouncing the selling of land, the mayor of Koyra claims the territory of Aman based on events in the colonial past. He draws on his own authority and personal trajectory during colonial rule to position himself in the conflict. Furthermore, he argues that the colonial authorities drilling of a well in 1936 is a sign that Aman belongs to Koyra. This way, events in the colonial past, appears as a fixed point in the present. The argument of the drilling of the well also exemplifies how, in pastoral areas, land is claimed on the basis of a drilling of water points. As I mentioned in Chapter 3, this principle of claiming land was established in the pre-colonial past and reinforced in the colonial era.

The border between Koyra and the Kel Akal referred to in the letter to stems from the local convention of 1939, which defined the limit of where the Foulankriabé (a Fulbe sub-group former slaves of the Tamashek) could graze their animals without being raided by the Kel Akal Assisted by the colonial rulers, this agreement was settled to protect the Foulankriabé who had turned to Koyra for protection against the Kel Akal (see Chapter 7). However, according to Marie (1975), the convention was never respected by any of the parties involved (Marie, 1975:154).

Another claim often raised in interviews by people in Koyra is that, when the national road towards Gao was paved during the colonial period the inhabitants in Koyra, would pave the road until they met the workers from Gao. According to Koyra, there is an iron boundary post which indicated where the people from Koyra would stop the work and the people from Gao would take over. This, they claim, is situated five kilometers after passing Aman, towards Akal, and consequently that Aman belongs to Koyra. This shows how signs of state-making, such as road construction and the building of infrastructure in the colonial period, are invoked to claim territory and resources in the present.

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au préalable la maîtrise du problème et une sécurité dépourvue de tout parti pris. En effet dans le cas précis d'Aman, il y aurait lieu de retenir :1)que ce lieu dépendait de l'ex canton de Koyra que j'ai personnellement commandé en intérimaire en 1952, 2) que le puits de ce site a été foré sous les auspices de ce même canton en 1936, 3) que la limite officielle entre l'ex canton de Koyra et la tribu de Kel Akal se trouve bien loin au nord d'Aman'.

In various other letters[161] the mayor of Koyra claims that the mayor of Akal has created disagreement between the municipalities. He fascribes this to an inferiority complex towards the Imakeltadack warrior chief (see Chapter 5), who is pushing him to claim Aman and thus violate the convention made in 1939. He also claims that the rightful first settlers are the Foulankriabé, who administratively belong to Koyra. Thus, in the absence of a clear territorial demarcation of the administrative boundaries, control over the territory of Aman is claimed by making claims on people. Having citizens in Aman is thus another way for the competing municipalities to claim authority. Koyra claims Aman because Koyra is the administrative authority of the Foulankriabé, who are the first-comers and owners of parts of the land in Aman (the Iderfan own other parts of the land).

Summing up, first, Koyra claims Aman on the basis of historical legacies of authority, water points, and control over territory in the past. Second, Koyra claims that a local convention from 1939 proves their legal ownership of Aman. Finally, Koyra claims ownership of Aman arguing that the first-comers and landowners of Aman are citizens who are under the administrative jurisdiction of Koyra.

Akal's Claims to Aman

In his reply to Koyra, the mayor of Akal writes that the Songhay leader also started to sell land titles in 'his village', which the municipality of Akal prevented:

> Following your letter […] January 2000 of which I take good note, I have the honor to formally disclaim the tendentious information that you have reported. Effectively, it is the exact opposite to what has happened. One of your administrators, Issa, has handed over a distribution and a delimitation of plots in Aman. The clan chiefs of my municipality who live in this place had opposed to this practice, which a decree forbade them, of which they have copies. They could thus not understand that someone else did it in front of their eyes. Hence, Mr. Mayor, Issa, by acting like this, is deliberately seeking to create a situation of a territorial conflict between our two municipalities. I dare to hope that the excellent relations between

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[161] I summarize the content of the following letters from the mayor of Koyra to the *préfet* of Douentza, 2003 (more than four pages long), from the mayor of Koyra to the ministry of territorial administration and collectivites locales, November 2003 (MATCL).

our municipalities will not be hampered by the small problems of a territorial limit, which brings us nowhere. Mr. Mayor, please receive my expression of feelings of solidarity.[162]

In the letter, the mayor of Akal lets us know that giving out land in Aman has been forbidden by a Decree. Furthermore, he claims that it is Issa, and not the Iderfan chief, who is in charge of giving out land. Furthermore, Akal municipality claims that Aman is situated within the region of Tombouctou according to a colonial map of 1959. The colonial reference is a crucial one to state formation for local actors as well as civil servants because it represents a fixed point in time, which emphasizes how colonial administrative boundaries are rearticulated in the claims to territory in the new local state. These colonial boundaries are nevertheless contested, as we shall see below. In one of the many letters from the mayor, he writes to the *préfet* of Doeuntza:

> I came very respectfully to complain by your authority about the actions undertaken by the mayor of Koyra in Aman. Since the coming of the municipalities my homologue has not ceased to provoke me in regard to the ownership of Aman. In regard to the instances of the state, we have always politely asked him to consult the colonial map from 1959. In his stubbornness, he goes to Aman in person to breed fish in the pond. Something we have done four years before. After the intimidations of our officials and our subjects of Aman he went himself to the field to breed fish in the pond and to demarcate a plot anticipating the carrying out of a project. We protest against this action which we consider null and void. The pond, its content, its riverside residents belong to our municipality (Letter, 2003). [163]

The letter shows first, that the investment in fish breeding, which is a source of income for the municipalities that the Songhay community has achieved in collaboration with Koyra municipality, is indirectly a way of claiming ownership and authority in Aman. This obviously provokes the

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[162] Translated from the original: '*Suite à votre lettre […] 2000 dont je prends bonne note, j'ai l'honneur d'apporter un démenti formel aux informations tendancieuses qui vous ont été rapportées. En effet, c'est exactement le contraire qui s'est produit. Un de vos administrés, Issa est livré à une répartition et délimitation de lots à Aman. Les chefs de clan de ma commune vivant en ces lieux se sont opposés à cette pratique qui leur est interdite, par un arrêté dont ils détiennent des copies. Il ne pouvait donc pas comprendre que quelqu'un d'autre le fasse sous leurs yeux. Ainsi, Monsieur le Maire, Issa, en agissant de la sorte, cherche délibérément à créer une situation de conflit territorial entre nos deux communes. J'ose espérer que l'excellence des rapports qui lient nos deux communes ne va pas être entravée par de petits problèmes de limite territoriale qui ne nous avance en rien. Veuillez recevoir, Monsieur le Maire, l'expression de mes sentiments de solidarité*'.

[163] Translated from the original: '*Je venais très respectueusement me plaindre auprès de votre autorité des actions entreprises par le Maire de Koyra à Aman. Depuis l'avènement des communes mon homologue n'a cessé de me provoquer par rapport à la propriété d'Aman. Par rapport aux instances de l'Etat nous lui avons toujours poliment demandé de consulter la carte coloniale de 1959. Dans son entêtement il se rend en personne à Aman pour empoissonner la mare. Quelque chose que nous avons fait quatre ans avant. Après les intimidations de nos agents et nos administrés d'Aman il vient lui-même sur le terrain empoissonner la mare et la délimitation d'une parcelle en vue de l'exécution d'un projet, nous protestons contre cette action que nous considérons nulle et non avenue. La mare, son contenu, sa population riveraine appartient à notre commune*'.

mayor of Akal, because it contests the authority of Akal to control investment in the resources in Aman. Second, the strategy of claiming Aman on the ground that citizens registered under the jurisdiction of Akal is followed by the municipality of Akal. Akal insists that the Iderfans are the first comers and rightful holders of chieftaincy in Aman. The question of who is chief in Aman is rearticulated in the conflict between the municipalities over the authority of Aman. As a consequence, constructing citizens is a way for the municipalities to win territory, tax-payers, voters and water resources. This is in line with the decentralization reform: in the absence of territorial delimitation, authority is claimed on people. Finally, Akal claims the territory of Aman on the basis of the infrastructure and public service delivery which were carried out during the interventions of the AEN. These activities encompass the construction of a literacy center, the drilling of wells and the construction of a cereal bank. Furthermore, they refer to vaccination campaigns, general information campaigns and lastly the implementation of the *bourgou* project (letter to the *sous-préfet* in Koyra, from the *sous-préfet* in Akal). Akal's claim to Aman in terms of public infrastructure show how development interventions become assets in conflicts over the contested territory.

To summarize, and as earlier argued, claim-making is how actors in conflicts establish authority. Both mayors are using the conflict over the ownership of Aman to position themselves as the rightful authority to control Aman, a control which further legitimizes their authority as rulers. In the claims made by the two municipalities, history is instrumentalized to legitimize ownership of Aman today and used strategically to create a repertoire of meaning-defining positions of control in a context of institutional change. However, these points of reference are by no means fixed, but are continuously reinterpreted according to the purpose they serve. Thus, while expressing a dispute over a contested territory, the claims, which often invokes the establishment of ties to the place, also express a dispute over the authority to (re)write history itself (Hammar, 2002:211).

As we saw in Chapter 7, because of the territorial dispute between the municipalities, the question of whether Aman belongs administratively to Akal or Koyra is not settled. Consequently, neither is the question of who is chief in Aman. In the next section, I discuss how some local actors have sought to exploit the conflict between the municipalities in an attempt to enhance their own access to and control over the lake.

Contested Access Claims to Water

Outlining of the Conflictive Events

In an attempt to monopolize access to the lake, a group of Imakeltadack families headed by the warrior chief (whose claims to chieftaincy in Aman I discussed in Chapter 7) have planted *bourgou* plots in one side of it (see village map, Chapter 7). As I mentioned in the previous chapter, the *Liptako Gourma* project invested in a public *bougoutières*, but in the meantime this project has been monopolized by the Imalkalane, who consider the *bourgoutière* to be theirs. When Fulbe herders arrive with their cattle on this side of the lake, the Imakeltadack insist that they should go elsewhere in order not to damage the *bourgou*. The implication of this is that the Imakeltadack not only control the land but also the water along this side of the lake. Most permanent residents in Aman appear to have grudgingly accepted the control of one side of the lake by the Imakeltadack and the warrior chief because they do not wish to create problems with them, but the migrant herders have not.

In October 2007, a migrant Fulbe herder from the Inner Niger Delta led his cattle into the lake, and while doing so stepped into the warrior chief's recently planted *bourgou*. The latter's immediate response was to threaten the herder with the gendarmes.[164] The Fulbe herder, however, continued to lead his livestock to this side of the lake, and the dispute gradually increased to a point where, one day, the herder drew a gun to enforce his right to water his animals. The Chief duly informed the gendarmes from Akal, who arrested and fined the herder for carrying a weapon.

After the incident with the herder, the *sous-préfet* (state delegate at the municipal level) in Koyra was called upon by the herders' representative in Koyra to mediate on the behalf of the Fulbe and find a longer lasting solution to how they could access the lake to water their animals. The Fulbe herders' appeal to the *sous-préfet* in Koyra shows how alliances between the Fulbe and the Songhay still inform relationships today. Furthermore, the livestock market in Koyra provides an

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[164] 'Gendarmes' is the name for a military corps with police assignments in rural areas and is similar to the military police but with more direct contact with the citizens.

important income to the municipality in Koyra. Thus, Koyra has an interest in ensuring that visiting herders can access water points nearby (interview, pastoral representative, Koyra). Akal municipality did not assist in the process of finding a solution between the parties in Aman. Then Koyra's *sous-préfet* went to Aman and indicated a corridor for the cattle to pass through that did not interfere with the Imakeltadack's *bourgou* plots. The corridor was respected that year, but similar incidents were repeated the next year, when a new group of Fulbe herders arrived at Aman. Four young herders were arrested by the gendarmerie in Akal.

The conflict illustrates how Fulbe herders struggle to gain access to Aman to water their animals. Access to the lake for 'outsiders' has become more difficult since the settlement of the Imakeltadack, who is headed by the warrior chief. The Imakeltadack have adapted a sedentary livelihood strategy, which is well-suited in a decentralization era, where attachment to territory is important in order to secure means of livelihood and access to development projects. By virtue of being residents in Aman, the Imakeltadack have benefited from the government-funded project to support the investment in the planting of the *bourgou* through their strong ties to the Akal municipality. The *bourgou* project has reinforced the position of the Imakeltadack and strengthened their claim to control access to the lake, while it has limited the access of the migrant herders. So the different strategies the actors apply to secure their access and control over the resources also affects who is included in and who is excluded from the use of land and water. However, as we saw in the previous chapter, this monopolization of development projects by the warrior chief partly undermines his legitimacy in the eyes of the other inhabitants of Aman.

Actors and Claims in Conflict over Access

From the description above, it follows that the different actors in the conflict are the Fulbe herders and the warrior chief. The Koyra and Akal municipalities are third parties in the conflict. Now the different positions of these two sets of actors are important to the outcome of the conflict. The Imakeltadack families in this area are led by the warrior chief, whose biography was presented in the previous chapter. The warrior claims authority on the basis of his formal status as chief and personal relations within the Akal municipality. This status enables him to direct development projects towards his site. The adoption of a sedentary livelihood strategy by the

warrior chiefs is diagnostic of the changes that must be made in pastoral life in order to meet the criterion of accessing public service delivery.

The chief has multiple interests in the lake. In principle, chiefs serve as local authorities within the formal administrative structure of Akal Municipality. This, on the one hand, provides him with important contacts in the administrative bureaucracy of Akal. Given his status as a chief, he enjoys easier access to the municipal authorities and the gendarmes, who support him in throwing out the migrant herders. However, first, formally, the chiefs of nomadic clans claim authority over people, not territory. His status as clan chief does not necessarily imply that he is chief of Aman. Secondly, because of the uncertainty over which municipality controls the lake the chief's authority over the area is open to question. He therefore has a strong interest in asserting his authority through other means. As he is furthermore a user of the resources in and around the lake with a variety of agro-pastoral and other economic interests, he has a strong interest in asserting his influence over it.

The Fulbe in this conflict are migrating herders originating from Konna in the Inner Delta of the Niger River (400 km from Aman). The seasonal movement of livestock between the floodplains and the dry land pastures is essential to these herders' livelihood strategies. The seasonal movements of animals require negotiations between the transhumant Fulbe herders and the residents over access to common property pastures and water points (Cold-Ravnkilde, 2009; Cotula, 2006; de Bruijn and van Dijk, 1995; Thébaud, 2002). The herders come to graze their animals in Aman during the rainy season, when the Inner Delta is flooded. The Fulbe, on the other hand, have historical alliances and ties to the Songhay in Koyra (de Bruijn and van Dijk, 1995; Marie, 1975), whose authority they count on to back their claims to Aman. While staying in Koyra for the rainy season, they are often sheltered by Issa, who claims to be chief of the Songhay settlement in Aman. This also resonates with the historical alliances between the Fulbe and the Songhay.

What also weakens the Fulbe herders' position *vis-à-vis* the chiefs is that, within the social organization of the Fulbe, it is usually the young men who take cattle on long-distance migrations. Sometimes the herds belong to rich businessmen from the major towns and the herder is hired to

take care of the animals. Historically, it was the role of the slaves to take care of the animals of the warrior tribes. In addition to social hierarchy, age also plays a role. Because the herders are often just young men, they have little authority to negotiate access to resources against local chiefs, and they are excluded from both decision-making processes and free access to the lake.

The Warrior Chief's Claims

The warrior chief's claims are based on his investment in the *bourgou*, which could in principle give him priority access to the *bourgou* and the right to limit access for outsiders in given periods of time. The chief further justified his right to limit the Fulbe's access by citing the risk of overgrazing and diseases in the migrating herds and their own lack of means to fence off their bourgoutières. The chief claimed that:

> We have our plots, which we want to exploit, but we don't have the means to buy the fence to close them off. There are always animals that destroy the plots. Our resource is the lake, but we cannot use it because there are too many animals grazing around the lake. Sometimes more than 15,000 cattle come in the rainy season. The animals are big and they eat up all the pastures. They come with their sick animals, and they eat up all the pastures.

The quotation expresses the typical worries of sedentary residents vis-à-vis nomadic non-residents. The Imakeltadack who have settled permanently are dependent on the presence of sufficient water and pastures throughout the year and do not want migrating herders, whom they claim do not participate in the investment and maintenance of the resources, to exploit the limited resources available. Often, local people pointed to the disequilibrium between herders coming from the Inner Delta and receiving free access to water and pastures in the dry lands.[165] In the delta, access to water and pastures is strictly regulated according to various sets of rules that can be traced back to the time of the Diina. The Fulbe clan leaders receive tax revenues from outside herders for access to the *bourgou* (Turner, 2006). Their animals should therefore not access water and pastures without the herders having to pay. The conflict resonates with the reactions to unequal wealth accumulation by the Fulbe clans in the Delta.

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[165] The management of the Delta constitutes a special case. See van Dijk (1995) and (Vedeld, 1997).

The chief's concern about all the animals may also reflect feelings of jealousy given his own troublesome situation of having sold his animals to buy a faulty car for public transportation (see Chapter 7). Furthermore, the chief's reason for kicking out the herders is that he claims that it destroys the *bourgou* if the animals go in the water when the *bourgou* has just been planted.

The Fulbe Herders' Claims to Aman

The migrant herders claim that they have not been informed about the existence of the *bourgou*.[166] This denial is strategic since the existence of the *bourgou* could legitimize the norms of a traditional management system of the valuable crop, including that of priority access by the community living close by the *bourgou*. They regard the chief's claims to priority access as an excuse to limit their access to the lake. However, the Fulbe herders come to water their animals, not to access the *bourgou* claiming that:

> 'The Imakeltadack do not even let the others water their animals. They play politics. Their chief says that he is attempting to protect nature, but what he does is prevent the other herders from watering their animals. He is authoritative and shows himself through force. We never knew there were *bourgou* in this lake until the Akal authorities took our children, who were alerted by Abdrahaman and his son. These people think we are wasting their *bourgou*, whereas we didn't know if the *bourgou* belonged to them or not. We only make 2-3 days passing by. We have never known that there were bougou.'

The Fulbe, on the other hand, claim that they have come to graze their animals in Aman for the last twenty years, even before the Imakeltadack settled in the 1980 (see Chapter 6). They do not accept the priority access claimed by the Imakeltadack. Furthermore they think that the Imakeltadack are denying them access to the lake, an access right they possess by virtue of being Malian citizens:

> When we first came to Aman, no one prevented us from watering our animals, because there was not even a village here. But since four years ago the people in Aman have started to show us where we can water our animals. It is the Imakeltadack chief who shows us where we can go with our animals, but we have

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[166] The migrant herders claim that they do not need to access *bourgou* since they only come in the rainy season when the Niger Delta is flooded and pastures in the dry lands are plentiful.

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refused. They hit us and insult us, but we still require one law [i.e. for all]. There is no difference between the place where they want us to go and where they refuse to let us water our animals. What bothers us is that we knew the lake before they were here in Aman. They came last. They will go to the mayor in Akal to make him fine us. But we don't care whether it is Akal, Koyra or all over Mali, because it is still within the territory of Mali.

The quote shows that more than one register of claims can be called on to strengthen one's case in the competition over access to water resources. Whether one claim trumps another depends on the position of the claimer and whether the claim can be backed by authority. The Fulbe contest the authority of the warrior chief to control and give access to the resource. The Fulbe claim that they have been coming to Aman before the Imakeltadack settled and started to control Aman. They refer to 'the way things use to be' to strengthen their claim. In the quotation the herder also makes use of another kind of norm related to the nation state, when he claims unrestricted access to Aman by virtue of his national citizenship and the equality of the law for everyone within the territory of Mali. In this way he contests the privileged access that the Imakeltadack pretend to have. Their chief has kicked out the migrant Fulbe herders from their *bourgou* plots and indicated access for them at a certain place. But that did not fit the Fulbes' expectations, because they feel entitled to go where they want, as they have always done. The clash between the Fulbe and the settled chief also shows that mobility is becoming more limited with the increased decentralization following the reform (see Chapter 5). The fact that the warrior chief used to be a herder himself (or have other people to look after his animals) does not seem to put him in favor of the Fulbe herders' livelihood strategy, particularly when they use it to provoke him.

Summing up, in the conflictive situation between the warrior chief and the migrating Fulbe herders, we have seen how the different position of the warrior chief and his clan members *vis-à-vis* the Fulbe herders influenced their access to Aman. By virtue of his official status, the warrior chief is backed by the authorities in Akal in throwing out the Fulbe from his *bourgou*. The Fulbe, on the other hand, claim access by virtue of their equal right as Malian citizens. However, as a consequence of Koyra's declining authority in Aman since Ahmadou Touré left the arena, their alliance partner, who used to back their claims to access, is no longer in authority.

Establishing Authority in Aman

The uncertainty over who has the administrative authority to control the lake makes it possible for the different actors to influence the rules for how one actually achieves access to the lake. The way the Imakeltadack and the Fulbe enter the struggle over resources to secure their authority and livelihoods affects these rules.

Although the law says that surface water sources cannot be privatised, the Imakeltadack have introduced unwritten rules about where migrating herders can water their animals. These rules are contested by the Fulbe. Although the Fulbe and the Imakeltadack both claim access to the lake and the land, they are not in the same position to access and control the resources. The Fulbe herders that used to come in the rainy season are now faced with new actors who have adopted more sedentary livelihood strategies in order to claim exclusive or at least privileged access rights to the lake. By virtue of their livelihood strategy of mobile transhumance, the Fulbe do not meet the criteria for belonging to Aman, such as settlement.

The Fulbe have kept their strategy of mobility, which is nevertheless under pressure from the other actors. The planting of *bourgou* further limited the access of the migrant herders who did not belong to Aman, while the increased competition for resources made belonging to the community an instrument for securing access to these valuable resources. The presence of the *bourgou* project thus shows how a development project was monopolized and used as way of appropriating space. The *bourgou* project had thus reinforced the position of the Imakeltadack and strengthened the ability of the chief to force the non-resident herders to leave.

Because Aman used to be a pastoral site where people did not settle permanently, the ownership of Aman is difficult to define in formal legal and administrative terms. Different narratives of belonging have become strategic means applied by the actors involved in the conflict over this valuable territory. On the one hand, the Fulbe use references to the logic of tradition and the way things 'have always been' are used as a means of legitimizing claims to unrestricted access rights. However, claims to resources have to be backed by an authority, and the authority of Koyra, which used to support the Fulbe's claims to Aman, is declining as Ganaba is not recognized as a

legitimate authority by Akal, possibly due to the legitimacy crisis caused by his bad management of the water supply back home. On the other hand, the increased competition for resources has meant that new strategies of claiming access and control are being applied that break with customary practices. One example of this is the way in which belonging to a sedentary community can serve as an instrument in securing access to the valuable resources and development interventions.

Given his official status as a clan chief, the warrior chief represents the administrative authorities at the local level and can easily call upon the municipal authorities and the gendarmes in Akal, who support him in throwing out the migrant herders. When the Akal municipal authorities fine the Fulbe herder, they are supporting the chief in his claim and recognize his position as chief in Aman. However, the Fulbe do not recognize the warrior chief as chief of Aman, and they contest his authority to control and give access to the resource. The Fulbe are aware of the dispute between the municipalities and the unsettled question over the chieftaincy. They strategically ask the *sous-préfet* from Koyra to support their claim to access to the lake. In this way the Fulbe herders benefit from the dispute between the authorities to advance their own claims. If the mayor in Akal had won the dispute, the Fulbe herders would not be able to negotiate access through the intervention of Koyra's *sous-préfet*. But the Fulbe's forum shopping efforts are not successful. Koyra's attempt to solve the conflict by defining a corridor for the cattle to pass over was not successful, and the next year the herders were arrested again. It is clear that, although the structures of authority are not formalised, the warrior chief is in a strong position given his contacts in the administration and Koyra's declining control of Aman. So despite the arguments about equal rights for all Malian citizens and references to tradition, the sedentary chiefs' privileged rights to the lake were successful. Although the conflict between Koyra and Akal over the ownership of Aman has still not been settled officially and Koyra still claims that it belongs to them, it is effectively Akal which authorizes and supports the Imakeltadack chief's claim to the lake.

The authority of the municipality is also confirmed by virtue of securing people's access to resources. Thus the appeal to Koyra is a sign of the Fulbe's recognition of Koyra's authority to

control access to Aman. However, Koyra is the losing party. As we have seen, Ganaba is not respected by the Tamashek, and his municipal authority cannot assure the herders access to the lake.

To sum up, because Aman used to be a pastoral site where people did not settle permanently, the ownership of Aman is difficult to define in formal legal and administrative terms. Different narratives of belonging have become strategic means applied by the actors involved in the conflict over the valuable territory. The uncertainty over who has the administrative authority to control the lake makes it possible for different actors to influence the rules regarding how one actually achieves access to the lake. Although the Fulbe and the Imakeltadack both claim access to the lake, they are not in the same position to do so because their access claims have to be backed by an authority. As Koyra has lost control over Aman, the Fulbe are easily kicked out by the warrior chief, who is part of the winning coalition to control Aman.

CONCLUSION

This analysis of the conflicts over Aman has showed that conflicts over resources are not necessarily related to issues of water scarcity, but rather linked to decentralization processes and their implications on the ground in terms of territorialisation, as well as control of water resources and the people who use them. The conflicts over Aman are instructive for water resource governance in a context of decentralization and changing institutions of authority. In this process, claim-making becomes the way in which powerful actors take part in the construction of authority and take control over water resources and the people who use them. The uncertainty over which of the municipalities have the authority to control the use of the lake triggered a conflict between the two mayors, both of whom strove to consolidate their authority, gain voters and obtain fiscal income. The argument of having citizens registered under their jurisdiction living in Aman was one way the mayors tried to gain authority over the contested territory. In addition they both referred to events in the past, as well as the investment in public service delivery through development interventions, the latter becoming the strongest means to gain legitimacy and territory in Aman.

Furthermore, the different actors' narratives show that, in this territorial conflict, boundary-making requires a strategic positioning which draws on historical legacies to create a register of legitimacy defining who is in control in a changing institutional environment. In this way the disputes over resources also become a dispute over the authority to define history. However, Ganaba does not have the same personal background, with a resonance of authority in the past, as his predecessor, Ahmadou Touré. Thus, according to common perceptions Ganaba's references to Koyra's claims in the past cannot trump Akal's claims to territory based on public service provisions and investments. Furthermore, Ganaba does not strategically continue to invest in economic activities in Aman, the way Ahmadou Touré did by breeding fish. Ganaba, consequently, misses out on the avenues of authority that are available to him. This also shows that the consolidation of institutions of authority depends upon the individuals who represent them. Nevertheless this is not just a question of skills and luck, but also of their personal background and the way they manage to give resonance to the repertoires of meaning through which they draw legitimacy.

The uncertainty over the ownership of Aman also created an opportunity for the local actors to enhance their control over access to the lake's resources. Some groups like the Imakeltadack have adopted a sedentary livelihood strategy. This strengthens their control over the resources. In the second conflict, the institutional consequences of the struggle over authority between Akal and Koyra are the Fulbe herders' exclusion from full access to water and pastures for their animals. The weight of the migrant herders' claim depended on the backing of the municipal authorities in Koyra. In this case, however, those who used to back their claims were the losing party. So, these actors' access to water resources is exposed by the conflict over Aman. Furthermore, this also points to how mobility is being threatened by the decentralization process because the migrating herders do not meet the criterion of belonging to a community. The questions of who belongs to the community and which community the water belongs to are crucial in an era of decentralization in Mali, where struggle over modes of belonging and origin constitute the criteria for attracting development funds and state-building projects, as well as a strategic tool for legitimizing access and excluding 'outsiders' from water points and pastures.

CONCLUSIONS

The road to Lake Aman

STUDYING WATER CONFLICTS

Inspired by the role of institutions in water conflicts in the field, this thesis has provided an analysis of two conflict processes exploring the registers of legitimacy by which institutions in Douentza become authorities. Through extended case studies of two water conflicts, the thesis offers a comprehensive account of institutional claims to authority in water conflicts. Asking questions as to who the actors are, how they engage in conflicts, what claims they make and how they legitimize themselves, this study analyses the ways in which institutions establish authority by controlling important water resources and the processes through which this control becomes legitimate.

Without neglecting the importance of the material aspects of water and the crucial role access to water plays in rural peoples' livelihoods, nor the instrumental role of institutions in e.g. policy implementation, this thesis has sought to nuance the understanding of water conflicts by exploring the mutually constitutive relationship between resources and institutions. As such, the thesis has contributed to rethinking conventional approaches to the study of water conflicts. As discussed in Chapter 1, water conflicts have often been studied as resource conflicts between groups competing to use water for different purposes. From this perspective, water conflicts have been used as examples of scarcity-induced resource conflicts, i.e. examples of how conflicts arise from increased competition for a declining pool of resources. Another body of literature has seen resource conflicts as a result of the failure of the institutions involved in the management of resources, often with a view to evaluating the extent to which institutions can successfully manage natural resources in an accountable and sustainable way (Ostrom, 1990; 2007; Ribot, 2004). Both literatures have contributed to illuminating important aspects of water conflicts, management and the role of institutions. However, they, also present a number of limitations. For one thing they ignore important social, political and historical aspects of water conflicts. Secondly, by viewing resource conflicts as institutional failures, they present an instrumentalist and often normative view of institutions as tools either in implementing particular policies or in political struggles for power in African societies.

Against this, and inspired by anthropological approaches to dispute settlement, this study has approached water conflicts as 'endemic features of social life' (Comaroff and Roberts, 1981), reflecting ongoing struggles for authority, wealth and political position embedded in larger social and political processes. From this perspective, water conflicts offer a lens for studying larger processes of social change. Rather than seeing water conflicts as either scarcity-induced or as a malfunction of the institutions that were supposed to regulate them, I have challenged not only conventional views of water conflicts, but also tendencies to view water conflicts as a failure of 'getting institutions right' (Ostrom, 1990) – a de-contextualized and a historical perception of institutions. I thereby contribute not only to the literature of natural resource management and conflicts but also to a broader understanding of institutions. The water conflicts I studied were situated within the larger political and historical processes of decentralization in Mali. In applying a processual approach to the study of water conflicts, the thesis contributes to studies of resource conflicts in Africa and, in particular, the debates related to the role of institutions in natural resource management within the context of decentralization and political reforms in Africa. Throughout the thesis, I have argued that attention to socio-political influences and the role of conflicts in forming institutions and authority adds to the understanding of water conflicts and how local institutions establish legitimacy. In other words, water conflicts offer a vantage point for the study of institutional struggles over authority. With this analysis I have contributed to conceptualizing water conflicts as more than material concerns over scarce resources and the thinking of institutions, both in terms of how water conflicts reveal institutional struggles for authority and how in turn they contribute to the making of institutions of authority.

In the context of decentralization in Mali, which sets the scene for the water conflicts under study, there exists a wide range of institutions that people can address in a conflict. Recognizing institutional struggles over authority revealed in water conflicts, we must address the plurality and iterative nature of local institutional authority and consider water governance to be a politicized arena in which rules and organizing practices are continuously negotiated (Cleaver, 2003). Bearing in mind this flexible process of institution-making, I have approached institutions as carriers of authority that are at once actors and arenas in water conflicts (Lund, 1998). This approach has opened up a space for the identification of important aspects of the legitimization processes through which institutions claim authority.

More specifically, the analysis puts forward a number of conclusions. In the following I shall sum up some of the most pertinent ones, discussing: a) the trajectories of water conflicts; b) the institutions of authority in the making; c) the actors and their claims to authority; and d) the registers of legitimacy through which the claims are organized. Finally I shall briefly discuss some future perspectives for studies of water conflicts in Africa.

WATER CONFLICTS

Much literature on natural resource conflicts has tended to interpret resource conflict as rivalries between 'strategic groups' with competing economic interests in water. Instead of approaching resource conflicts as an analysis of competing 'strategic groups' who have diverging or overlapping interests in water use, I showed that the categorization of people in terms of e.g. 'agriculturalists' and 'herders' does not reflect peoples' changing and diverging interests, nor does it provide an adequate account of interests in conflicts. The analysis has thus integrated the wider social setting of the actors in the conflict in order to open up the analysis of the actors in conflicts, their interests and goals, and the way in which they take part conflict processes. The integration of the wider social setting revealed, for instance, that pastoralism was abandoned as single livelihood strategy in Aman and that the actors' interests did not follow the conventional division between agriculturalists and herders.

Seeking to broaden mainstream conceptions of water conflicts, the main argument of the thesis is that water conflicts in Mali reflect larger processes of the establishment, contestation and maintenance of authority. I have argued that the management and control of rural water resources constitutes an arena through which the everyday practices of these institutions become visible. As such, by understanding the intimate link between struggles over water and the establishment of authority, one can explain how local water conflicts are configured in the context of decentralization in rural Mali. Authority is established by controlling both water and people, and water conflicts occur when these structures and institutions of authority and the positions of the actors change, as in the case of decentralization. The study took place nearly ten years after the 1999 decentralization reform, which changed the spatial and social boundaries of local political

communities in Mali. These changes influenced the distribution of power between new and old institutions of authority (Haagberg, 2009). Furthermore, the way resources are accessed and controlled, who can benefit from which resources and under whose authority has been (re)negotiated. New institutions and actors of authority have emerged, as the decentralization reform creates new arenas for competition for authority in local politics. One way for powerful new actors to establish and maintain authority is through control over key resources and the people who use them. Such processes of change are of course not restricted to decentralization but have happened throughout history, as was demonstrated in Chapter 3. As such water conflicts are not a new or passing phenomenon but part of everyday practices of institutions of authority in Douentza.

Institutions of Authority: Actors and Arenas in Conflict

Decentralization established new democratically elected institutions of authority at the local level, opening up a political space for new actors and institutions in local politics. An important aspect of the decentralization reform is the transfer of responsibilities for natural resource management (including water hydraulics) to the municipalities in order to strengthen local ownership and sustainable natural resource use. Chapter 3 accounted for the way in which decentralization opened up a political space for new actors to enter local politics through the establishment of the municipal councils, as well as how the municipal councils were established and chieftaincy authority officially recognized. I demonstrated that new institutions do not simply replace existing institutions but add to the pile of institutions which have been created in previous colonial and post-colonial regimes, consequently forming part of the landscape of institutional pluralism that engages in water conflicts in Douentza today. As such, and in adding to the existing layers of authority created in time, these new institutions are in competition with existing institutions to become legitimate.

Exploring actors and their involvement in water conflicts, this thesis has showed that, more often than not, institutions of authority are actors and arenas in conflicts (Lund, 1998). As actors, institutions engage in conflict to positions themselves and acquire authority through claims to

legitimacy. As arenas, institutions constitute locations in which individuals struggle to influence the making of institutions. The case studies of the water conflicts showed how a water supply committee turned into an arena of struggle between the uphill and downhill populations, each of which was struggling to take control of public resources and acquire authority. The analysis showed that many individuals are members of both the management committee and the municipal council, illustrating how such arenas often overlap. The fact that institutions are both actors and arenas means that members sometimes act on behalf of the institutions they represent, while at other times they use their position in an institution to pursue their own goals. For instance, the mayor acted on behalf of the municipality by virtue his position as mayor, while at the same time having vested interests in controlling the water supply to sustain his political career. Confirming that institutions are personified, the mayor's legitimacy crisis is reflected in the conflict and in the way in which his position shifts from favorable to challenged in the course of events. Furthermore, the mayors also used the conflict over Aman to position themselves as authorities by winning control of a contested territory. As such the authority of these representatives is an important stake in the conflict.

ACTORS AND CLAIMS TO AUTHORITY

Arguing against instrumentalist perceptions of institutions in Africa as a result of individual leaders' quests for power, I instead emphasize legitimacy as constitutive for authority. Against this background, institutions of authority cannot be fully understood simply as power structures that are imposed on people. People take part in the production of institutions, and institutions have to resonate with existing norms and ideas in society that people can relate to. People do not confer legitimacy and hence authority on them, and institutions erode. The analysis of claims demonstrated how actors justified themselves by creating narratives to position themselves in conflicts. Claims were my entry point to studying the broader repertoires of meaning, the registers of legitimacy. I argue that attention to claims in water conflicts reveal how authority is established. As such, claims offers insights into how actors justify themselves by drawing on broader frameworks of meaning resonating with existing norms and practices that people can relate to. In other words, actors' claims were articulated with reference to a repertoire of meanings

encompassing norms and values, the so-called registers of legitimacy. In the following I briefly summarize the most important actors and their claims to authority.

Ex-mayor Ahmadou Touré, son the colonial chief and representative of the chieftaincy aristocratic family, actively uses history to remain in authority, playing upon authenticity and spiritual ties with the ancestors of Koyra. As a development broker, Ahmadou Touré ensuring the financing and control of the first water supply in Koyra. When Ganaba became in charge of the second water supply in 2005, Ahmadou used anti-corruption narratives to de-legitimize Ganaba's abilities as mayor and his authority to control the water supply. In front of his rivals in Akal, he actively uses the convention of 1939 as a legal and historical claim to Aman.

Attempting to reverse the existing hierarchy of social stratification, Ganaba uses discourses of good governance to become mayor (drawing on the legal registers), combined with his claims to authentic chieftaincy in Koyra. Control over the management committee, coupled with access to wealthy individuals, were the registers of authority available to him. Despite the fact that Ganaba is to a certain extent successful in the arena of Koyra's local politics, when the scene changes to the conflict over Aman, his historical claims to chieftaincy become invalid in front of Koyra's rival Akal, who do not consider Ganaba the historical authority of Koyra. In addition, he does not pursue the strategic investment in projects in Aman, which could have strengthened Koyra's claim to Aman.

The mayor of Akal uses the register of history by referring to a colonial map. Perhaps more importantly, his own biography as a team leader of Aide l'Eglise Norvégienne (AEN) in the more recent history of settlement in Aman provided resonance, because this was something people could remember themselves. Akal claims the territory of Aman on the basis of the infrastructure and public service delivery, which were carried out during the interventions of the AEN. Akal's claim to Aman in terms of public infrastructure shows how development interventions become assets in conflicts over contested territory. When the aristocrats left power, the mayor of Akal trumped Koyra's claims through development brokerage.

The Fulbe called on state law and norms related to the nation state by virtue of national citizenship and equality before the law within the territory of Mali in order to strengthen their equal access to Aman. As a consequence of Koyra's declining authority in Aman, the Fulbe's alliance partner, who used to back their claims to access, is no longer in authority. Whether one claim trumps another depends on the position of the claimer and whether the claim can be backed by authority. Although the conflict between Koyra and Akal over the ownership of Aman has still not been settled officially, and Koyra still claims that it belongs to them, it is effectively Akal which authorizes and supports the Imakeltadack chief's claim to the lake.

REGISTERS OF LEGITIMACY

Constituting the entry point for understanding legitimization processes, I conceptualized claims as the individual statements that actors asserted, while registers constitute the broader frameworks of meaning according to which claims are organized. However, the registers do not necessarily constitute a coherent, all-encompassing framework for claiming legitimacy. Some of them, I argued, are well-established in the historical trajectories presented in Chapter 3, while others appear, among other things, in the interaction with development discourses of democracy, good governance and accountability (Chapter 6). Different registers cut across, overlap and contradict each other, depending on the audiences and the situation in which they are stated. I structure the presentation of the registers according to social stratification, settlement and development brokerage as three recurring registers in the claims to authority in the water conflicts. These three registers encompass elements of the subsequent registers presented below. In addition, cutting across those mentioned above, history and law are presented as registers from outside the arena that actors actively mobilize in their favor. In the latter part of this section I summarize how actors mobilized and combined the registers in favor of their own claims.

Social Stratification, Settlement and Development Brokerage

The analysis of claims highlighted the fact that although categories of *social stratification* are negotiated, contested and subject to change, they are also important for registers in struggles over

access to resources, institutions and structures of authority. Underlying the competition and struggle for water supply between the uphill and downhill populations in Koyra was an ideological struggle over social hierarchy. According to this hierarchy, the Songhay aristocracy regards themselves as superior to the newcomers and other nobles by virtue of their belonging to a warrior class. In the analysis I have shown that the dichotomy between nobles and slaves in the past still informs claims to aristocracy and chieftaincy in Koyra. Social stratification categories were used by the old aristocratic authorities to exclude newcomers from influencing the political arena in Koyra. Attempting to reverse the ideology of hierarchy, however, new actors in the arena challenged the old structures of authority in Koyra. Legitimizing their own authority, the newcomers sought to reverse aristocratic values and perceptions of labor division as unhealthy laziness contrasting the newcomers' own willingness to work hard to earn a living. Thus, despite social stratification, there is room for maneuver and for social entrepreneurs to influence and alter local structures of authority. The reversal of aristocratic virtues served to recognize the equal citizenship of the people of inferior origin, a process initiated in the colonial era, when slaves were emancipated, but continuing as the 'iklanisation' of society after independence (Chapter 3). Decentralization and the establishment of new territorial and political boundaries triggered mechanisms of defining insiders and outsiders, while social stratification, identity markers and references to the past were used in such processes.

References to *settlement* and hierarchy of first-comers resonate with norms and practices for claiming agricultural land (Chapter 3). The Koyra Koys' aristocratic superiority stems from claims to settlement and warrior conquest in the past, when the authority of the was established and legitimized through the straddling of the spiritual and material worlds, mediated through the mythic ancestors. The urge to belong is accentuated in current political discourses in order to exclude newcomers from authority and access to resources. Situated in the crossing between the agricultural and pastoral zones, chieftaincy authority in Lake Aman (Chapter 7) used to be claimed on the basis of people instead of territory. Now as Aman is developing into a village site, in their different ways the three aspiring chiefs claimed authority based on first settlement. Showing that the more fluid tenure relations characterizing pastoral areas are changing, settlement represents a new register in a pastoral setting. The warrior chief referred to settlement to strengthen his control of Aman when strangers arrived, so that the settlement register was used in order to

exclude mobile pastoralists from accessing water resources and pastures. Adopting a sedentary livelihood, the Tamashek, who themselves used to be herders depending on access to resources in places they did not permanently belong to, used claims of settlement to exclude the more mobile groups. The abandonment of pastoralism as a single livelihood strategy is diagnostic of changes being made in pastoral life in order to meet the criterion of accessing public service delivery. There was an intimate relationship between the appropriation of space through settlement and development brokerage, which I return to next.

The analysis showed that *development brokerage* through various development interventions in the area created new avenues to wealth and authority. The establishment of various water supply schemes in Koyra emphasized how local actors gained legitimacy by mobilizing development aid towards their communities, among other things by mastering the language of development projects. The mutually constitutive relationship between control over water and authority in the past was rearticulated by development brokerage in the way that authorities became legitimate by ensuring the financing and control of water supply schemes. Development brokerage became an integral part of social and economic processes in Douentza by mobilizing resources and means to become influential in local politics. Success in negotiating water infrastructure and development projects towards one's locality signified authority and the ability to rule. However, to supply water projects for personal enrichment is not sufficient to maintain authority and legitimacy. Chapter 6 showed that, in order to become authority in Koyra, actors are subjected to both moral and legal obligations (Moore, 1978). They have to master the corruption complex to be able to enforce moral obligations and expectations to redistribute public resources to clients, i.e. meet the expectations of their audience. Simultaneously, they have to master the legal register of rights to be able to exclude rivals from access to scarce public resources in front of external representatives of the law (e.g. state and donors), a register I return to below.

The three chiefs in Aman (Chapter 7) used development brokerage in their claims to authority, which turned out to be important in the context of decentralization, where implementation of development projects takes place in cooperation with the municipal council. Through their representation in the municipal councils, chiefs have an opportunity to negotiate projects towards their communities. In Chapter 8, the conflict over Aman illustrated that, according to common

perceptions, historical claims to superiority are trumped by development interventions and investment in public infrastructure. Thus, those who bring about development are more likely to win the valuable territory, as the ability to bring about development demonstrates the authority to rule. The analysis of registers showed how development projects are appropriated, negotiated and sometimes monopolized to become authorities in local politics in Douentza.

History and Law

History, I argued, is not something which is simply there, but something people actively engage in and make through narratives and (re)productions of truth (Hagberg, 2006). Struggles for authority in water conflicts were articulated with reference to the past as ways of making claims in the present. The actors' narratives showed that in water conflicts boundary-making requires strategic positioning in local politics, using historical references to create a repertoire of meaning to define who is in control under changing institutions of authority. In the competition between the uphill and downhill populations in Koyra, historical claims to the chieftaincy were important for the positions of the actors. The aristocrats draw on their authority as descendants of the Askia warrior kings, while the new mayor contests their chieftaincy, claiming that they were the legal tenants of chieftaincy in Koyra until the colonial powers intervened. Thus the different types of historical claims to chieftaincy were rearticulated in the struggle for authority in Koyra. Against this background, indirect rule in the colonial past was used by the uphill aristocrats to emphasize their strength as chiefs and by the downhill population to question the authenticity of Koyra's chieftaincy authority.

In the struggle over the ownership of Aman, the Foulankriabés' shifting protection from that of the Kel Akal to that of the Koyra chieftaincy became an important asset in the conflict, as in this shift the Foulankriabé gained contested first-comer claims to the land of Aman. Furthermore, Koyra's claims to Aman was based upon historical legacies of the colonial past and a local convention between Koyra and Kel Akal assisted by the colonial rulers, which according to Koyra determines that the territory in which Aman is situated today belongs to Koyra. Consequently, when contesting parties have different stories and interpretations of the past, conflicts involve struggles over the authority to write and rewrite history (Hammar, 2007). Thus when history is

used in claims to authority to control resources, conflicts may become conflicts over interpretations and the right to define the past. This way the disputes over resources also become disputes over the authority to define history.

The use of *law* and reference to legal obligations is another register of legitimacy which cuts across the various claims in conflicts. Anti-corruption narratives (the legal obligations), which derive from decentralization and the democratization ideology of accountability, are part of the registers of legitimacy that actors draw on to stay in business in the rural water supply. The legal obligations represented by the law (e.g. state law and/or project law) constituted a register that actors inside the arena mobilize on their behalf. From this perspective, the decentralization reform brought about new registers of accountability, good governance and anti-corruption, which brokers translated into the local arena. Such narratives feed into the well-known sanction mechanisms of rumors, suspicions, humiliation and shame that actors have to know when to activate in order to de-legitimize the authority of their rivals. Another way that project law was used was to support the downhill population's claim that the management committee in Koyra should be composed of representatives of the population. Finally, both mayors used the juridical registers to claim ownership of Koyra on the basis of having citizens under their jurisdictions living in Aman. The claim of having citizens under their jurisdiction was tied to having first-comers in Aman, showing how registers overlap.

To conclude, in highly personified institutions, the legitimacy at stake is the legitimacy of leaders, which has consequences for the study of authority, taking into consideration the mutually constitutive relationship between authority and legitimacy (Chapter 1). Inspired by Lentz (1998), I have analyzed the personal biographies of actors of authority. This showed that actors draw upon different registers of legitimacy to establish and maintain authority, and that they have to operate different avenues to authority, among others through the role of development brokers. The way in which actors become 'big' is based on the extent to which they manage to combine and overlap the different registers of legitimacy available to them. Legitimate authority in Douentza does not solely depend upon social status, first-comer rights, development, historical or legal registers. Straddling those avenues to authority is a necessary condition to success, which depends on one's personal background and the extent to which one manages to combine the registers. In the

context of decentralization, new structures of authority were introduced at the local level, opening up a space for new actors to enter the arena. Simultaneously, decentralization introduced new registers of legitimacy such as anti-corruption, accountability and new development projects. This provides a new currency that is translated, negotiated and interpreted into already existing registers of legitimacy, broadening the room for manoeuvre in the local arena. More than one register of claims can be called on to strengthen one's claim to authority. As such the registers do not reflect a strict socio-political organization in a local setting. The institutional actors need to navigate these registers, knowing when to draw on which register according to the purpose and audience they serve. The conceptualizing of institutions as carriers of authority appearing as both actors and arenas in this thesis is a framework I suggest is useful for understanding other types of institutions and organization. The register of legitimacy is a useful way of framing claims to authority, but what constitutes the hard currency in a particular setting, the content of the registers in questions, is context-dependent and requires empirical-based research.

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Appendix. Field Work Overview

Fieldwork in Mopti Region. Background

October 2007

1 interview with vice president of the General Assembly[167]
1 interview with Wetlands International
1 interview with GDRN 5 Mopti
1 interview with Partenariat Régionale de l´eau (PRE-Mopti)
1 interview with Direction Régionale de la Pèche (DRP- Mopti)
1 interview and informal discussions with Salmana Cissé, Sociologist

February 2009

1 interview technical advisor, PASEHA Danida

Field Work for the Inventory

Officials in Douentza District

October 2007

1 interview with the *préfet* in Douentza[168]
Various informal talks with the Near East Foundation (NEF) staff
1 interview with director of Radio Douentza
2 interviews with representative of the Local Court
1 interview with the pastoral association

February 2008

Assisting 3 ranking exercises in Drimbe and 3 individual household interviews in Drimbe
1 interview with the *préfet* in Douentza

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[167] Names of interviewees and dates of interview can be provided on request.
[168] My colleagues at the University of Mali, GERSDA have carried out additional field work complementing the data collection for the inventory.

Diaptodji, Dallah, Boni and Mondoro

October 2007

1 interview with mayor of Diaptodji
1 interview with the general secretary and the deputy mayor of N'Gouma
1 interview with the *sous-préfet* in N'Gouma
1 interview with the village chief and 2 focus group discussions in Kel Tagassit 2 focus group discussions and 3 interviews with people in Boumban Hinde and Boumban Haire
1 interviews with mayor of Boni and 2 focus group interviews with people living in Ouro Fassy
2 focus group discussions and informal interviews with villagers in Niagassadou

February 2008

2 follow up interviews in Boumban Hinde

December 2008

1 interview with clan chief of Ouro Fassy
3 individual household interviews in Ouro Fassy
1 interview village council Boni

FIELD WORK CASE STUDIES

Primarily the listed field for the case studies has been collected between October 2008 to March 2009 and initial interviews were conducted in November 2007 and February 2008.

DOUENTZA

October 2008-March 2009

1 follow-up interview with the *préfet* in Douentza
Numerous informal talks with staff members NEF

KOYRA

October 2007

1 interview with mayor of Koyra
2 interview with ex-mayor and president of first water supply
2 interviews with village chief
1 interview president of first committee of second water supply and municipal councilor
1 interview with the *sous-préfet*
1 interview pastoral representative
1 interview hotel owner

February 2008

1 interview with mayor of Koyra
1 interview with head of the gendarmes in Koyra
2 interviews with ex-mayor and president of first water supply
1 interview with school teacher member of the first management committee of the second water supply
2 interviews with president of the second management committee of the second water supply
2 interview and informal talks with members of Koyra's youth association
1 interview noble villager
2 interview with Kenrinké women

October 2008-March 2009

2 interviews and various informal talks with mayor of Koyra
5 interviews with various municipal councilors (women and men) also members of different management committees
1 interview and informal talk president of the second management committee of the second water supply
2 interviews with the *sous-préfet*
2 interviews with representative of the veterinary Service
1 interview with the Forestry Service
2 interviews with midwife at the CESCOM also member of water committee
2 interviews and various informal talks with the village chief
1 interviews and informal discussions with staff members CC NGO
1 interview NEF Koyra
1 interviews with school teacher
2 interviews with and informal talks with Koranic School Teacher
3 interviews discussions with representatives of 3 of Koyra's women's organizations (2 uphill, 1 downhill)
2 interviews and informal discussions with Terinké
2 Interviews and informal talks with various representatives of Koyra's youth associations
2 interviews and various informal talks with hotel owner
1 interview at the radio station
2 interviews and various informal talks with pastoral representative in Koyra
4 interviews of various new comers, downhill villagers
4 interviews uphill villagers
3 interviews with elder villagers
3 ranking exercises with uphill villagers
Access to letters and various documents in the municipal council

Aman

October 2007

Preliminary visit to Aman
1 interview with Songhay and Iderfane chief
1 interview Fulbe herder from inner Niger Delta

February 2008

1 interview with Songhay chief
1 interview Imakeltadack chief
1 interview Iderfan chief
1 interview widow owner of vegetable garden
1 interview with Bozo fishers from Mopti

October 2008-March 2009

3 interviews and daily interactions with Songhay chief
3 interviews and daily interaction with Imakeltadack chief
3 interviews and daily interaction with Iderfan chief
2 interviews with school teacher
1 interviews and informal talks Bozo fishers from Mopti
4 interviews and informal talk with the Foulankriabé
6 interviews and daily interactions with Songhay villagers
3 interviews with the Djelgobé
2 interviews with members of Aman's fishing association
1 focus group interview and 2 individual interviews with migrating Fulbe
2 focus group interviews with Songhay village Association
4 focus group interview with women from the different groups
6 ranking exercises with men and women in the different groups Iderfane, Imakeltadack, Songhay, Djelgobé
Several individual household interviews
Household survey of water access in 20 households

Akal

February 2008

2 interviews with mayor of Akal
1 interview general secretary of municipal council

October 2008-March 2009

3 interviews and various informal talk with the mayor
6 interviews with 3 different municipal councilors
1 interviews with the general secretary at municipality

1 interview forestry service
1 interviews veterinary service
2 interviews with Catholic Sister
1 interview NGO, OADS
4 interviews and various informal talk with one of Akal's clan chiefs

BAMAKO

3 interviews at the DHN (Direction National de L'Hydraulique)
5 interviews at the Danish Embassy staff and technical advisors
1 interview Liptako Gourma Programme
2 interview members of Koyra's national youth association
Access to National Archives