

Responsive Forest Governance Initiative (RFGI)
Supporting Resilient Forest Livelihoods
through Local Representation

**Representation in REDD:
NGOs and Chiefs Privileged over Elected Local
Government in Cross River State, Nigeria**



Emmanuel O. Nuesiri

Representation in REDD

Responsive Forest Governance Initiative (RFGI) Research Programme

The Responsive Forest Governance Initiative (RFGI) is a research and training program, focusing on environmental governance in Africa. It is jointly managed by the Council for the Development of Social Sciences Research in Africa (CODESRIA), the International Union for the Conservation of Nature (IUCN) and the University of Illinois at Urbana Champaign (UIUC). It is funded by the Swedish International Development Agency (SIDA). The RFGI activities are focused on 12 countries: Burkina Faso, Cameroon, DR Congo, Ghana, Kenya, Mozambique, Nigeria, Senegal, South Africa, South Sudan, Tanzania, and Uganda. The initiative is also training young, in-country policy researchers in order to build an Africa-wide network of environmental governance analysts.

Nations worldwide have introduced decentralization reforms aspiring to make local government responsive and accountable to the needs and aspirations of citizens so as to improve equity, service delivery and resource management. Natural resources, especially forests, play an important role in these decentralizations since they provide local governments and local people with needed revenue, wealth, and subsistence. Responsive local governments can provide forest resource-dependent populations the flexibility they need to manage, adapt to and remain resilient in their changing environment. RFGI aims to enhance and help institutionalize widespread responsive and accountable local governance processes that reduce vulnerability, enhance local wellbeing, and improve forest management with a special focus on developing safeguards and guidelines to ensure fair and equitable implementation of the Reduced Emissions from Deforestation and Forest Degradation (REDD+) and climate-adaptation interventions.

REDD+ is a global Programme for disbursing funds, primarily to pay national governments of developing countries, to reduce forest carbon emission. REDD+ will require permanent local institutions that can integrate local needs with national and international objectives. The results from RFGI Africa research will be compared with results from collaborators in Asia and South America in order to enhance RFGI comparative scope, and to broaden its geographic policy relevance.

RFGI Working Paper Series Editors' Note

**James Murombedzi, Jesse Ribot
and Gretchen Walters**

Struggles for control over and access to nature and natural resources; struggles over land, forests, pastures and fisheries, are struggles for survival, self determination, and meaning. Natural resources are central to rural lives and livelihoods: they provide the material resources for survival, security, and freedom. To engage in the world requires assets that enable individuals, households, and communities to act in and on the world around them. The ability to accumulate assets and the ability to access government and market services depends partly on such resources along with the political-economic infrastructure – rights, recourse, representation, markets, and social services – that are the domain of government. Democracy, which both enables and requires the freedom to act, is predicated on these assets and infrastructures. Since the 1980s, African governments have been implementing local government decentralization reforms aimed at making local government more democratic by making them responsive and accountable to citizen needs and aspirations; in many places this has been done through a decentralisation of natural resource governance to local administrations. In order to be responsive to individual, household and community demands, local governments, too, need resources and decision-making powers. There must be a public domain – a set of public resources, such as forests or fisheries, which constitute this domain of democracy, the domain of decisions and services that citizens can demand of government. Natural resources, when decentralized into the domain of local authority, form an important part of the resources of individuals, households, communities and governments, making possible this move toward local democracy.

Natural resources provide local governments and people with wealth and subsistence. While nature is not the only source of rural income, the decentralization of natural resources governance is a core component of local government reform. However, governance reforms have been implemented in a context broadly characterized by an enduring crisis of the Western economic and financial systems, which in turn has stimulated privatization and liberalization in every sphere of life, including nature. The process has deprived local governments of public resources – depriving individuals and communities of a reason to engage, as a powerless government is not worth trying to influence. Privatization is depriving forest-dependent peoples of their access to formerly ‘public’ or traditionally managed resources. National governments, as well as international bodies such as the United Nations programme, titled the Reducing Emissions from Deforestation and forest Degradation (REDD), further this trend as they collaborate with private interests to promote the privatization of natural resources. The resulting enclosures threaten the wellbeing of resource-dependent populations and the viability of democratic reforms.

The specter of climate change is deepening the crisis of enclosure. A key response to climate change has been the attempt to mitigate greenhouse gas emissions through enhancing the capacity of forests in the developing world to store carbon, ostensibly for the benefit of the atmosphere as well as the communities who use these forests. UN REDD seeks to pay communities, through their national governments, to conserve their forests as carbon storage. A plus ‘+’ was added to REDD, forming REDD +, to call for improved ecosystems services, forest management, conservation, forest restoration and afforestation to enhance the capacity for carbon storage. Designed on the basis of similar payments for environmental services (PES) schemes, REDD+ has the potential to inject vast new sums of money into local resource use and governance. In the context of fragile local governments, nascent democracies and powerful private interests, such cash inflows result in the commercialization and privatization of forests and natural resources and the dispossession of local resource users. This financialization of natural resources grossly diminishes the scope for democratic natural resource governance schemes. To be sure, the implementation of REDD+ can also learn from and avoid the pitfalls experienced in these PES schemes, especially if they represent local interests in natural resource governance decision making.

The Responsive Forest Governance Initiative (RFGI) is an Africa-wide environmental-governance research and training program focusing on enabling responsive and accountable decentralization to strengthen the representation of forest-based rural people in local-government decision making. Since January

2012, the programme has carried out 33 case studies in 12 African countries, with comparative cases Nepal and Peru, to assess the conditions under which central authorities devolve forest management and use decisions to local government, and the conditions that enable local government to engage in sound, equitable and pro-poor forest management. Aimed at enabling local government to play an integrative role in rural development and natural resource management, these case studies are now being finalized and published to elicit public discourse and debate on local government and local democracy. This Working Paper series will publish the RFGI case studies as well as other comparative studies of decentralized natural resources governance in Africa and elsewhere that focus on the intersection between local democracy and natural resource management schemes. Using the concepts of institutional choice and recognition, the cases deal with a comprehensive range of issues in decentralized forest management in the context of REDD+, including the institutional choices of intervening agencies; the effects of such choices on accountability and representation; and the relationships between local government and other local institutions. The series will also include syntheses discussing the main findings of the RFGI research programme.

Based at CODESRIA, and funded by the Swedish International Development Agency (SIDA), the RFGI is a three year collaborative initiative of CODESRIA, the University of Illinois at Urbana-Champaign (UIUC) and the International Union for Conservation of Nature (IUCN). RFGI working papers and documents, including the background papers, the RFGI programme description, and the RFGI Methods Handbook, can be found on line at:

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CODESRIA publishes *Africa Development*, the longest standing Africa based social science journal; *Afrika Zamani*, a journal of history; the *African Sociological Review*; the *African Journal of International Affairs*; *Africa Review of Books and the Journal of Higher Education in Africa*. The Council also co-publishes the *Africa Media Review*; *Identity, Culture and Politics: An Afro-Asian Dialogue*; *The African Anthropologist and the Afro-Arab Selections for Social Sciences*. The results of its research and other activities are also disseminated through its Working Paper Series, Green Book Series, Monograph Series, Book Series, Policy Briefs and the CODESRIA Bulletin. Select CODESRIA publications are also accessible online at www.codesria.org.

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Studying Representation

The ‘Reducing Emissions from Deforestation and Forest Degradation with the added goals of Conserving and Enhancing Forest Carbon Stocks, and Sustainably Managing Forests’ (REDD+) is part of the mix of solutions to the global climate change crises (CIF et al. 2010; Corbera and Schroeder 2011). The United Nations Collaborative Programme on Reducing Emissions from Deforestation and Forest Degradation in Developing Countries (UN-REDD) is presently funding REDD+ readiness initiatives in 55 countries (UN-REDD 2014).

Many analysts fear that REDD+ could lead to loss of livelihoods for forest dependent people (Accra Caucus 2013; Roe et al. 2013). To prevent this, the UN-REDD has expressed its commitment to social protections; it specifically commits to strengthen local democratic processes in its funded programmes as a safeguard against elite capture of REDD+ benefits for local people (UN-REDD 2008). This paper assesses the UN-REDD commitment to strengthen local democratic processes. It presents the findings of research examining representation in both the UN-REDD policy board and the US\$4 million UN-REDD funded Nigeria REDD+ programme (henceforth Nigeria-REDD). The Nigeria-REDD is implemented under the principal of securing the full prior and informed consent (FPIC) of affected local people (UN-REDD 2013a).

Democratic representation is a good and a moral imperative of international agencies (McGrew 2002; Verweij and Josling 2003; Scholte 2004; McKeon 2009). It is an inclusive instrument for engaging with local people and a non-violent means of dispute resolution (Dahl 1989; Davenport 2007). This study finds little evidence of democratic local representation during the design of the UN-REDD funded Nigeria-REDD programme. Participation was performed as theatre, with little substantive representation of local people.

In this study, political representation is defined as the making present in decision-making arenas via representatives, the interests of groups who are physically absent from the arena (Pitkin 1967; Rehfeld 2006; Runciman 2007). It is democratic when representatives are elected; when representatives are responsive to the represented; and when the represented can hold their representatives to account (Manin et al. 1999). In contrast, it is undemocratic when choice, responsiveness and downward accountability are absent. Undemocratic regimes could choose to be responsive to the governed, these types of regimes have been labeled by some theorists as 'good despotism' (Mill 2004:36), and by others as benevolent or benign dictatorships (Wintrobe 1998; Manin et al. 1999).

Pitkin (1967) identifies three types of representation; these are descriptive, symbolic, and substantive.¹ Descriptive representation is when representatives are chosen because they resemble the group they are standing for (Pitkin 1967), and are considered 'typical of the larger class of persons whom they represent' (Mansbridge 1999:629). Symbolic representation is when representatives resort to symbolic action instead of proffering substantive solutions to issues of concern to the represented (Pitkin 1967). They employ images, objects, theatrics and discourses of representation to stir the emotions of the represented in support of public policies irrespective of whether it's beneficial to the represented over time (Edelman 1985; Wedeen 1998). Edelman (1985) views symbolic representation as a tool for manipulating the public; Brysk (1995) shows that it is also employed by civil society to influence corporate and public decision makers (see also Keck and Sikkink 1999; Miller 2012). Symbolic representation is employed by customary authority, NGOs, and in some instances elected officials (Pitkin 1967; Silveira 2001; Baker 2007; Blatter 2009; Lombardo and Meier 2014).

Substantive representation is when representatives act for and are accountable to the represented (Pitkin 1967). It is morally superior to descriptive and symbolic representation for the checks it places on the actions of representatives (Pitkin 1967). Substantive representation is viewed as meeting the requirements of social justice, making it the preferred operational mechanism behind representative democracy (Grunebaum 1981; Kateb 1981; Manin et al. 1999; Mill 2004; Fraser 2005; Urbinati and Warren 2008; Rehfeld 2011).

Saward (2006, 2008), building on Pitkin (1967), asserts that representation is about claims making. Elected and unelected representatives make claims about themselves, their constituency, and their relationship to their constituency. Saward (2006) maintains that representation relies on the claims making performance of representatives, and that elected and unelected representatives have equal legitimacy in political deliberations. Severs (2010) argues that Saward (2006, 2008) ignores

the responsiveness-accountability relationship between elected representatives and their constituency. When this is taken into consideration, elected representatives can claim a higher moral standing compared to the unelected.

Given that claims making is a performance that draws on symbolisms (Corner 2007), representation as claims making is an observation on the wide-ranging influence of symbolic politics in representation (Bourdieu 1991; Silveira 2001; Baker 2007; Blatter 2009; Lombardo and Meier 2014). To interpret this as implying that representation is all about claims making is an over-generalisation. In placing unelected actors on the same grounds as elected government officials, Saward (2006, 2008) subscribes to neoliberal thinking that marginalises and then creates room for capture of government by private interests (Peck and Tickell 2002).

Dryzek and Niemeyer (2008) argue that legitimacy and accountability of unelected representatives such as NGOs could be based on the discourses behind such representation; they refer to this as discursive representation. However, discourses draw their power from ideographs, which are symbolic words and phrases that stir emotions towards an intentional outcome (McGee 1980; Bourdieu 1991; Kaufer and Carley 1993). Discursive representation is thus an aspect of symbolic representation (Pitkin 1967; Lombardo and Meier 2014).

Matten (2003) argues that symbolic politics is the normative choice for policy makers when designing environmental regulations. Policy makers want to be seen to be responsive to public concerns about the environment but do not wish to hurt powerful interest groups like the corporate sector. So they pronounce policies that do not get codified into law; or roll out strong regulations with weak enforcement mechanisms; or enact policies and laws that simply legitimise practices already adopted by industry. Stavins (1998:73) states that symbolic politics works with respect to environmental regulations because 'voters have limited information, and so respond to gestures, while remaining relatively unaware of details'.

Given that the UN-REDD is an environmental regulations setting regime, for which local people have limited information, would it also respond to local concerns through symbolic regulations that may seem beneficial to local people, but when closely examined protect the interests of more powerful non-local actors? The major question behind this study then is '*how are local people's interest represented in the UN-REDD?*' Is local representation descriptive, symbolic, substantive, or a mix with no preferential privileging of substantive over other forms of representation? To get at whose interests are advanced through representation in the UN-REDD and its funded programmes, a follow through question behind this study is '*why do policy makers, choose to use the local representation forms that they use in the UN-REDD?*'

The study uses Ribot et al.'s (2008) institutional choice and recognition framework. The framework examines policy from the viewpoint of the policy-making bodies – to understand how and why policy makers choose the policies they choose, and the institutions they choose to engage with. By understanding the logic of their choice, it is possible to understand why the outcomes match or do not match policy objectives. This provides insights relevant for decision makers wishing to reform these policy processes. In this case, 'choice' refers to decision-making processes where higher-level forestry intervening institutions 'are choosing powers to transfer and local institutions to transfer them to' (Ribot et al. 2008:2). When policy makers, make the choice to transfer powers, implementing these choices, result in actual power transfer to real institutions. Those institutions that are chosen are 'recognised' (Ribot et al. 2008). Recognised institutions are empowered and legitimated in this process.

Ribot et al. (2008) maintain that when higher-level forestry institutions work through democratic local institutions such as elected local governments where they exist, there is likely to be congruence between the interest of local people and project outcomes. Conversely, when these higher-level forestry institutions work with unelected actors (customary authority, NGOs, influential persons), there is likely to be lower congruence between the interest of local people and project outcomes. The type of local institutions recognised, have the potential to transform local institutional arrangements in more democratic or more undemocratic directions.

This study involved literature review and semi-structured interviews. Field research was from 14 July to 15 October, 2012 and from 28 July to 25 September, 2013. It included 125 interviews with members of local communities, Nigeria-REDD, UN-REDD and local NGO staff. Interviews were in Cross River State, and in Abuja, Nigeria. There were five group meetings with personnel of local NGOs in Cross River State attended by 30 individuals in all. There was also a one-day field visit to Iko village in Akamkpa, Cross River State, to meet with the village traditional council. Iko's 140 km² community forest (Oyebo et al. 2010), is part of Nigeria-REDD forest landscape. The research included participant observation while attending a meeting of the Akamkpa Council of Chiefs, for a question and answer session on REDD+. Results after the first field trip were presented to and reviewed by colleagues at the Cross River State Forestry Commission, IUCN Yaounde, Cameroon and CIFOR Ouagadougou, Burkina Faso.

Section 2 of this paper presents the context of the case study including an institutional map of the Nigeria-REDD. It shows that Nigeria-REDD operates in a context where elected local government is weak and excluded from decision-

making. It also shows that the institutional design of Nigeria-REDD provides opportunities for elite capture of benefits. Section 3 examines representation in the UN-REDD policy board, its apex decision-making body. It shows that local representation in the policy board is symbolic rather than substantive. Section 4 is a detailed examination of the Nigeria-REDD. It shows that local representation in the Nigeria-REDD is descriptive and symbolic rather than substantive. Section 5 asks why the UN-REDD approved the Nigeria-REDD' with its local governance shortcoming? It shows that the UN-REDD did so because it gives greater attention to the interests of donors and client member governments than to the substantive interests of local people. Section 6 concludes the paper with a summary of its major findings and local governance recommendations to the UN-REDD.

Political, Environmental and Institutional Context of Case Study

Political and environmental context

Nigeria-REDD follows a twin-track approach (FME 2011). There is the federal component developing national policy and regulations, complemented by a state-level component (FME 2011). The national component is executed by the Federal Ministry of Environment (the environment ministry), and in Cross River State, the first to sign on to REDD+, by the Cross River State Forestry Commission (the Forestry Commission).

In Nigeria's constitution (FGN 1999) the offices of president, governors of the 36 states, and chairpersons of its 774 local governments are filled through periodic elections (Barkan et al. 2001). While the states and local governments collect taxes, they primarily depend on financial allocations from the federal government for their operations, giving the federal government political influence over them (Barkan et al. 2001; Adesopo 2011). Local government allocation is transferred through the state government, giving state governors political influence over local government decision-making (ARD 2001; Diejomaoh and Eboh 2010).

This constitutional arrangement allows the state governments to set up joint accounts with local governments. A bureaucrat in Calabar stated that: *'the governor decides how the federal money gets used and the governor decides who gets the contracts and when to pay...it takes away the power of the local government chairmen'* (Local bureaucrat Calabar 2012). State governments administratively control the local governments through the Local Government Service Commissions, which appoint and dismiss local government bureaucrats.

Local government personnel are thus accountable to the state government and not to the elected local government chairperson (ARD 2001; Barkan et al. 2001; CLGF 2011a). The Association of Local Government of Nigeria (ALGON) has been pushing for local governments to have full autonomy over their finances and administration (CLGF 2011b; Iriekpen 2013). To achieve this is a near impossible task, as the federal House of Representatives and the Senate have to pass a constitutional amendment that then needs to be approved by all the houses of assembly across the 36 states in Nigeria (Iriekpen 2013; Leadership 2013).

The Nigeria Land Use Act of 1978 (FGN 1978) places land under the authority of state governors. Local governments can allocate rural land not greater than 50km² to a user. The governor does not need to consult the local government if it needs rural land for public purposes like REDD (FGN 1978). While state governors do not need the consent of customary authority, they would often consult local chiefs before enclosing public land (USAID 2010; Nuesiri 2014). As will be shown later in the paper, the statutory powers of state governors make them extremely influential figures in local democratic politics in Nigeria.

The first forest reserves in the country were created in 1917 (Usman and Adefalu 2010). Staff shortages due to a refusal to train locals as foresters and lack of cooperation from local people led to high levels of illegal forest exploitation (Usman and Adefalu 2010). In Cross River State, the first forest reserves were created in 1930 and were maintained after independence in 1960. Presently there are 14 forest reserves in the state covering 2,800km² or 13 per cent of the state land surface area (Oyebo et al. 2010). The state also host the federal government managed Cross River National Park (CRNP) covering 2,955km² or 18 per cent of its land surface area. Community forest cover 1,632km² or 7 per cent of the land surface area. In all forest cover 40 per cent of Cross River State and this makes up 50 per cent of Nigeria's primary forest (Oyebo et al. 2010).

In the 1980s, the Nigerian Conservation Foundation with the support of the Worldwide Fund for Nature (WWF) lobbied the Nigerian government to create the CRNP to protect the critically endangered Cross River Gorilla (Harcourt et al. 1989). WWF initiated a conservation and development project to win local support for the park. The project failed to deliver social development as the European Union stopped funding it in 1994, in protest against the killing of the environmental activist Ken Saro-Wiwa by Nigeria's military government (Ite 1996, 1997, 1998). This created disappointment in local communities, turning them against the park service, the state and the federal governments. A number of expatriate and local staff who worked for the park project went on to create local NGOs when the project ended (Oyebo et al. 2010).

In 1999, the British government's Department for International Development (DFID) initiated a community forestry project in Cross River State (Oyebo et al. 2010). When this project ended in 2002, there were about 45 community forest groups in Cross River State; the forestry department in the state ministry of agriculture was upgraded to a Forestry Commission with the status of a state ministry; and the state had agreed to share timber royalty from forest reserves with adjacent local communities in a 50:50 split (Oyebo et al. 2010).

In 2008, the Cross River State governor banned logging and in 2011 appointed an expatriate to head the taskforce enforcing the ban (Pandrillus 2013). This expatriate runs an NGO involved in biodiversity conservation in Cross River State. He and his team regularly encounter violent conflict with illegal loggers. This individual carries a firearm at all times and works with the state secret service to get the job done (Una 2012). A member of the taskforce stated that *'since I joined the taskforce my life has not been the same...I have to be extra careful who I interact with...when we seize timber in local communities, the people come out to fight us...when we seize timber coming from Cameroon in the creeks, we also fear for our lives...we may need armed gun boats'* (Timber taskforce member 2012).

It is commonly held among forest sector actors in the state that the logging ban was to please the international community and secure funding for the state's REDD initiative. A member of one of the forest sector NGOs said *'the log ban cannot be effective...the politicians are involved, those that DFID trained in community forestry are involved... the governor knows he cannot stop this logging...the ban is to please the international community'* (NGO research participant 2012). It goes without saying that the logging ban means communities have lost the 50 per cent royalty payments they receive from logging revenue collected by the state.

Cross River State forest is a source of livelihood for local people (Oyebo et al. 2010). However, their elected representatives at the local government level do not have the statutory authority over forestland over 50km². Customary authorities exercise some de facto rights over forests and this is recognized in the many community forest groups in the state, but the state governor has the statutory power to ignore customary authority. Cross River State forestry law recognizes that local governments can play a role in forest management. So the forestry commission works with local government authorities to set up tree nurseries for trees that are then distributed to farmers and schools for replanting (Oyebo et al. 2010). While NGO and customary authority influence² on forest management in Cross River State has grown since the 1980s, same cannot be said for local government authorities.

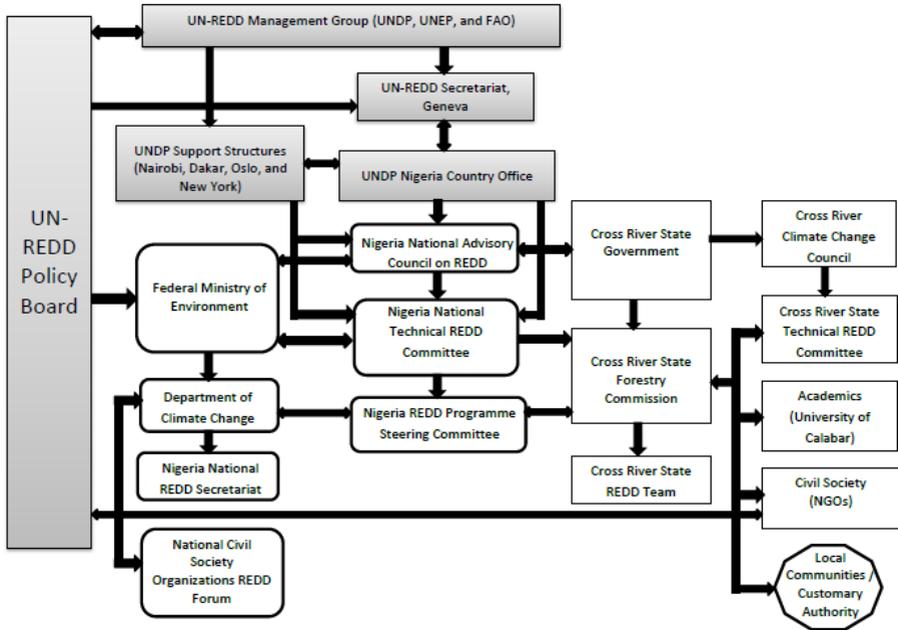
Institutional map of the Nigeria-REDD Programme

The UN-REDD Programme was launched in September 2008 and it is funded by the governments of Denmark, Japan, Luxembourg, Norway, Spain and the European Union (UN-REDD 2013b). The UN-REDD is implemented by three UN agencies, the United Nations Development Programme (UNDP), the United Nations Environment Programme (UNEP), and the Food and Agricultural Organization (FAO) of the United Nations, collectively referred to as the management group (FME 2011). The UN-REDD is administered through a secretariat in Geneva, Switzerland. The UNDP Nigeria Country Office (UNDP-NCO) coordinates the UN-REDD activities in Nigeria and monitors the Nigeria-REDD (FME 2011).

The UNDP is responsible for administration and governance in the Nigeria-REDD. The UNDP staff that contributed to the design of Nigeria-REDD included the UN-REDD Africa coordinator based in Nairobi, Kenya, UNDP governance experts from the West Africa Regional Office Dakar, Oslo Governance Center, Norway, and UNDP New York. Observing the role of the UNDP in the UN-REDD, a Nigerian team member opined that *'the UN-REDD have been captured by the UNDP'* (Member Nigeria REDD team 2012).³ The UNEP working out of its Nairobi office provides technical support on forest conservation and management in the Nigeria-REDD, while the FAO through its country office in Nigeria brings in expertise on developing national accounting systems for greenhouse gas inventories (FME 2011).

Nigeria applied for membership of the UN-REDD in December 2009 (Oyebo et al. 2010) and its REDD readiness plan was approved for funding in October 2011 (FME 2011). Nigeria-REDD have a national program and a state level program with Cross River State as the pilot. At the national level, the Nigeria-REDD Secretariat is housed in the Department of Climate Change at the ministry for environment. This ministry works closely with the national advisory council on REDD and the national technical REDD committee. The advisory council is a policy making body, while the technical committee is a working group comprising of UN-REDD and Nigeria-REDD (national and state level) personnel. In addition, at the national level there is the REDD steering committee, which is another working group for effective coordination of the work of the Department of Climate Change and the Cross River State Forestry Commission (FME 2011). There is also a national civil society organizations' REDD forum, a platform for civil society to have a voice in Nigeria-REDD through the Department of Climate Change.

Figure 1: Institutional mapping of the Nigeria-REDD Programme



At the state level, the Cross River State government is the apex decision making body for REDD, so it is a member of the national advisory council on REDD. The state government directives are passed on to the Cross River Climate Change Council and to the Forestry Commission. The climate change council formulates state policy that is passed on to the state’s Technical REDD Committee who translates this into a list of activities passed on to the Forestry Commission. The Forestry Commission is also influenced by decisions made at the Nigeria National Technical REDD Committee; commitments agreed to at the Nigeria REDD Programme Steering Committee meetings; inputs from the Climate Change Study Group at the University of Calabar; concerns from forest sector NGOs; and by the interests of local communities and customary authorities. REDD activities to be implemented by the Forestry Commission is carried out by Cross River State REDD team. Figure 1 maps the relationship between global, national, state and local actors involved in Nigeria-REDD. It shows an institutional structure that does not include local government authority but has multiple deliberative platforms that creates multiple level risks of elite capture of REDD+ benefits to local people.

Representation in the UN-REDD

The ‘all affected’ principle and representation in the UN-REDD

The UN-REDD wishes ‘to assist forested developing countries and the international community to gain experience with various risk management formulae and payment structures’ that would ‘generate the requisite transfer flow of resources to significantly reduce global emissions from deforestation and forest degradation’ and ‘assess whether carefully structured payment structures and capacity support can create the incentives to ensure actual, lasting, achievable, reliable and measurable emission reductions while maintaining and improving the other ecosystem services forests provide’ (UN-REDD 2008:5). The UN-REDD ‘rights-based and participatory approaches will also help ensure the rights of indigenous and forest-dwelling people are protected and the active involvement of local communities and relevant institutions in the design and implementation of REDD plans’ (UN-REDD 2008:7).

The UN-REDD rhetoric above is taken from its constitutive document, which introduced the UN-REDD to the world. In it the UN-REDD acknowledges the need for the involvement of local people in its activities as a social safeguard of local interests (UN-REDD 2008). On REDD+ payments, a key concern for local people, the UN-REDD favours direct payment to persons with carbon rights, and indirect payments through central governments to local governments and communities (UN-REDD 2008).⁴ To reduce elite capture, the UN-REDD speak of promoting ‘strong democratic processes in local institutions’ (UN-REDD 2008:12). It defines democratic governance as ‘democratic processes in which all people have a real voice’ and that this requires ‘fostering inclusive participation’ and ‘strengthening accountable and responsive institutions’ (UN-REDD 2012b:9). The UN-REDD however makes clear that its social safeguards are ‘a voluntary guiding framework’ (UN-REDD 2012a:4).

How would the UN-REDD implement its democracy commitments? It claims that it will promote accountability, legitimacy, and responsiveness of institutions representing all its stakeholders; and transparency of information to all stakeholders; and the full participation of all relevant stakeholders in its activities, especially vulnerable and marginalized groups such as indigenous people and other forest dependent people (UN-REDD 2012b). The UN-REDD rhetoric speaks of working with institutions representing everyone (public, private, customary, local and national) with a claim to forests set aside for REDD+, thus subscribing to the all-affected principle in democratic theory (Dahl 1989; Goodin 2007).

However, as critics of the all-affected principle have pointed, though it is a foundational principle of democracy, the boundary-less nature of the term 'all-affected', means that it cannot be operationalised without objectively defining boundary conditions around 'all-affected' (Goodin 2007 ; Schaffer 2012). Given that the UN-REDD wishes to strengthen local democratic processes in order to reduce elite capture (UN-REDD 2008), a boundary condition could be a preferential bias to strengthening the responsiveness-accountability relationship between elected local government authorities and local people. Opting to work with all-affected local institutions without clear boundary conditions, the UN-REDD would just not be able to measure and monitor if and how it is meeting up to its stated democratic objective.

NGOs as local representatives in the UN-REDD policy board

The UN-REDD is implemented by three major UN agencies, the United Nations Development Programme (UNDP), the United Nations Environment Programme (UNEP), and the Food and Agricultural Organization (FAO) of the United Nations, through a secretariat in Geneva, Switzerland. The staff at the secretariat answer to a management group consisting of directors of the three UN agencies, and to the UN-REDD Programme policy board (UN-REDD 2009). Staff employment contracts are signed with the management group; where there is a difference of opinion between the management group and the policy board, it is in the staff self-interests to side with the management group. The policy board meets twice a year (March and October) to review the work of the secretariat, funded country programmes, and new applications for funding from member countries (UN-REDD 2009).

The board consists of representatives of the UNDP, UNEP, and FAO (the management group), donors to the UN-REDD Multi-donor Trust Fund, UNDP Multi-Partner Trust Fund, and member countries. The policy board includes

observers from the UN Framework Convention on Climate Change (UNFCCC) and the World Bank. This ensures that the UN-REDD decisions are informed by discussions at the UNFCCC annual conferences and carbon forestry initiatives of the World Bank. In addition, the policy board has one civil society representative each from Africa, Asia, Latin America and the developed world. The civil society representatives are elected into the board for two years by their peers through an online process managed by the World Bank.⁵ The civil society representative for Africa as at the time of writing is the Non-Governmental Organisations Coalition for the Environment (NGOCE), an NGO based in Calabar, Nigeria. There are also indigenous people's representatives from Africa, Asia and Latin America elected into the policy board as observers through the regional indigenous peoples' caucuses of the UN Permanent Forum on Indigenous Issues. The representative for Africa is the Community Research and Development Services (CORDS) an NGO based in Tanzania.⁶

Who represents the interests of local people in the policy board? The policy board has no representatives for locally elected authorities (UN-REDD 2012a). The Nigeria representative is the national coordinator for Nigeria-REDD, an appointee of the ministry for environment in the federal government (UN-REDD 2012a).⁷ While local people like those in Iko village, are part of the broader category of civil society, NGOCE – the civil society representative for Africa in the policy board, was voted in by other NGOs in Africa. While NGOCE is based in the same part of the world as Iko, it is responsive to other NGOs in Africa through internet communication and not to local people like those in Iko. In addition, NGOs in Nigeria are often more concerned with economic survival than protecting the interests of local people especially when this could lead to conflict with government (Smith 2010; Fasakin 2011). The other members of the policy board, the UN agencies, the World Bank, and representatives of UN-REDD member states, cannot speak for local people, as they have no direct relationship with local people.

Local government representation in the UN-REDD

The UN-REDD rhetoric recognises the need for substantive representation of local people in the UN-REDD. Elected local governments like those that exist in Nigeria are the substantive institutions that represent the interests of local people (Andrew and Goldsmith 1998). In the UN-REDD policy board, local people's interest is represented by NGOs as the civil society representatives in the board. However, NGOs are symbolic representatives of local people as their relationship

to local people is discursive not substantive. NGOs can be voluntarily responsive to local people's interest but unlike elected local governments, they are not statutorily mandated to be accountable to the local groups they claim to serve.

There is a widely shared view that NGO presence in the UN system democratises and legitimises UN decisions in the eyes of the public (Commission on Global Governance 1995; Scholte 2004; UN 2004; Friedman et al. 2005; Sadoun 2007). Critics point out that while NGOs make useful contributions to UN deliberations, they often have no mandate from local people to speak on their behalf; they also have significant democratic deficit in the way they are governed; and are sometimes beholden to the interest of their donors including UN agencies (Hudock 1999; Price 2003). NGO presence in the UN system thus leans towards serving the interest of the UN. The inclusion of NGOs in the UN-REDD policy board serves to legitimize the board's deliberations, directly contributing little that strengthens local democracy.

On the other hand, local government authorities have unions from the national to the global level, representing their interests to central governments and international organisations. These include the Association of Local Governments of Nigeria (ALGON), the Commonwealth Local Government Forum (CLGF), and the United Cities and Local Government (UCLG) (CLGF 2011a, 2011b; UCLG 2013). These institutions could be included in the UN-REDD policy board as mechanisms for strengthening local democracy. Alternatively, the UN could create Galtung's (2000:159) 'United Nations Local Authorities Assembly (UNLAA)' as a means of giving elected local government representatives a voice at the global level, while also building their capacity to be responsive and accountable to local people.

Given that NGOs are the representatives of the local people in the UN-REDD policy board, would this be the case in the UN-REDD supervised Nigeria-REDD programme? The next section of this paper is a detailed examination of the Nigeria-REDD programme.

The Nigeria-REDD Programme

Section 4 is a detailed examination of the Nigeria-REDD programme and the roles played by the UN-REDD, Nigerian government agencies (including local governments), NGOs and customary authorities in designing Nigeria-REDD. It shows that local representation in the Nigeria-REDD is descriptive and symbolic rather than substantive.

Local actors involved in the design of Nigeria-REDD

The beginnings of the Nigeria-REDD programme can be traced to the June 2008 Cross River State Stakeholders Summit on the Environment hosted by the governor, Senator Liyel Imoke (CRS 2008). The summit was used to assess how the state's forest resources could better contribute to revenue generation. Cross River State is seeking new sources of revenue because it lost its status as an oil producing state when Nigeria ceded the Bakassi peninsula to Cameroon in 2008 (Konings 2011), and when its neighbor Akwa Ibom State successfully showed that oil wells in the boundary zone between both states were in Akwa Ibom territory (AKSG 2012). The loss of its oil producing state status translated to a loss of between 20-25 per cent of its financial allocations from the federal government, which averaged US\$ 115 million⁸ per year for the period 1999 to 2008 (Olubusoye and Oyedotun 2012).

The 2008 summit suggested that Cross River State ban logging and take up carbon forestry (CRS 2008; Oyebo et al. 2010). The governor went ahead to ban logging after the summit and expressed an interest in carbon forestry (Oyebo et al. 2010). The governor restructured the Cross River State Forestry Commission, appointing Odigha Odigha, as the chairperson in 2009 (Filou 2010). Odigha Odigha won the Goldman Environmental Prize in 2003 while he was coordinator of the 'NGO Coalition for the Environment' (NGOCE), an NGO based in

Calabar, for his work against uncontrolled logging in Cross River State (Filou 2010). This was the first time a chairperson for the Forestry Commission was appointed from the NGO sector. Odigha Odigha is known to be a passionate advocate of carbon forestry.

In October 2009, the governor, Senator Liyel Imoke, led a delegation from Cross River State including members of the Forestry Commission to the Katoomba XV meeting in Ghana (Oyebo et al. 2010). Katoomba is a group set up by Forest Trends, an international NGO, to promote payment for environmental services schemes like REDD+ (Forest Trends et al. 2008). The governor shared his vision for a REDD initiative at Katoomba XV and invited expert consultants from Katoomba to come and work with the state Forestry Commission to draft a REDD project idea note (REDD PIN) for Cross River State (Oyebo et al. 2010).

In November 2009, Governor Imoke requested that the Nigeria ministry of environment apply to the UN-REDD for membership. In December 2009, he and a delegation from the Forestry Commission attended the UNFCCC conference of parties meeting in Copenhagen (COP 15), where he gave a presentation in which he requested for financial support for REDD in Nigeria (Oyebo et al. 2010). In January 2010, experts from Katoomba visited REDD pilot sites in Cross River State and produced a REDD-Project Idea Note (R-PIN) for Nigeria (FME 2011). By March 2010, Nigeria's membership request to the UN-REDD was approved and in October 2010, a UN-REDD mission visited Nigeria to contribute to the preparation of a Nigeria-REDD readiness proposal for submission to the UN-REDD policy board (FME 2011).

On February 18, 2011, a draft REDD readiness proposal was presented to a participatory stakeholders' forum in Calabar chaired by Governor Imoke. The forum was attended by about a 100 persons including UN-REDD personnel; a similar exercise was held on February 21, 2011 in Abuja with national level actors. The draft document was submitted to the UN-REDD for consideration at its sixth policy board meeting in March 2011 (FME 2011). The board requested for revisions in the document (Global Witness 2011; FME 2011), which were effected and a second participatory stakeholders meeting was held in Calabar, in August 2011 to validate the revised document. The policy board approved the Nigeria REDD readiness plan at its seventh meeting in October 2011, granting Nigeria the sum of US\$4 million.

As stated earlier, there were two participatory consultative meetings in Calabar during the design phase of the Nigeria-REDD. Table 1 below shows the institutions and groups who attended the first and second participatory consultative meetings in Calabar.

Table 1: Participants at the Nigeria-REDD participatory consultative meetings

Institutions and groups	First meeting (2/18/11)	Second meeting (8/20/11)
Cross River State Forestry Commission	26	15
Local NGOs based in Cross River State	23	14
Participants from local communities	13	30
Media	8	2
Cross River State Governor's Office	6	0
International NGOs	6	1
Academics	6	4
Other Cross River State Government Agencies	5	0
Federal Ministry of Environment	2	0
National NGOs	2	0
Customary authority	2	6
Banks	2	1
Local Government Councils	0	0
Total	101	73

Source: FME (2011)

Table 1 shows that 26 per cent of the participants at the first participatory consultative meeting were from the Forestry Commission, 23 per cent from NGOs in Cross River State, and 13 per cent from local communities. The 13 participants from local communities included 8 individuals from Ekuri community while the other 5 individuals were from five different communities. There were two chiefs in attendance and none from local government authority. The Forestry Commission made up 21 per cent of the attendance at the second meeting, local NGOs, 19 per cent, and participants from local communities, 41 per cent. The 30 individuals from local communities included 22 from Ekuri, while the other 8 were again from 5 different communities. There were 6 chiefs in attendance and none from local government authority once again. Ekuri community is over represented because it has the largest community forest in Cross River State (330km²), supported by an active and the most-recognised community forest management committee in Cross River State, out of the 45 registered community forest groups in the state (Oyebo et al. 2010; UNDP 2012).

What can we learn from Table 1? First, NGOs, which we have already noted as symbolic representatives of the local people, were prominently in attendance

at the participatory consultative meetings. Secondly, local communities were represented by selected individuals and customary authority that are considered to be descriptively ‘typical of the larger class of persons whom they represent’ (Mansbridge 1999:629). These descriptive representatives have no statutory mandate to report back to local communities and there are no statutory sanction mechanisms if they choose to stand for personal rather than group interests. Thirdly, elected representatives with a mandate to act for local people were not in attendance at both participatory consultative meetings. The meetings therefore gave room for symbolic and descriptive representation but left out substantive representation of local interest.

Why the exclusion of elected local government in design of Nigeria-REDD

NGO inclusion in the design of Nigeria-REDD partly results from their active role in the forest sector in Cross River State. These include: Nigerian Conservation Foundation (NCF), Rainforest Resource & Development Centre (RRDC), Development in Nigeria (DIN), the NGO Coalition for the Environment (NGOCE), Green Concern for Development (GREENCODE), Ekuri Initiative, Pandrillus, Concern Universal, One Sky Nigeria, and the Wildlife Conservation Society (WCS). While these NGOs have a legitimate right to participate in the design of Nigeria-REDD alongside customary authority and other influential local actors, their involvement does not warrant or explain the exclusion of elected local government authority. So why were elected local government authorities excluded from the design of Nigeria-REDD?

The participatory consultative meeting in Calabar to validate the Nigeria-REDD was organised by the Cross River State Forestry Commission. The Forestry Commission decided on whom to invite to the meetings in Calabar. When asked why local governments were excluded, a REDD team member of the Forestry Commission said: *‘we did not have enough money to invite all [relevant stakeholders]... to be at the participatory meetings in Calabar; when we start the REDD readiness phase we will surely have local government chairpersons join us’* (CRSFC REDD team member 2012). A local government chairperson countered this by stating that: *‘we have imprest to come to Calabar at any time for official business and meetings that will benefit our people’* (Local Government Chairperson Calabar 2013). Imprest is used here to refer to a small percentage of the local government budget set aside for expenditures determined solely at the discretion of the local government chairperson.

A consultant to the forestry commission added that: *'local government chairpersons are often not well informed and even if we invite them they will not show up. They are more interested in how much money they can make from projects than in developing their communities'* (REDD consultant Calabar 2012). Participant observation at the Akamkpa Council of Chiefs meeting during field research show that customary authorities are also not well informed as a chief in attendance stated that: *'...we are waiting for REDD, it will make us very rich'* (Chief A in Akamkpa Local Government 2012). In addition, some chiefs are against REDD, as another chief in the same meeting stated that: *'the Forestry Commission came and told us of REDD...my village sent them a message that we lost land to the national park, we don't want the forests we have left to be part of REDD, so we are not part of REDD'* (Chief B in Akamkpa Local Government 2012). Nevertheless the Forestry Commission extended invitations to customary authority to attend the participatory consultative meetings.

This consultant went on to state that: *'local government officials... are not good administrators...their managerial capacity cannot be compared to elected officials at state or national level'* (REDD consultant Calabar 2012). Local people share this perspective as a resident in Iko village said: *'the governor is fixing local roads in Akamkpa, it is better that he controls the local government allocation...our chairman is only interested in himself'* (Local resident Iko 2012). Earlier in the paper it was shown that local government administration and finances have been captured by state governments. So their observed unresponsiveness put forward as reasons for their exclusion from the participatory consultative meetings in Calabar is closely tied to their subordination by the state government. It is therefore important to examine the issue of local government subordination in order to better understand why they were excluded from local participatory processes to validate Nigeria-REDD.

Are customary authority comparatively better administrators? A youth leader in Iko village does not think so, this individual feels that both customary authority and local government authority are unresponsive to local people, stating that:

CERCOPAN helps us a lot...they even pay rents to the traditional council for their research centre in our forest but we don't know how the council uses that money...the local government chairman came here during elections, we voted for him against the candidate from Ekuri but he has forgotten about us' (Iko youth 2012). CERCOPAN, the Centre for Education, Research and Conservation of Primates and Nature, is a local NGO based in Calabar with a field site in Iko (CERCOPAN 2013). If customary and local government authorities are both viewed as unresponsive at the local level, why were chiefs consulted and local government authority ignored?

Customary authority are viewed as mediators between the living and the ancestors, thus gaining their support is important for politicians seeking local legitimacy (Schatzberg 2001; Ellis and Ter Har 2004; Kelsall 2008; Nuesiri 2014). In return for their support, their *de facto* rights over land are recognised by the government. In contrast, local government authority over land is limited to rural land of less than 50 km². This is why CERCOPAN pays rents for using the 140 km² Iko forest to the Iko traditional council. It is in recognition of chief's symbolic power that they were consulted during the design of the Nigeria-REDD.

Local NGOs have neither *de facto* nor *de jure* rights to land so why were they invited to the participatory consultative meetings to validate the REDD readiness proposal, and not local government authority? A staff of the Forestry Commission felt it is because '*...the leadership of the commission have come from the NGO sector so we have a very good working relationship with NGOs...the people trust the NGOs more than the government*' (Staff Forestry Commission 2012). Earlier in the paper, it was shown that Odigha Odigha, the chairperson of the Forestry Commission, is a leading member of the NGO sector. In addition, a staff of an NGO working with the Forestry Commission stated that: '*We represent local communities, they know us, they trust us more than government...all we do, we do for local people...we know the local communities more than anyone else*' (NGO member of REDD design team 2012).

However, the view that NGOs represent local is not shared by all: '*NGOs supporting REDD in Calabar are doing it for what they can get out of it...they don't have long-term relationship with the people, they go to the villages when money is involved*' (NGO member opposing REDD 2013). This is supported by a member of a community organisation: '*Na money the NGOs dem want...if government say no more REDD, make we harvest timber, all of them go say yes*' [Its money the NGOs are after...if the government ends its interest in REDD, and shows interest in logging, the NGOs will all say yes] (Senior member local CBO 2012). In essence, some NGOs are service providers to governments and donors, not representatives of local people's interests. An obvious example of a service provider is the NGO appointed by the Cross River State Government to enforce its ban on logging. These types of NGOs protect the status quo; they do not make government more responsive to local interests (see Green and Matthias 1995; Bob 2002; Allen 2007; Hearn 2007; Holmen and Jirstrom 2009).

So, what accounts for the exclusion of elected local government in the design of Nigeria-REDD? Reasons given by research participants include insufficient funds to cover the cost of their participation in the consultative meeting, ignorance and incompetence. These reasons are not convincing because local government chairs have funds for travel to Calabar for official functions and are more informed

than customary authority that were part of the design process. The charge of incompetence cannot be dismissed, but responsibility for this is shared with the state level institutions including the governor's office, as these have successfully captured the constitutional powers and financial resources allocated for local government authorities by the federal government. The end-result is that local government authorities are politically weak and easy to ignore by the state Forestry Commission.

If the UN-REDD is to strengthen democratic local authorities in Nigeria, there is the European Union – Micro Projects Programme (EU-MPP) model of partnering local government authorities in Nigeria, to deliver social development responsive to local needs (Olesen et al. 2010; Okon 2012). In Cross River State, the EU-MPP partnered with Etung Local Government to identify, design and execute local infrastructural projects responsive to local demands (Louis Berger and GOPA 2012; G. Ogar pers. comm. 04 Sept. 2013; M. Egot pers. comm. 10 Sept. 2013). The EU states that it partners local government authorities in Nigeria to enable 'them to become more autonomous and effective in delivering services and increasing their capacity to give voice to citizens in the local policy-making processes' (Olesen et al. 2010:37). This is a donor-local government working model that the UN-REDD could emulate.

In approving Nigeria-REDD, the UN-REDD backed a national programme that limited the representation of local people to descriptive and symbolic representatives (customary authority and NGOs) while ignoring their local democratic and substantive representatives. NGOs and customary authority do have some relationship with local people, but they are not statutorily mandated to be responsive and accountable to local people like local government authorities in Nigeria. The next section examines the political culture that enables the capture and subordination of local government authorities in Cross River State.

'Godfatherism' and the subordination of local government authorities

'Godfatherism' is a term used in Nigeria to describe the violent and pervasive godfather dominated politics in the country (Albert 2005; HRW 2007; Onu and Biereenu-Nnabugwu 2008; Orji and Uzodi 2012; Animasawun 2013). Onu and Biereenu-Nnabugwu (2008:57) assert that in Nigeria 'politics is seen as a means of attaining wealth than as a process of service' and that godfatherism in Nigerian politics is 'behavior in which economically, politically, and socially well-placed individuals... influence political and economic processes' (see Joseph 1987, 1996). They further state that godfatherism is a 'new way of describing political patronage

and, by extension, paternalism⁹ (Onu and Biereenu-Nnabugwu 2008:57). Political godfathers in Nigeria are a mix of public office holders and very wealthy individuals who prefer to be kingmakers rather than hold public office (Adetula 2008; Animasawun 2013).

In Cross River State, it is accepted that *'the party caucus and the governor nominate the candidates who stand for local government elections as chairpersons and councilors'* (ex-local government chairperson Calabar 2013). The party caucus is the senior leadership of the Cross River State chapter of the People's Democratic Party (PDP). The PDP is the dominant political party in Nigeria and in Cross River State. The governor is the head of the state chapter of the PDP and the *'the godfather over all the politicians in Cross River because he controls the budget and security apparatus in the state'* (senior civil servant Calabar 2013). The largest employer and wealthiest actor in Cross River State, is the state civil service, making the governor the most economically and politically powerful individual in the state.

In the buildup to the September 2013 local government elections in Cross River State, CrossRiverWatch (2013a) documents how PDP leaders in the state met in the governor's residence to agree on the party's nominees. This online publication goes on to state that the governor was *'superintending the selection of chairmanship candidates for the PDP in the various local government areas'*. Opposition to the governor's preferences is crushed using judicial (CrossRiverWatch 2013b) and extra-judicial means including fraud and violence (Ugborgu 2002; TMG 2003, 2007; CrossRiverWatch 2013c; CrossRiverWatch 2013d). The immediate past governor of Cross River State, Donald Duke asserts that governors are able to rig elections in their favor because they are successful in buying the allegiance of the officers of the electoral boards in their states (Sahara Reporters 2010; Omar 2012).

Once elected, the local government chairperson has to do the bidding of the state governor. A sitting local government chairperson interviewed for this study (now out of office) said *'we cannot make important decisions independently, we follow what the governor wants, he told us not to be part of ALGON and we obeyed, if we make the governor angry, he can manipulate to remove any of us at any time'* (Local government chairperson Calabar 2013). ALGON as stated earlier in this paper is the Association of Local Governments of Nigeria fighting for greater political autonomy of local government councils in Nigeria.

Why would the state governor be interested in subordinating the local government authorities? According to the former local government chairperson interviewed *'the governor and the party [PDP] leaders at the state and federal level cannot rig elections to maintain themselves in power if they don't have firm control of*

local politics. They need us to be their eyes, ears and muscle to control local politics. All election [local government, governorship, presidential] is won at the local level, so the party leaders always give us millions of naira to do the dirty work at the local level (ex-local government chairperson Calabar 2013). Political ambition by actors at the state and federal level is thus the motive behind the subordination of local government authorities (see Gboyega 2003; Oladesu and Salaudeen 2013).

This would partly explain why ALGON has not succeeded in amending the constitutional provisions discussed earlier in the paper that allow governors to capture local government finances and administration (Leadership 2013). The political subordination of local government authorities in Cross River State to the state governor sheds light as to why the Cross River State Forestry Commission did not consider it necessary to invite them to participate in the participatory processes to validate the Nigeria-REDD. By approving the Nigeria-REDD without acknowledging the existence of, and addressing this brazen capture of local democracy, the UN-REDD ignored its own rhetoric on strengthening local democracy as part of the solution towards preventing elite capture of REDD benefits (UN-REDD 2008). It has tacitly endorsed the clientelistic and prebendalist politics of the Nigerian nation (Joseph 1987, 1996).

Nigeria-REDD: Strengthening the status-quo and stifling local democracy

‘...there are certainly occasions when NGOs can do the job of local governments and seemingly replace them’ (UNDDSMS and UNDP 1996: 58).

In approving the Nigeria-REDD, the UN-REDD chose to support an initiative that marginalises the substantive representatives of local people. This questions the commitment of the UN-REDD to its own rhetoric of strengthening local democratic processes to forestall elite capture of REDD benefits (UN-REDD 2008). While NGOs activities could strengthen local democracy, this supposes that such NGOs would work alongside local governments as allies and pressure groups, and not as replacements (Clayton 1998). The UN-REDD will not be able to strengthen local democratic processes in Nigeria, if Nigeria-REDD continue to marginalise elected local government authorities in favor of customary authority and NGOs.

While some of the stated reasons for local government exclusion include that they are uninformed, incompetent and unresponsive, the facts are that they are excluded because they are politically weak. They are in this unenviable position

precisely because elites at state government level have captured resources meant for local government authorities and this severely handicaps local governments for being responsive to the people (Oviasuyi et al. 2010; Tonwe 2012). Elite capture of benefits meant for local people, the reason the UN-REDD (2008) gives for the necessity of strengthening local democratic processes, clearly exists in Nigeria, but the Nigeria- REDD is silent about this. The Nigeria-REDD is also oblivious to the fact that its institutional design and manner in which it conducted its participatory consultative meeting is strengthening the status quo. To strengthen local democracy, the UN- REDD have to be purposefully biased towards working with local democratic institutions. Despite the weakness of local governments in Cross River State shown in this study, they remain the primary vehicle for the consolidation of democracy at the local level (Oviasuyi et al. 2010; Tonwe 2012).

It may be tempting to view rule by NGOs at the local level as preferable to rule by elected local governments. This would however concentrate power in the hands of experts not accountable to the people. Additionally, NGOs in Nigeria, due to their concern for economic survival have been coopted into serving the interests of influential politicians and members of government (Smith 2010; Fasakin 2011; Routley 2012). Strengthening local democracy in this context would involve acknowledging the structural constraints that keep local government weak and subordinate to the state government. Strengthening local democracy would also include supporting the on-going struggle for full local government autonomy by the association of local government authorities in Nigeria (ALGON) (CLGF 2011b; Iriekpen 2013).

Local democracy is worth strengthening because representative democracy has statutory mechanisms for the responsiveness and accountability of elected leaders to the electorate (Manin et al. 1999; Coleman 2005; Urbinati and Warren 2008). The mechanisms may not work that well but elected leaders must at the least put up a show of paying attention to these mechanisms. The responsiveness and accountability of NGOs is voluntary, and not a public right, therefore viewed from a local people political standpoint, the rule of NGOs would at best be no better than the rule of John Stuart Mills '*good despot*' (2004: 36).

NGOs, as discussed earlier in this paper, are discursive symbolic representatives (Pitkin 1967; Dryzek and Niemeyer 2008). Marion and Oliver (2009: 477) maintain that symbolic politics '*appease public concern without directly, formally, or substantively addressing the underlying problems*'. Symbols are used by political institutions to frame issues in ways that enhances political powers of social control (Wedeen 1998; DeCanio 2005). Political institutions use symbolic politics to

manipulate the public for other substantive political ends (Sears 1993; Bluhdorn 2007; Machimura 1998). Is this what is happening in Cross River State, Nigeria-REDD and UN-REDD as they choose NGOs over local governments?

Local communities, being less aware of corruption among NGOs (see Holloway 1999; Chapin 2004) trust NGOs more than local government. By inviting NGOs to its consultative meetings, the Forestry Commission aims to legitimise its actions in the eyes of the public. An NGO staff stated that '*we were informed of the meeting by text by 11pm the night before, we arrive in the morning... not well prepared to comprehensively engage with the UN-REDD people*' (NGO leader Calabar 2012). A staff of another NGO stated that: 'we were informed by text at midnight about the meeting...no way for us to pass the message to our local communities, we feel frustrated' (NGO staff Calabar 2012). This suggests that NGO participation at the consultative meetings in Calabar was a symbolic gesture. The Forestry Commission used NGOs to legitimise the REDD regime without substantively addressing the democratic deficit in local governance in Cross River State (Marion and Oliver 2009: 477).

Why did the UN-REDD Approve the Nigeria-REDD?

The Nigeria-REDD was designed in a context where descriptive and symbolic representatives of local people were included in the participatory consultative process but their substantive representatives in local government institutions were excluded. The design process did not meet up with the UN-REDD rhetoric of strengthening local democratic processes in order to stave off elite capture of REDD benefits (UN-REDD 2008).

When a UN-REDD official was asked why it approved the Nigeria-REDD readiness plan that ignored local government authority during its design phase, he responded that: *'UN-REDD cannot force countries to include the local level... there's a stakeholder engagement aspect looking to include local, marginalised people... this includes the free prior and informed consent process and concerns for indigenous people...there is also the participatory governance assessment process...to produce governance data...success depends on how civil society actors would use it to hold government to account and how government would use it to do policy'* (UN-REDD Staff 2012). The response that countries cannot be forced to include the local level in the design of REDD+ programmes reiterates the UN-REDD position that its social safeguards protecting local interests are voluntary (UN-REDD 2012a).

The response also shows a conviction that civil society actors, meaning NGOs, are viewed as the instrument that would ensure accountability of government in REDD programmes. This reflects UN thinking that the presence of NGOs in UN programmes is a sufficient condition to ensure a democratic outcome (UN 2004; Sadoun 2007). As shown earlier in this paper, the Cross River State government recognition of NGOs as partners in forest management in the state, has not led to strengthening of local democracy. To ensure downward accountability of government, it is necessary to engage with local democratic processes in local

government institutions. NGOs can help as a civil society actor shining light on undemocratic practices in local government, but not when it is a service provider competing to outdo and even replace local government authorities.

The UN-REDD free prior and informed consent (FPIC) process referred to above is a process to win the cooperation of local people affected by REDD+ activities (UN-REDD 2013a). However, FPIC discourse is silent on the power asymmetry between elected local government officials and other stakeholders including NGOs, customary authority, local entrepreneurs and influential individuals. While FPIC enables deliberations, by not having a clear agenda to strengthen local democratic political structures where they exist like those in Nigeria, it would not strengthen local democracy. Likewise, the participatory governance assessment (PGA) carried out in Cross River State, in November 2012, failed to recognise the subordination of local democratic structures as contributing to the weakness of democracy at the local level in Cross River State (UN-REDD 2012c; UN-REDD 2013c).¹⁰ The individual interviewed above went on to state that ‘... strengthening local democratic governance is not the main priority of donors’ (UN-REDD Staff 2012). This candid assessment supports the fact that REDD+ is a carbon emissions reduction initiative primarily supported by donors because they considered it a cheaper option compared to re-structuring their economies to achieve similar emissions reduction targets (Norwegian Government 2007, 2008; Eliasch 2008; Dyer et al. 2012). It is no surprise therefore that a higher percentage of REDD+ funds are spent on technical issues than on social safeguards (Dyer et al. 2012). Roe et al. (2013) note that safeguards are often viewed as burdensome transaction costs. The evidence here indicates that UN-REDD pay more attention to the interests of donors and client member governments than to the substantive interests of local people. This would explain why it approved the Nigeria-REDD with its shortcomings with respect to local representation.

6

Conclusion

The UN-REDD is an environmental regulations setting regime, for which local people have limited information. This leaves local people vulnerable to symbolic regulations from the UN-REDD that may seem to protect local interests while advancing non-local interests. Thus, the major questions of this study were: ‘how are local interests represented in the UN-REDD?’ and ‘why the choice of local representation model in the UN-REDD?’ The study is informed by Pitkin’s (1967) categorisation of representation as descriptive, symbolic and substantive.

The study finds that local representation in the UN-REDD policy board is through NGOs elected by NGOs from among other NGOs. This symbolic representation of the local enables the policy board to claim legitimacy in its decision making but does not give substantive leverage to local people in the board’s deliberations. Local people cannot demand responsiveness from these NGOs as they are not accountable to local people. Even the NGOs in the policy board do not have decision making powers in the board, they advise the board but it is not accountable to them. The NGOs cannot sanction the board other than withdraw from its deliberations. These NGOs can thus be viewed as subjects of the UN-REDD policy board.

The study also finds that the institutional design of the Nigeria-REDD has multiple deliberative structures at global, national, and sub-national levels, and this provides plenty of opportunities for elite capture of REDD benefits. The UN-REDD (2008) maintains that building strong local democratic processes reduces the risk of elite capture but it has not heeded its rhetoric. The institutional design of Nigeria-REDD has no place for its elected local government authority structures, the lowest tier of Nigeria’s democratic governance system.

Local government authorities in Nigeria are subordinated to higher level political leaders in the country. They are weak and were excluded from the design of Nigeria-REDD. In contrast NGOs, customary authority, and influential individuals from concerned communities were involved in validating Nigeria-REDD. Local people were thus symbolically and descriptively represented during the design of Nigeria-REDD but their substantive local representatives were left out. In approving the Nigeria-REDD without addressing this democratic deficit, the UN-REDD missed an opportunity to strengthen local democracy in Nigeria.

Strong democratic local governments are essential for local people to have leverage in the adoption of initiatives like REDD+ that have far reaching effects on the management of public forest resources (Yilmaz et al. 2008). NGOs and customary authority have a role to play in democratic local governance, but local government should be the arrowhead and these other institutions the tail enabling the arrow to maintain a steady course to deliver responsive and accountable services to local people (see Baiocchi 2001; Koonings 2004). The UN-REDD should encourage such local governance arrangement if it is fully committed to strengthen local democratic processes as a safeguard against elite capture of REDD benefits.

Given that the Nigeria-REDD programme is in its readiness phase, the UN-REDD can still initiate a course for Nigeria-REDD that would substantively strengthen local democratic processes. The recent decision of the European Union to implement its micro-projects programme for community development by working closely with local government authorities in Nigeria, so as to build 'their capacity to give voice to citizens in the local policy-making processes' (Olesen et al. 2010:37), is a step in the right direction in this respect. The UN-REDD would be fulfilling its democracy objectives and protecting local people from elite capture of Nigeria-REDD, if it takes substantive steps just as the European Union has done, to recognise and work with elected local government authorities in the country.

Notes

1. It is worthy to note that Pitkins (1967) actually discussed four types of political representation – formal, descriptive, symbolic and substantive; however, her discussion of formal representation was more of a critique of the limited Weberian understanding of representation as deriving from formal authorisation of an agent by the state to represent a constituency to the state or to represent the state to an audience.
2. The influence of customary authority on forestry matters in Cross River State is directly tied to their influence on land and their cultural role as the mediators between the world of the living and of the ancestors. The latter role as mediators with the ancestors gives customary authority a legitimacy that is envied by political leaders in government across Africa. As identity based politics has grown stronger across Africa due in part to neoliberal political reforms across the continent, so has the political influence of customary authority grown stronger. It can thus be argued that respect for the views of customary authority by members of government designing Nigeria-REDD is because political leaders see it as politically expedient to have a cordial relationship with Chiefs. A wide-ranging review of the relationship between customary authority and governance in Africa by this author can be found in Nuesiri (2014). The realisation that customary authority systems still have significant symbolic power in African societies has led some observers like Kelsall (2008) to suggest that development initiatives should be designed taking into consideration the traditional beliefs and values of Africans.
3. In order to protect the identity of research participants their names and gender are kept confidential.
4. It should be noted that as at the time of writing, the issue of defining carbon rights and sharing of REDD+ benefits has not been comprehensively addressed in the Nigeria-REDD programme due to complex social and political forces in the country, see FGN (2013) *REDD+ Readiness Preparation Proposal*.
5. Please see *Results of the CSO self-selection process for observers for Africa, Asia, Latin America and developed countries to the UNREDD Policy Board announced* at <http://www.bicusa.org/updates/new-unredd-observers/> and at http://www.un-redd.org/Newsletter32/Civil_Society_Selected_Policy_Board/tabid/104791/Default.aspx
6. CORDS states on its website that it addresses 'the security of tenure for key pastoral resources such as land, grazing, water and mineral resources; improved animal health and

inclusion of pastoral communities in social development processes' – more information about CORDS is at <http://www.cordstz.org/index.html> Initiative (RFGI)

7. See list of participants.
8. This is based on an exchange rate of 160.50 Naira to US\$1 taking www.xe.com as at time of writing.
9. Joseph (1987, 1996) argues that the Nigerian political system is governed by the logic of clientelism and prebendalism; the godfather is patron to the client godchild who is obliged to generously reward the godfather with state resources; while political office holders, godfather and or godchild, have a prebendal self-enriching relationship with the state, they seek political office for private gain.
10. A participatory governance assessment (PGA) workshop was carried out in January 2013 in Calabar and it built on a PGA exercise in REDD project communities in Cross River State in November 2012. While the PGA exercise included local government authorities, the PGA reports are silent on the structural constraints on building strong local democracy in Nigeria. In addition the preliminary assessment report for REDD in Nigeria (Oyebo et al. 2010), while comprehensive on forest resource abundance and management problems in Nigeria, is also silent on the structural constraints on local democratic governance in Nigeria. If these constrains are not addressed, it is likely that federal and state capture of REDD benefits to local communities cannot be avoided.

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