

The Commons Digest

formerly known as The Common Property Resource Digest

NO. 1 QUARTERLY PUBLICATION OF THE INTERNATIONAL ASSOCIATION FOR THE STUDY OF THE COMMONS September 2006

Welcome to the first issue of the IASC's newsletter under a new title, *The Commons Digest*. The new title of the newsletter was chosen to reflect the change of the Association's name which took place July 1, 2006. This issue reports on the 11th Biennial Meeting of the IASCP held this past June in Bali, Indonesia. *Narphat Jodha* opens the issue with his Presidential Address where he presents his reflections on the changing roles and situations of the IASCP. The Keynote Address, "Property Landscapes in Motion," from *E. Walter Coward* follows this personal reflection. In Walter's address, he presents his own reflections on human activities intended to make, and re-make, property through his experiences in nearly four decades of work with "property" issues all over the world. The Commons Forum closes with the Conference Report presented by Conference Co-chairs *Ernan Rustiadi* and *Satyawan Sunito*, Conference Coordinator *Damayanti Buchori*, and Conference Secretary *Heny Hannie*. Thanks to all of the Conference Organizing Committee for their hard work and inspired choices in making yet another enjoyable IASCP conference.

There are a number of announcements to take note of this issue. An IASC North American regional meeting is scheduled in Newfoundland, Canada July 31 – August 3, 2007. We also announce a new listserv focusing on commons issues throughout Africa. Additionally, as a part of the June 2006 IASCP conference in Bali, a roundtable discussing developing indicators of secure access to common property was held. Details on all of these events can be found in the Announcements section. **Enjoy!**

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Presidential Address

Revisiting the Role and Responsibilities of IASCP in Changing CPR Contexts

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I present here a summary of my personal reflections on the changing situation and roles of an organization (IASCP), which in a very short period, has very significantly enhanced and up-scaled the level of understanding and contents of discourse on CPRs. IASCP has helped in the operationalisation and application of concerns and insights of CPR issues at various levels. I will reflect upon 1) the IASCP, including its mandate, functioning, evolution and impacts, and 2) the emerging global and local circumstances which affect not only CPRs (i.e. their composition, status, management systems etc.) but also IASCP's ability to address them. These changes imply new challenges for CPR scholars and practitioners, as well as additional role and responsibilities for IASCP, as a forum or a movement dedicated to the cause of CPRs.

Uniqueness of IASCP as an International Association

As per its mission, IASCP deals with CPRs (common property/common pool resources or commons) which accords centrality to the concerns for, and management of, resources in which communities have collective stake. Institutional arrangements as well as operational norms and mechanisms to

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Editor

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International Association for the Study of the Commons

*formerly the International Association for the Study of
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govern such resources should be sensitive to some basic social values such as group wide equity and fairness regarding the involved costs and gains to resource managers/users and sustainability of the resources. The environmental resources (forests, pastures, water bodies, fisheries etc.) used and managed by communities provided the locus for both research and knowledge synthesis as well as advocacy and informed action for the diverse groups concerned with the contributions, crises and sustainability of CPRs.

IASCP, operating through its members at different levels, has made remarkable progress and could be even be considered a movement.

This achievement could be linked to some unique features of IASCP that distinguishes it from other international professional associations, which are often structured and operated as groups of learned societies. We can briefly comment on the major features of IASCP, which made it such a fast, relevant and effective organization.

IASCP possesses two key attributes which enable it to serve as a mobiliser and promoter of concern and action: 1), IASCP is a CPR community comprised of diverse stakeholders which is both collective and voluntary; 2) IASCP promotes mutual learning and continuous interaction between those engaged in research and practices covering different aspects of CPRs in different geographical and socio-cultural contexts through publications, the CPR Digest, and the IASCP web-site.

These are “niche attributes” of IASCP which separate it from several professional bodies, often treated as “learned societies”, characterized by disconnect between their discourse and immediate practical realities. An important visible result of the relevance and application-driven work of IASCP, has been the rapid growth of literature on the subject, which only two decades ago was a marginal issue in the mainstream socio-economic-environmental discourse. Through its conceptual and empirical work IASCP helped in replacing “tragedy of commons” by “opportunity of commons” as a paradigm for CPR discourse.

This induced action on multiple fronts. Context-specific policy advocacy and application of work on CPRs also grew side by side. Furthermore, the information, insights and understanding generated by CPR work strengthened the agenda of community organizations, NGOs etc. dealing with these resources at grass roots level. On the other hand this (including through constructive dissent) led to rapid conceptual refinements and work on cutting edge issues involving CPRs. Besides, CPRs found a place in the academic curricula of different universities and also became an important area of interest for several donor agencies engaged in rural development through community mobilization and collective action in the developing countries.

In due course, functioning as an effective “interaction-exchange-appreciation facility”, IASCP promoted several advances that reoriented and deepened the understanding of CPRs (including definitional issues) as a socially-politically-environmentally interlinked phenomenon in the rapidly changing local to global contexts. This induced some degree of transformation in IASCP in terms of focused issues, involved stakeholders and research priorities.

Transformation of IASCP: Emerging Trends

The rapid and remarkable growth of IASCP seems to have also led to some gradual shifts and imbalances in its approach to research and application issues dealing with CPRs. Seen through the peer reviewed publications, major themes of workshops in the recent years and choices of research topics by students, there is an increasing emphasis on conceptual versus operational aspects of CPRs. This could be linked to the following developments. First, breakthroughs on the conceptual front by defining and re-defining CPRs and their governance systems to accommodate emerging insights and knowledge about a variety of common pool resources, favoured greater emphasis on theory and academic work. Undoubtedly, this process has widened the horizons of CPR work and facilitated recognition of CPRs and their diverse dimensions as important socio-political-environmental concerns hitherto treated as marginal issues.

The increased emphasis on academic components of work as against action/practice focused aspects may be a quite logical process, where academic excellence and advancements tend to accentuate themselves through means of wider recognition and other incentive systems. For an organization primarily established for “study” of CPRs, this may be a legitimate process. But as a side effect, this academic excellence-promoting process, can also reduce the diversity of stakeholders and limit the effective mix of discourse and action on CPR issues. This change may gradually push IASCP into the operational mode of “learned societies” mentioned earlier and thereby weaken its niche attributes.

The second factor inducing shifts and imbalances between academic and operational dimensions of CPR work is linked to IASCP’s increasing attention in recent years to issues of global common pool resources and their governance problems. To begin with, this involves addressing the wider range of higher scales and greater complexities of common pool resources. Hitherto unrecognized or unattended global environmental commons such as global biodiversity stocks, global pollution sinks, international waters and components of climate stability became important for collective concern and action. CPRs scholars played important role in highlighting the needs and constraints to governance of global common pool resources. The themes related to global issues (including economic globalization) received higher coverage under IASCP discourse. This directly or indirectly induced greater

interest and involvement of CPR researchers in global commons. The side effect of this implied reduced primacy to local/micro-level, policy-programme focused work on CPRs involving diverse stakeholders.

However, preventing such changes is difficult because the incentive systems (which accords high priority to academic achievements rather than grass roots level contributions), play a key role in this change. To sum up the aforementioned emerging shifts and imbalances in IASCP’s approach to CPR work priorities is a major internal challenge to the association. This may adversely affect its niche attributes. However, recognition of “place-based” roots of problems of global or macro-level commons, addressing them using past micro-focused experiences of IASCP and promoting their value and space in global discourse, can help to redress the situation. In other words, adapting its niche attributes to new situations should get attention of IASCP, which can greatly contribute to its continued or enhanced relevance, effectiveness and impact in the changed context.

New Challenges at Local Level CPRs

The effectiveness of CPR research/practitioners in the past was closely linked to the niche-attributes of IASCP discussed earlier. However, under this changed situation a number of new constraints have emerged.

First, due to economic globalization and associated reforms, the market forces have been accorded unprecedented primacy. The resource allocation and property regimes are increasingly guided by market-led norms and yardsticks of efficiency ignoring rest of the considerations. This applies to local CPRs as well. Examples abound where disregarding customary rights of the communities, States (as in the Himalayan region) have handed over the village commons to market agencies in the name of efficiency and speed of development. Assurance of increased foreign direct investment (FDI) increases the possibility for such resource transfers.

Furthermore, the newly designed and promoted participatory CPR management systems (involving community empowerment and mobilization), are faced with the danger of disintegration due to new circumstances and strong individualistic attitudes at community levels promoted by market forces strengthened by impacts of economic globalization at grass roots levels.

Depletion of social capital and breakdown of communities’ collective stake in local commons have been accentuated under the changed situation. High value crops such as coffee, tea, flowers and domesticated medicinal herbs for global market induce community members to convert CPRs in to private lands, often induced by multinational companies (MNCs) through contract farming and buy back arrangements.

Substituting CPR services through market produced services is another development. The potential products and services of local CPRs (depending on their type and ecology) have substantially changed to be effectively covered by market agencies. Ignoring the multi-dimensionality of functions and services of CPRs, only specific uses of CPRs (e.g. drought period fodder security in dry regions) are identified and substituted by provisions managed by the market agencies. Livelihood security arrangements through diversification involving mix of annual-perennial plant based options, complementarity of CPR and PPR (private property resource) based activities one increasingly replaced by formal insurance provided by the market agencies. These changes are increasingly used as a justification for discarding CPRs and convincing communities to do the same.

Challenges of Global Commons

Global common pool resources, a relatively new area for the majority of CPR workers, present qualitatively different and larger challenges for IASCP and its members.

The first and foremost challenge of global commons consists of the difficulty of ready-applicability of IASCP niche attributes to address the governance problems of global commons.

This in turn happens because of scales and levels of global commons and complexities characterizing them (e.g. global pollution sinks; global bio-diversity stocks; international waters etc.). The perceptions and perspectives about them differ depending on the scale. Despite scientific information on magnitudes and dynamics of global commons, the operational approaches to govern them are still as vague or non-practicable as ever, notwithstanding the global treaties to address some of them. Apart from scale and other technical dimensions of the problems the major obstacles to evolve workable governance systems for global commons are of an institutional nature, where space or effective role of IASCP is not clearly identified despite CPR scholars' contributions to conceptual work on the subject.

Issues with Global Commons

- (i) Top down, macro-level approach
- (ii) Scale factor and heterogeneities
- (iii) Disregard of micro-realities and perspectives
- (iv) Resource management minus people
- (v) Inherent inequalities



The above indicative assessment of approaches to governance of global commons is quite sketchy. Yet it is suggestive enough about the emerging situation. In the light of the above it may not be far wrong to say that if global discourse on global commons continues as it is approaching now i.e. (i) ignoring basic social values (e.g. focus only on resources with indifference to people); (ii) dominance of macro-approaches ignoring their micro-level roots; (iii) political power and national interest-driven gaps, in the perspectives and practices of stakeholders trying the governance systems for global commons; and (iv) persistence of inequities in potential costs and gains of managing global commons, a new form of “tragedy of commons” may emerge. This is highly likely with enhanced primacy to market forces and marginalization of state and communities under economic globalization. However, materialization of such potential tragedy of commons will be highly ironical because it would happen despite more information, identified potential options to address the problems and higher level of awareness as well as global administrative structures to address the involved tasks.

Potential Role and Responses of IASCP

Can IASCP help in inducing a changed approach to global commons? Can it transform and use its past experiences with local CPRs to facilitate the change? This constitutes the subject of the following brief discussion. The following discussion may amount to thinking aloud, yet it needs presentation to induce others to think, supplement or replace the points raised here.

The central thrust of my argument is that IASCP has certain niche attributes which it evolved and applied to address the CPR management issues at local levels. The same attributes with context specific adaptations could be tried for addressing the new challenges of governance systems for global environmental commons.

However, despite their own experiences and deep concerns, IASCP or CPR experts would need to have collaboration with other agencies sharing the concern for environmental and social issues in the changing global contexts. Such agencies may include NGOs, international/national action agencies and community federations as well as specialized technical agencies dealing with specific global commons such as IPCC, IHDP, UNEP, GEF, IUCN etc., to cite a few.

What has been stated above addresses the problem from largely the angle of those who would like to alter or amend the new changes affecting CPRs. However, an equally important part of the strategic approach should be to focus on the agencies and actors contributing to the changes themselves which obstruct the governance of global environmental commons. Changes in the approach,

decisions and activities of these agencies – as a set of stakeholders, offers one area where IASCP, through its insights and understanding generated by conceptual breakthroughs and their potential applications, can prove helpful. This implies aggressive advocacy and participatory advisory input in the discourse and preparations for global treaties and implementing mechanisms directed to governance of global commons. We can sum up by a few interrelated key areas which IASCP can fruitfully address in the above contexts.

- (i) Focus on and advocacy of micro-dimension or place-based components of global commons, as a window to evolve micro-centred approaches to address macro-level issues of managing global commons. IASCP has a rich experience in effectively addressing micro-situations and their possible up-scaling.
- (ii) Local capacity building and mobilization of communities and promote visibility and recognition of the potential of micro-level components in addressing macro-level common pool resources.
- (iii) Promote micro-level initiatives using diverse stakeholders and facilitate their federating arrangements to show impact on larger scales.
- (iv) Both research and operational work on the positive and equitable macro- micro links.
- (v) Mobilising the higher level dealing actors and stakeholders with issues of global commons and sensitise them to lessons from local commons and their application at macro-levels.
- (vi) Build alliances with other agencies dealing with different components of global commons e.g. global environmental activist groups, political think tanks, technical agencies etc.

In the near term, IASCP should engage in developing a conceptual cum operational framework to prioritise the issues and initiate activities that help integrate knowledge and action on the same.

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Keynote Address

Property Landscapes in Motion

E. Walter Coward, Jr.

Professor Cornell University and Ford Foundation, retired

It has been written that “Society makes property.”¹

In fact, around the world, and through long periods of time, there has been, and still is, a continuing flow of human activities intended to make, unmake and remake property. These universal processes of property in motion are both worthy of study and deserving of purposeful actions.

Let me begin with three experiences –or should I call these memories?

First. In the second half of 1969, nearly 40 years ago, I returned to Laos for a short period of research. I had earlier

spent about five years in Laos working with an NGO on various rural development projects. This visit was my first research experience in Laos; and my first post-PhD funded research project.

It also was my initial effort to understand irrigation from a sociological viewpoint. I traveled to the province of Sayaboury, in western Laos, to explore an irrigation project that was being built by the U.S. government. Since I had some ability in spoken Lao, after an appropriate briefing by the project engineers I ventured into the villages that were to benefit from the completed project.

Sitting on the bamboo floors of village homes and talking with older men and village leaders, I quickly learned something important – but not mentioned in my project briefing. A significant part of the area projected to be irrigated by the new project already was being irrigated by locally-built and – managed diversion systems. Small diversion structures were in place, canals to move water from these diversion points to the fields existed, intra-field structures were in place to direct water as needed and organizational arrangements – a water committee – gave direction to this local effort. In short, within the project area significant irrigation property – a CPR – had been constructed and operated.

The project engineers were either unaware of this common property, or if they knew about it, highly discounted it as rudimentary, ineffective and unsuitable for improving agricultural production.

Over the years, I and many other field researchers found this same situation repeated in tens of instances in locations throughout the world. It is a process that continues today.

Unlike property regimes were colliding – in this instance, state property and common property – with expected and unexpected consequences.

Many of you, no doubt, have observed similar happenings.

Second. In the decade of the 1990s I worked with the Ford Foundation, based in New York. One of my responsibilities involved grant-making in rural America – and a place that captured my attention was the northern part of the state of New Mexico. Northern New Mexico is a mountainous region of relatively low-rainfall – part of the southern Rocky Mountains – and a ethnically diverse population including native Americans, Hispanos (people whose ancestors were the settlers from the Spanish colony of Mexico) and so-called, Anglos. Northern New Mexico has become a hugely trendy tourist destination, as well as, a popular location for second-homes and retirees.

Property forms are equally diverse. American Indian groups typically accessed land and other natural resources in common and this continues as small remnants of these once vast native lands are now owned and managed by tribal governments. The ancestors of the Hispanos typically owned private parcels

of agricultural land that were irrigated by community-owned irrigation facilities with community water rights. Uplands used to graze animals and access forest products were common property resources. Some of this common property still exists – a wetland here, a forest patch there, but is minuscule in relation to former times. In the imagination of the Hispano population it continues to loom large and is a continuing matter of contestation.

The great majority of the former common property – both Indian and Hispano – has been converted into either state property [national forests, wildlife preserves, etc.] or private lands – large portions of which are now owned by Anglos. Likewise, in this dry region, water resources are increasingly stressed and water rights fraught with tensions and disagreements. Hispano communities, in particular, struggle to protect

longstanding community water rights, which the state is seeking to quantify and individualize.

This is a second region where property is in motion; property is continuing to be made and unmade and, especially among the Hispano population, memories of past property arrangements are strong and motivating.

Third. My retirement years have given me the opportunity to explore matters in

new ways. I had become especially interested in mountain regions – with particular attention to how environment and development activities are being woven together. So, to explore this broad topic, I have been returning to a place that I first visited in 1986; the district of Kullu – a part of the Indian state of Himachal Pradesh in the western Himalaya. I first visited this district in 1986. This remarkable high mountain region, which was once integrated in the long-distance trade between the Tibetan plateau and the Indian plains, has been engaged in profound processes of change in the two decades since my first visit.

Agriculture has increasingly shifted from subsistence cereal production to fruit and vegetable production for close and distant markets – Kullu is at the heart of India's apple production. Animal herding – formerly an integral component of the agro-pastoralism of this region—has become increasingly marginalized. Tourism has exploded. Large portions of the district have been established as national parks and other reserved lands. And finally, many of the mountains streams and rivers are being harnessed for hydro-electric projects.

A part and parcel of these deep changes is widespread change in property rights. Customary water rights are being altered. Some forest use rights, legally endorsed during the British colonial rule, have been abolished. And something almost unique to Kullu district, the land rights of local gods have been transformed into private ownership.

Again, in Kullu, property arrangements are in motion, including customary common property resources.

Property in Motion

Experiences such as these three shape my thoughts about property, and especially, about common property.

These experiences – in different national settings, at different times, and in varied natural settings – each, and together, draw



Opening Ceremony, Wantilan, ARMA. Photo Heny Hannie.

attention to a common human endeavor – the making, the un-making and the re-making of property.

Perhaps we need a new word to capture this idea – not just property as a noun – but “to property”, as a verb. As in, a lot of “propertying” is going on in my region; or my water rights have been re-propertyed. You can consider the possibilities.

This is the larger context in which our studies of common property and our attempts to assist common property owners occur

– what we might call, property in motion.

Of course, framing the context in this way underscores several important points. All of you, as students of common property or actors in support of CPRs, know these features of property. Nonetheless, before we immerse ourselves in detailed discussions of particular cases or particular dilemmas – it is useful to remind ourselves of these basics.

Property is a human construction – its not some “natural” occurrence. Property arrangements set the rules concerning how people relate to one another with regard to some object; a piece of land, a patch of forest, a stream of water, as well as, a novel idea, an original musical performance or a new medicine.

Property arrangements are impermanent. They can be altered when new ideas come into vogue. They can be reshaped in response to novel technologies. They can be re-done when political or economic power shifts.

Property situations contain multiple property forms. In many cases, perhaps all, several forms of property may co-exist in a given place. Individuals may find that simultaneously they have

access to things they own individually, other things that the state owns and still other things that they own in common with some defined group. Each of these different property alternatives are constructed and may be changing in reaction to one another and to other factors.

And property edges often are, what some of you have begun to note, fuzzy. Property rules have limits, they can be ambiguous and imprecise, and they often incorporate exceptions and special circumstances. Because they typically are in motion, at any given time they may include internal inconsistencies and be subject to varying interpretations. The orthodox view, of course, is that property rights are instances of precision and clarity; but, many of you have been carefully examining this proposition and offering alternative evidence.

Property rights and arrangements likely have always been in motion – always being modified, adjusted and struggling to survive. However, in our current era this motion seems especially evident. I want to remind you of four particularly deep trends:

One: large changes in state governance:

There are important transformations of previous socialist regimes and the corresponding changes in property arrangements underway in many locales– the movement from state-owned property to individual private property, or sometimes to common property arrangements. Much excellent research is being done on this topic and many of you are already familiar with these research results, or can easily find them.

Two: the dramatic expansion of market production and various forms of capitalism is occurring.

These trends are especially apparent in China and India where conventional thinking assumes that economic development and technological advancement require private property owners in order to function effectively. Common property groups are typically seen as antiquated, slow to change and lacking the incentives for entrepreneurship.

Three: as a component of globalization, external investment are driving property shifts.

Related to the above point, external investors want to deal with a private sector that looks familiar – with corporate structures and laws that protect private property. Unfamiliar common property entities are marginalized and avoided, when possible.

Four: a final important trend is the continuation, not without large struggles, for significant parts of the natural world to remain under the sovereignty and use of indigenous people.

Typically these locally controlled lands are held as some form of common property. These local arrangements also are in motion – striving for new ways to balance longstanding values and practices with new opportunities and constraints.

This is the global context in the early 21st Century and it has profound implications for how common property is imagined by both those within and without CPR groups. This context also

presents large challenges for CPR groups to find ways to effectively adapt to these new opportunities and risks.

Landscapes of Property

Several sessions at the 2006 IASCP Conference focused on new theoretical ideas and methodological tools for the analysis of common property. While not intending to hijack that effort, I do want to share with you a conceptual idea that I find promising.

Currently, one of my most rewarding tasks is serving on the board of The Christensen Fund (also known by its initials, TCF)—a US-based foundation. TCF is concerned with the reduction of diversity, cultural and biological, throughout the world. If you visit the TCF website you will learn that TCF's mission is –

to buttress the efforts of people and institutions who believe in a biodiverse world infused with artistic expression and work to secure ways of life and landscapes that are beautiful, bountiful and resilient.

Since TCF staff chose to provide support for this IASCP Conference, they apparently judged IASCP to be such an institution. For purposes of this discussion, I want to take just one of the words from that packed mission statement and explore it with relation to our property interests. That word is “landscapes”.

Landscape is a term now associated with a specialty in ecology; predictably called landscape ecology. But it has been adopted by a wider group of writers and analysts concerned with human uses of the natural world – perhaps you have been using it in your own work. One definition that may help our discussion is this:

“Landscapes are the arenas in which humans interact with their environments on a kilometers-wide scale.”

In short, landscapes refer to large rather than small spaces. In relation to the experiences I used to open this discussion – Kullu district in northern India or Taos County in northern New Mexico could be approached as landscapes.

A second, and more nuanced, feature of a landscape space is that it typically is a mosaic of interacting ecosystem patches that together comprise a diverse spatial area. Those patches might be riparian habitats, grasslands, forests, intensively cultivated fields, human settlements – and so on. Landscape analysis drives attention to the diverse pieces that constitute the landscape, and equally, to the important processes and consequences of interaction among them.

Now, we know that property regimes also exhibit considerable diversity – what we might label property diversity. In fact, we can think of property diversity as an important biocultural element since property is a construct that often combines cultural ideas and environmental specifics, with various consequences.

Landscapes of property is a concept that could aid us in uncovering – recognizing that not all forms of property are easily legible — and understanding property diversity at a larger scale. An analyst would seek to identify the various forms of property existing in a particular landscape and also seek to uncover the myriad ways in which these property arrangements have, or now, connect, compliment or collide: a kind of landscape ecology of property.

What seems likely is that most of the world's rural people and communities operate in property landscapes that are increasingly diverse – with multiple forms of property operating simultaneously and with increasing accretions of past and current property arrangements. By focusing on property landscapes one might better understand and assess the

interplay among different property types. One can look at the overall pattern of access that households and communities create by relating to common-property resources, privately-owned resources, and state-owned resources. This would enhance our understanding of how the different property types are amalgamated, interwoven, constrained and exploited to contribute to livelihoods, community well being and environmental health. Examining the position of common property within a property landscape might better represent the situation of com-

mon property resources in the current century.

I suggest that high on the agenda of future research and action should be attention to these property landscapes, including attention to how they are shaped by matters as diverse as memory, political power and natural habitat realities. Perhaps some of you are already doing such work, if so I look forward to learning about it.

IASCP in this century

We have been talking about common property in this century. I now want to briefly turn to the topic of IASCP, our organization, as we begin the fourth IASCP Conference of the 21st Century [that leaves 46 more conferences to be held this Century!].

First, let's take a look at who we are in this conference.

1. How many of you are traditional owners, trustees or users of common property? Please stand.
2. How many of you conduct research and/or teach about common property? Stand again, if this applies to you.

3. How many of you work with an NGO that is an ally of common property groups?
4. How many of you are elected or appointed members of government interested in common property?

Since its inception, IASCP has been a vehicle for building the CPR community. It has been a key instrument for exchange among academics and practitioners, and increasingly, community leaders. In addition to expanding understanding of common property, IASCP also has sought to induce action and policy formulation.

IASCP has evolved since its creation and likely will do so throughout this century – important new services like the digital library have been put in place, new organizational arrangements such as the regional groups and meetings have emerged, and there has been a continuing push to apply common property ideas to new resources and problems such as the so-called global commons. I applaud the creative energy of the IASCP members and leaders that underlies these novel actions.

And, more changes are being planned – the new International Journal of the Commons and now the re-naming of the IASCP. Let me hazard a comment on the approved name change. I understand that the



Opening Ceremony Dance. Photo Heny Hannie

proposal to drop the word property from the name – leaving the new moniker as, the International Association for the Study of the Commons – has been approved [by about 100 people].

I am sure much thought has gone into this decision and that there is considerable merit in a change that might widen the appeal of the association to a greater number of scholars, activists and others. Presumably, this name change will not eliminate concern with property, in particular common property. I hope the association will continue to welcome and cultivate the discussion of common property theory, analysis and action.

But, we also need to recognize that a concern with the broader notion of the commons could result in reduced attention to the very matters that have been at the core of IASCP activities – since one assumes that the number of days available for global and regional conferences is not infinitely expandable nor are the number of pages available in the CPR Digest or the planned International Journal.

Given the enduring centrality of property issues for critical problems such as conserving the natural environment, managing natural resources carefully, and improving the livelihoods

and well being of millions of rural people around the world – all topics which will be abundantly covered in the meeting — one might have considered re-naming with a different direction, for example, the International Association for Study of Property Arrangements [IASPA]. This nomenclature would keep property central but expand to explicitly include many forms of property. But that issue is now settled – my hope is that you continue to keep your property focus a central concern.

Finally, I want to return to the key point, to again sound my key note – and, end with a comment about common property in the remainder of this century. I believe we should continue to analyze and understand, and in some cases facilitate, the motion in property landscapes, including common property arrangements, around the world – not out of a fear that common property will disappear but based on the hope that common property will continue to be a property option that works well from some people and resources in selected situations.

Of course, one must to recognize the indeterminate character of the times that lie ahead – the future is likely to be composed of some fusion of the deeply familiar and totally novel and unexpected features.

But, I suggest that in that in this less-than-clear future, common property arrangements will continue to be an important part of the mix — an option that can be exercised by those who chose to do so.

More or fewer things may be owned in common, the rules of common ownership may take new shapes, and world opinion may tilt toward or away from common property. But common property arrangements are highly likely to survive – and I would suggest even flourish — as they are transformed in directions that increase their effectiveness and efficacy in the 21st Century.

I believe this will be the case because:

- Local will still count,
- Increasingly, dissimilar contexts will arise as global trends are shaped by local forces, thus creating new CPR opportunities,
- Thus, property landscapes will continue to be an mosaic of property diversity – not, one size fits all.

IASCP, perhaps also transformed, needs to continue its mission of strengthening the theory and practice of common property in a world that is both culturally and biologically diverse and in motion.

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Notes

¹ At this point the speaker asked each person in the audience to translate this three-word sentence into their first language, or some language other than English. They were they asked to shout out the translated phrase in unison.

Conference Report

Report on the 11th Conference of the IASC, Ubud, Bali, Indonesia.

Dr. Ernani Rustiadi, Conference Co-Chair

Director of the Center for Regional Development Planning, Bogor Agricultural University (IPB)

Dr. Satyawan Sunito, Conference Co-Chair

Executive Secretary of the Center for Agrarian Studies, Bogor Agricultural University (IPB)

Damayanti Buchori, Conference Coordinator

Heny Hannie, Conference Secretary

June 2006 witnessed the 11th biennial conference of the IASCP- now IASC! The weather was a bit damp at times, but the Balinese and Indian dances were exciting and the panels were as interesting and thought-provoking as always.

The conference, “Survival of the Commons: Mounting Challenges and New Realities,” was hosted by the Center for Agrarian Studies (PKA)- Bogor University (IPB) of West Java, Indonesia and IASC. 434 people attending from 57 countries took part in 9 sub-themes of 110 panels, 1 pre-conference seminar, 5 pre-conference workshops, 10 field trips, 8 posters, 5 book launches and 2 special panel series.

The opening ceremony was held on 20th June at the Wantilan stage of ARMA (Agung Rai Museum of Art). Opened with a Balinese blessing and dance, welcoming speeches were given by the conference chair and vice-governor of Bali, and opening addresses by the Rector of Bogor Agricultural University and President of the IASC(P). Dr. Walter Coward also gave a particularly interesting and entertaining Keynote Address providing an account of his career working with “property.”

ARMA was a wonderful site for the conference, especially because it combined ease of access, security and modern facilities with a genuine rustic setting. Slightly “off the beaten track,” ARMA is located just outside of the famous Balinese arts village Ubud. ARMA beautifully captured the Balinese spirit and culture and was in line with common property issues.

Though an enjoyable and successful conference, there were a few glitches along the way. First, the organizers and IASC Council noted there could have been greater participation by Indonesian scholars and practitioners (157 did attend). The limited attendance was due partly to limitations in out-reach and PR, but also resulted from the high, by local standards, registration fee and travel costs.

Also, there were a number last-minute location and time changes of panels and programs during the conference which caused some confusion for attendees.

The conference ended with closing ceremony, which was held on 23rd June at the Open Stage of ARMA. In this ceremony, the Executive Council of IASCP also announced awards to 9 panelists from different sub-theme categories. This ceremony was closed by the performance of Joget Pong, a contemporary Balinese dance group.

The conference was supported by several international and national institutions: DFID (MFP Program), National Land Agency (BPN), IDRC-CRDI, Ford Foundation, The Christensen Foundation, CIFOR, WWF, Department of Marine and Fishery, and CTA.



Above: Enjoying socializing during a coffee break.

The Organizing Committee would like to thank IASCP, for the trust and opportunity given to Bogor Agricultural University to host this Conference, to Michelle Curtain & Laura Wisen for the good support and coordination to prepare all the things for the conference, to CIFOR as co-host of this meeting, Ford Foundation, DFID, National



Left: Farmer returning from his fields outside of Ubud, Bali.

Land Agency, The Christensen Fund, CIFOR, IDRC, WWF Indonesia, the Department of Marines and Fisheries-Republic of Indonesia, the Technical Center for Agricultural and Rural Cooperation (CTA) for their generous contribution and supports. Thanks to the Academic Reviewer team for helping and support in the process.

Thanks also to the hospitality of the people of Bali, to the Bogor and Bali Secretariat, who had been working days and nights preparing the event and to the ARMA staff.

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Above: Volunteers & Organizing Committee preparing for the conference

RECENT PUBLICATIONS

Charlotte Hess

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Books

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ANNOUNCEMENTS

Send Letters and Announcements to Alyne Delaney, Editor, Commons Digest, The Institute for Fisheries Management, North Sea Center, PO Box 104, DK-9850, Hirtshals, Denmark. ad@ifm.dk Tel: 45 98 94 28 55 Fax:: 45 98 94 42 68

For membership, dues, back issues, and missing copies Michelle Curtain, P.O. Box 2355 Gary, IN 46409 USA Tel: 01-219-980-1433 Fax:: 01-219-980-2801 iascp@indiana.edu

Indicators of Secure Tenure over the Commons:

Issues raised at June 2006 IASCP roundtable, Bali, Indonesia

As part of the June 2006 IASCP conference in Indonesia, CAPRI and ILC organized a roundtable discussion on developing indicators of secure access to common property. While there is growing interest among governments, civil society and international agencies to monitor access to land, including through the use of indicators, most of efforts so far have focused on individual rights to land. In organizing this discussion, CAPRI and ILC sought to generate ideas and increase attention to how indicators might also assess security of tenure to the commons. Key questions and issues that arose during this discussion can be seen on page 16.

First Call for Panels, Papers and Posters

IASC 2007 North American Regional Meeting

Transitions in Defining and Utilizing North American Commons

Sir Wilfred Grenfell College

Memorial University

Corner Brook, Newfoundland

July 31 - August 3, 2007

Conference Themes

- Societal vision, goals, and objectives regarding the Commons and human well being;
- Expanding conceptions of the Commons, including the 'New Commons';
- Reducing conflict, improving management, and increasing efficiency in traditional natural resource (e.g., fisheries, forestry, agriculture, wildlife, water) sectors;
- Out-migration and eroding human/social capital in resource-dependent rural regions;
- Global benefits versus local costs – sustaining local and regional stewardship capacity;
- Global costs versus local benefits – mitigating the external costs of local resource use;
- International institutions and the Commons (e.g., Kyoto Protocol, NAFO, NAFTA);
- Globalization and market pressures on North American common pool resources;
- Aboriginal perceptions, goals, and governance issues in North American Commons;
- Theoretical and methodological advances in Commons research;
- Commons research – making the transition from information to public policy; and
- Resource management and challenges in Newfoundland and Labrador (e.g., fishery collapses, rural out-migration, sealing, tourism development, hydroelectric development).

Conference Proceedings. All abstracts and submitted papers will be made available online. All conference paper submissions will be peer reviewed and successful papers will be published in full in an edited conference volume.

Panels, Workshops, Directed Discussions. Submit an abstract to organize a 1.5 hour concurrent panel session (3 to 4 speakers and session chair), workshop (a practically-oriented session with 2 or 3 speakers, session facilitator, and sufficient time for audience questions), or directed discussion (a facilitator(s) stimulates audience participation on a particular topic). Abstracts should be a maximum of 350 words and include names and affiliations of the organizer and individual presenters. Abstracts for panels, workshops and directed discussions are due **February 16, 2007**.

Confirmation of acceptance will be sent by March 9. Panel session presenters will need to submit an abstract for their individual papers by March 23.

Individual Papers. Submit an abstract to give a 20-minute oral presentation. Abstracts should be a maximum of 250 words. Include the name, title and affiliation of each author. Abstracts will be peer reviewed and are due **March 23, 2007**. Confirmation of acceptance of the abstract will be sent by April 27, 2007. **Final papers are due June 22, 2007** (details will be sent to authors upon abstract acceptance).

Posters. Submit an abstract to present a poster. Abstracts should be a maximum of 250 words. Include the name, title and affiliation of each author. Posters can be used to present research results, case studies, or provide information about practitioner initiatives relating to the management of the Commons. Poster abstracts are due **June 22, 2007**.

Submission of Abstracts. All abstracts must be submitted electronically in Word, text, or pdf format. Abstracts should be submitted to:

Conference Chair, **Murray Rudd**, via email
mrudd@swgc.mun.ca

Nouvelle Liste Électronique: la Propriété Commune en Afrique

L'Association Internationale pour l'Etude de la Propriété Commune (IASC, signe anglais) voudrait vous inviter à vous joindre à sa nouvelle liste d'adresses électroniques dont les échanges seront centrés sur les questions liées à la propriété commune et aux communaux à travers l'Afrique.

IASC se consacre à mettre ensemble des chercheurs interdisciplinaires, des praticiens, et des formulateurs des politiques dans le sens de favoriser une meilleure compréhension, des améliorations et des solutions durables pour les ressources environnementales, les ressources électroniques, et tout autre type de ressource partagée, c'est-à-dire les ressources à propriété commune (communaux) ou des réservoirs de ressources à propriété commune.

Cette liste sera utilisée pour contribuer à la mission de IASC en facilitant et en encourageant la participation des individus intéressés par les questions de la propriété commune dans les pays africains.

Si vous voulez vous joindre à la liste des adresses électroniques, bien vouloir envoyer un message à : listserv@indiana.edu en tapant «subscribe IASC-AFRICA-L » dans le texte du message.

Après vous être joint(e) à la liste, nous vous encourageons à contribuer activement en :

1. Partageant l'information, le travail et les résultats de recherche sur la propriété commune à travers le continent africain ;
2. Invitant et incitant ceux qui sont impliqués dans les questions de propriété commune à se joindre à IASC ;
3. Donnant aux modérateurs de la liste les noms des individus ou des institutions à y ajouter ;
4. Identifiant les leçons apprises dans la question de la gestion des ressources à propriété commune et la gestion communautaire ;
5. Se préparant à la réunion globale de IASC 2008 en organisant ou en participant aux réunions régionales à venir.

Si vous n'êtes pas membre de IASC, bien vouloir considérer votre adhésion en consultant notre site à :

<http://www.iascp.org/membership.html>

Cette liste sera modérée par :

Esther Mwangi, Consultative Group on International Agricultural Research: e.mwangi@cgiar.org

Evelyn L Namubiru, Indiana University: nlwanga@indiana.edu

Michelle Curtain, International Association for the Study of the Commons: iascp@indiana.edu

Africa Listserve on the Commons

The International Association for the Study of the Commons (IASC) would like to invite you to join our new listserv focusing on commons issues throughout Africa. IASC is devoted to bringing together interdisciplinary researchers, practitioners, and policymakers for the purpose of fostering better understandings, improvements, and sustainable solutions for environmental, electronic, and any other type of shared resource, that is a commons or a commons-pool resource.

This listserv will be used to further IASC's mission by facilitating and encouraging the participation of individuals interested in commons work in African countries.

If you are interested in joining the listserv, please send a message to listserv@indiana.edu and typing "subscribe IASC-AFRICA-L" in the text of the message.

After joining, we would encourage you to actively contribute to this list by:

1. Sharing information, work, and research on commons throughout the Africa region;
2. Inviting others who are involved in commons work to join IASC;
3. Providing the list moderators with names of individuals and/or institutions that we should add to this listserv;
4. Identifying lessons learned on commons management, community based management, working with governments, etc.; and
5. Preparing for the IASC 2008 global meeting by organizing and attending upcoming regional workshops.

This list will be moderated by:

Esther Mwangi, Consultative Group on International Agricultural Research: e.mwangi@cgiar.org

Evelyn L Namubiru, Indiana University: nlwanga@indiana.edu

Michelle Curtain, International Association for the Study of the Commons: iascp@indiana.edu

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Indicators of Secure Tenure over the Commons: Issues raised at June 2006 IASCP roundtable, Bali, Indonesia

As part of the June 2006 IASCP conference in Indonesia, CAPRI and ILC organized a roundtable discussion on developing indicators of secure access to common property. While there is growing interest among governments, civil society and international agencies) to monitor access to land, including through the use of indicators, most of efforts so far have focused on individual rights to land. In organizing this discussion, CAPRI and ILC sought to generate ideas and increase attention to how indicators might also assess security of tenure to the commons. Key questions and issues that arose during this discussion included;

- What is the justification or purpose of developing indicators?
- What are key criteria for considering how useful and relevant they could be?
- What are relevant concepts and key substantive considerations in developing indicators for the commons?
- What are technical or methodological issues?

The summary below reflects a number of points that roundtable participants raised during the discussion.

I. What is the justification or purpose of developing indicators? What are key criteria for considering how useful and relevant they could be?

There was consensus in the roundtable that secure tenure over the commons, particularly for poor households and communities, is an important goal for broader campaigns of poverty reduction, environmental sustainability, social and political inclusion, etc. Thus, the utility of indicators, and efforts to develop consensus around their use, can be considered in the context of whether/how they would contribute to this goal in practice. This raises different considerations for criteria, depending on the level at which indicators would be developed and used:

- *Community level.* Indicators that are useful to and usable by community members to track security of rights to the commons – both by groups and individuals within groups – can play a role in empowering communities to claim and defend rights to the commons. Indicators can help community groups identify trends that affect their livelihood, and integrate this information into community organizing and local campaigns.

For use at the local level, indicators need to be readily understood by community members, and based on information that can be collected easily, frequently and inexpensively. There also needs to be a link between data collection and its use – change-oriented studies (e.g., action research).

- *National level.* Indicators that depict how tenure security is changing over time on a country-wide basis can link rights to the commons to other changes in the national context, such as policy or legal reforms. Focusing at this level may provide analysis that can support campaigns for national reform, improve the accuracy of existing administrative data on the commons, or increase the accountability of national governments in the implementation of laws or regulations related to the commons.

Ease of use may not be as important for national-level monitoring and indicators-based advocacy, depending on how national advocacy is linked with local community-based activities. Indicators that are effective and meaningful for local use (such as process standards, discussed further below), however, may lose significance when aggregated to a countrywide level. Small differences may become less apparent or less meaningful when aggregated at the national level.

- *Global level.* Indicators at the global level might be useful in making comparisons across countries, or to bolster analysis of the links between global policy trends and security of tenure over the commons. This could be valuable in terms of increasing visibility in international forums of the links between access to the commons and other global development priorities, such as the eradication of hunger and poverty or environmental sustainability.

Generally speaking, identifying simple proxies is the key, but designing indicators to measure them is an art, not a science. For this reason, it is important to pay attention to the trade-offs inherent in choosing some indicators over others.

II. What are relevant concepts and key substantive considerations?

Much of the discussion focused on considerations for assessing the security of rights to the commons. It was noted, though, that with rights also come responsibilities and that indicators that capture resource management practices and other factors may add valuable information in assessing tenure security more broadly.

A. Indicators of secure rights

As noted above, one basic issue that emerged in the discussion was the need for indicators to account for the security of rights to the commons, including several components:

- Are rights to the commons are recognized by the state, and in what ways?
- What is the extent to which people who use the commons are aware of their rights and able to act upon them?
- What are institutional processes through which rights to the commons are administered, and how effective a guarantee do they give to rights?
- What threats or counter-claims to these rights exist, and how are conflicts managed?

Recognition of rights

While legal recognition from the state does not guarantee tenure security, the discussion suggested that it is a key

starting point for indication of how secure rights to the commons are.

- What is the extent to which security of rights is defined in a legal (de jure) context? Rather than a de facto context?

There may be other forms of “quasi-official” recognition of rights to the commons that exist, such as rights that are created through decentralization or devolution, state or donor projects, or that are tacitly acknowledged through tax collection. Monitoring and recording these forms of recognition can add to the assessment of tenure security. Some national legal frameworks do recognize customary or religious law, in which cases these norms and rules have to be taken into account

In some cases the state may not recognize the groups themselves that are making claims, which may be a prerequisite step for the recognition of group rights.

- Does the state recognize the existence of groups that are making group claims? E.g., cases of indigenous peoples that are not recognized by their governments. If not, this can be first obstacle toward increasing tenure security. On flipside, if existence is recognized, states are more pressed to also recognize indigenous peoples’ rights to territorial resources.

Understanding of rights

Having laws and policies in place does not equal implementation. As a first step, communities that manage and individuals that rely on the commons need be aware of their rights and have channels available to defend them.

Tracking and measuring whether people’s understanding of their rights is becoming clearer.

- To what extent do community members know what their rights are under the state legal framework?
- Are they able to defend these rights in practice?

The rights of individuals within user groups or other associations that manage the commons are also relevant.

- Do all group members or people in a community share equal rights (i.e., rights of individuals within the group)?
- To what extent is there equality or discrimination, e.g., by gender, caste, etc.?

Put together, these sets of questions can point to security of rights both for groups vis-à-vis other external interests, and for individuals within those groups.

Administration of rights

Participants also discussed potential use of process standards as indicators for secure rights. These address the extent to which land rights administration – whether by state agencies or by community-management institutions — is understandable and accessible (or, whether it is becoming more so) for the groups and individuals who rely on these processes to put their rights into practice. Some examples of what can be measured include:

- Recording
- Transfer

- Establishing use regulations
- Adjudication
- Dispute resolution

In using performance standards, there is the caveat that processes may still be manipulated in ways that, depending on the context, create winners and losers. Easier documentation, for example, may allow for individual capture of the commons, if it is subject to corruption or other forms of manipulation, or if certification processes simply do not account for collective forms of land and resource tenure.

Threats and conflicts

Participants suggested there are several components to assessing threats and conflicts over the commons (which can be internal or external): (a) identifying kinds of threats that exist, (b) whether these have evolved into actual disputes or conflicts, and (c) what are processes for redress or dispute resolution. This last point is related closely to institutions and process standards, as described in section above

Identifying kinds of threats:

- Extent to which the government can regulate or control people’s exercise of rights legally (e.g., via bureaucratic requirements) or illegally (e.g., corruption)
- What are other counter-claims in the area?
 - o Outside investments (e.g., mining, forestry, plantation farming) by state or private companies
 - o Migrant farmers or fishers
 - o Overlapping rights claims by indigenous peoples communities

Presence of threats, especially if there are overlapping of rights (*de jure* or *de facto*) can be sign of weak tenure security.

There may be cases where communities have rights but not *de facto* control – raising the question of how to assess the in which rights are administered, particularly if there are threats coming from within the predominating systems

- Are there powerful actors other than the state that can regulate or control people’s exercise of rights?

Security of group members may be jeopardized by practices in land administration by the group. Examples are inheritance rights or rights to purchase land by women. These may also generate disputes or conflicts.

B. Indicators of other factors in tenure security

While the discussion emphasized the importance of assessing the security of rights to the commons, it suggested that there are other issues that could be addressed as well, in order to provide a fuller picture of tenure security.

Focus on dependence?

One issue is whether to focus use of indicators on the rights of households and communities that are “dependent” on common property for their livelihood.

- On the one hand, the IASCP conference reinforced the sense that dependency does matter, and that increasing security of tenure for poor and vulnerable groups is needed to eradicate poverty and increase sustainability of resource use. Indicators that can document and measure this dependence may strengthen the position of communities in advocating for secure rights.

- On the other hand, this raises questions of how to define “dependency”, how to value current versus future claims to resources, and whether indicators that focused on the rights of some populations could trigger conflicts with other less vulnerable groups.

Dependency can be thought of as a range, not a discrete definition. At one end, some households may use commons just a little and base their livelihoods on other resources, assets or incomes; at the other end, households may be fully reliant on access to commons for their livelihood.

- What percentage of consumption or income is generated by access/use of common property? (What percentage from commons, what percentage from privately owned land or customary land that is privately accessed and managed, what percentage from wage labor, etc.)

- Pay attention to time boundaries under assessment – so each HH is defining their dependency within the same time period (making this information more comparable).

- In many tenure systems, commons land is left unused for periods of time – if group not “dependent” on it at present, but may need access to it in future, this should also be captured.

- There are also non-economic factors of dependence – e.g., cultural significance of access to territorial resources. How to measure these or other things that are not easily monetized?

The distributive equity of benefits from the commons may also be an issue, particularly if there is concern of “elite capture”, i.e., use of the commons disproportionately benefiting better-off households within groups, or outside investors instead of local residents. For example:

- What percentage of total benefits from commons reaches the household level?
 - How are these benefits distributed among households?
 - What percentage of benefits is captured by external groups?

Sustainable management of the commons

How resources are managed – not only the rights to manage those resources - is also an element of land tenure security. Should indicators of secure tenure conceptually keep together rights and responsibilities, so that the quality of resource management activities can also be tracked and measured?

- Indicators to address governance or maintenance of/care for the resource(s)

- Security of tenure is not only relevant to the people living where common resources are located – but also to a broader audience, people living around or near the resources, or who are affected by their usage. (Indicators may reflect externalities)

III. What are technical or methodological issues?

Using only percentages as indicators can generate problems in interpreting the significance of findings

- e.g., an area where 80% of land is in conflict, but 20% in violent conflict. How meaningful is this breakdown?
- Percentages not always easy to compare across countries.

Alternatively, indicators could measure along scales or ranges:

- e.g., from “no importance” to “total importance” in terms of measuring the threat of land disputes to security of rights

Each resource type has its own distinct characteristics – indicators that are useful for pasture land may not be for forest resources or water. Participants suggested that it is more relevant to breakdown indicators based on specific resources, rather than look at indicators for “the commons” broadly.

Finally, we were reminded that for people who use the commons, tenure security is a sense or a feeling that cannot always be reflected by measuring physical things, and that making tenure more secure is a process and not a single event. Qualitative methods may be better suited not only to identify the level of tenure security that households or community groups perceive (and its direction, i.e., whether rights are becoming more or less secure), but also uncover the roots of these perceptions.

Capturing an assessment of relationships, management practices, decision-making processes à these lend themselves to qualitative rather than quantitative indicators.

It is possible to link the quantitative and qualitative indicators – not always a case of having to choose one or the other; rather, of using qualitative studies (e.g., focus groups) to flesh out the significance of quantitative findings (e.g., from HH survey data). For instance, link perceptions of conflicts and levels of intensity (assessed qualitatively) with their frequency or duration (assessed quantitatively)

Whether there needs to be emphasis on quantitative data, qualitative data or both – and whether these can realistically be collected – will likely depend on the purpose for and the scale at which these indicators are used, as discussed in section I of this summary.