Original Paper

The Principal Functions of Institutions in Shaping the Civil Society and Southern African Rural Organisations

Metolo Foyet[1*], Rodgers Lubilo[2,3,4,5] & Maxi Pia Louis[2,6]

[1] Department of Geography, University of Florida, Gainesville, FL, USA

[2] Community Leaders Network (CLN), Windhoek, Namibia

[3] Chairperson of the Zambia Community Based Natural Resource Management (CBNRM) Association, Lusaka, Zambia

[4] National Technical Advisor to the Zambia Community Resource Board Association (ZCRBA), Lusaka, Zambia

[5] Senior Technical Advisor to the Frankfurt Zoological Society, North Luangwa, Zambia

[6] Director of the Namibian Association of CBNRM Support Organizations (NACSO)

[*] Metolo Foyet, Corresponding author

Abstract

The influence of political interests on resource discourse is well-documented, with ordinary citizens often portrayed as both victims and potential solutions if governments were more accountable. Institutions play crucial roles in shaping societal norms, behaviors and politico-economic interactions, yet the specific functions of different institutions and their impact on Civil Society Organizations (CSOs), especially Community-Based Organizations (CBOs), in rural contexts remain unclear. This paper explores how formal and informal institutions influence the activities, operational strategies and effectiveness of CSOs. Drawing upon recent developments in conservation, this understanding is particularly important in light of the evolving challenges faced by rural societies and the need for CBOs to navigate complex institutional landscapes to achieve their goals. Using the North, Wallis, and Weingast (NWW) theoretical framework, the paper distinguishes between 'limited access orders' and 'open access orders' to understand CBOs' operational contexts. In 'limited access orders', where power is concentrated among a few, formal institutions maintain the status quo, limiting CBO actions. The hypothesis posits that formal institutions, through regulatory frameworks, can either enable or constrain CBO activities, while informal institutions, through cultural norms, influence social acceptance, community support and resource mobilization for CBO initiatives. 'Open access orders'

provide a conducive environment for mass opinions and collective actions led by CBOs on resource ownership. Understanding these dynamics is crucial for developing strategies that enhance government accountability and support CBOs' roles in advocacy, biodiversity preservation, natural resource management, and rural development.

Keywords

institutions, governance, civil society, rural organisations, non-state actors, grassroots and indigenous-led movements, community leaders network (cln), southern Africa

1. Introduction

1.1 Institutions and Their Importance in Shaping Interactions

Fundamental mechanisms of social order governing the behavior of individuals within any given society (North, Wallis, & Weingast, 2005), institutions encompass various systems of norms, laws, and conventions that guide social, economic, and political interactions among individuals and groups. By establishing predictable patterns of behavior - through observation and experience – institutions play a crucial role in reducing uncertainties in social interactions, thereby facilitating cooperation and coordination among members of a community. They range from formal entities such as governments (a-institutions), legal systems (b-institutional arrangements), and economic markets (c-institutional economics) to informal ones like cultural norms (a), traditions (b), and social networks (c). The importance of institutions lies in their ability to shape behaviors, influence decisions, and provide the platform for the complex interrelations that underpin societal function and development.

Institutions shape the activities of CSOs by delineating the boundaries within which they operate and influencing their strategic decisions. Formal institutions (FORIs), such as regulatory frameworks (i.e., legal systems, governmental policies) directly impact CSOs by setting the legal parameters for their formation, funding, and activities. These institutions can facilitate the work of CSOs by providing legal protections, access to resources, and opportunities for partnership. Conversely, they can also pose significant challenges through restrictive laws, bureaucratic hurdles, and political interference. Informal institutions (INFIs), such as societal norms (i.e., values, unwritten rules), equally influence CSOs by affecting community perceptions and support. The alignment or misalignment of CSO objectives with local (and by extension, rural and indigenous) cultural norms can significantly impact an organization's ability to engage communities, mobilize support, and implement projects successfully. Understanding the influence of both formal and informal institutions is crucial for CSOs to navigate their operational landscapes effectively, adapt their strategies to local contexts, and maximize their impact on societal development and change.

	Autocratic FORIs		Democratic FORIs
	supportive	*challenging*	*supportive*
Constitutive INFIs	substitutive		(substitutive)
	competing		
Intervening INFIs	complementary	accommodating	complementary
		competing	
Expected Outcome	*Autocracy*	*Hybrid Regimes*	*Democracy*

Figure 1. Informal Institution Types, Functions and Their Relation to Formal Rules, Piled by (Erdmann, Elischer, & Stroh, 2011) Based on Helmkey/Levisky, 2006

1.2 The Principal Functions of Institutions

One of the primary functions of institutions is to reduce uncertainty in human interactions. This predictability is essential for complex social, economic, and political activities, as it reduces the risks associated with engaging with others. By establishing clear rules, institutions provide a framework within which individuals can make decisions and plan their actions. For instance, regulatory frameworks establish laws that dictate acceptable behavior and outline the consequences of violations, thereby guiding individuals' actions and interactions. Secondly, they enable cooperation among individuals and groups. Through the creation of shared norms and values, institutions foster a sense of collective identity and mutual trust. This shared understanding is crucial for the coordination of activities and the pooling of resources towards common goals. For example, economic institutions, such as markets, facilitate cooperation by establishing rules for trade and exchange, enabling individuals and organizations to collaborate and benefit from each other's goods and services. Thirdly, they facilitate predictable interactions by establishing a consistent set of expectations for behavior. This predictability allows for the smooth coordination of activities across different sectors of society. For example, educational institutions standardize the dissemination of knowledge and skills, ensuring that individuals can build on a common base of understanding. Similarly, political institutions provide a framework for governance and public decision-making, guiding how individuals and groups interact with the state and participate in collective decision-making processes.

Table 1. Mechanisms through which Institutions Operate, (Source-Author*[1])

Mechanism	Description	Examples
Constrain	behavior by establishing rules and norms that limit certain actions while prescribing others.	regulatory systems **prohibit** environmentally harmful practices (e.g. poaching, deforestation) and **prescribe** sustainable resource management practices such as fishing quotas, or logging permits.
Enable	behavior by providing the means or capacity to undertake certain	financial institutions **offer** credit, enabling investment [e.g. banks, rotational credit

	actions.	associations (djanggi (Note 1), arisan (Note 2))]; educational institutions **provide** knowledge and skills for various careers [e.g. formal schools, traditional ecological knowledge (TEK).
Incentivize	behaviors through rewards and punishments, encouraging certain actions and discouraging others based on socio-cultural values.	**economic incentives** like subsidies, grants, or tax breaks for investment; **social rewards** for community service and social stigma or ostracization for undesirable actions.

1.3 The Importance of Understanding Institutional Dynamics

Understanding the dynamics of how formal and informal institutions shape and are shaped by societal interactions is crucial for effective policy-making, social planning, and the successful operation of civil society initiatives. This understanding enables policymakers and social planners to craft strategies that are not only legally sound but also culturally sensitive and socially inclusive. For CSOs and rural movements, understanding these institutional landscapes will determine how good they are at (a) identifying opportunity structures (Goldstone, 2004) that can propel their endeavors; and navigating the challenges and opportunities in advocating for social, environmental and economic change is key to (b) achieving their objectives (i.e. rights, environmental protection, cultural preservation, etc). The critical roles these institutions play in organizing community life, influencing CSOs, and driving community-led movements underline the complexity and richness of societal structures.

2. Method

2.1 Rationale and Qualitative Analysis

The rationale of the study is to explore how formal and informal institutions influence the activities, operational strategies, and effectiveness of CSOs, particularly CBOs in rural Southern Africa. The study aims to clarify the specific functions of these institutions and their impact on CSOs. It uses the North Wallis and Weingast (NWW) theoretical framework to analyze the political and economic development of societies by distinguishing between 'limited access orders' and 'open access orders'. It has been applied to understand the contexts in which CBOs operate and examine how these contexts affect CBO operations. The methodology relies on qualitative data gathered through observations, interviews, and document analysis to explore the interactions between institutions and CBOs.

2.2 Case Study

The focus on the Community Leaders Network (CLN) of Southern Africa illustrates how CBOs navigate formal and informal institutions. This case study provides practical examples of how CBOs operate within complex institutional landscapes.

2.3 Procedure

Interviews were conducted to investigate the new conservation movement that is CLN as a case study

91

for academic inquiry. Comprehensive four-hour interviews were held with CLN leaders, along with additional conversations of varying lengths, to gain insights into the organization's structure and the experiences and perceptions of its stakeholders. The survey was divided into two main sections: one focused on understanding CLN as a social movement, and the other on examining its use of social media. The questionnaire consisted of 215 questions in total. The survey on the social movement comprised 129 questions across 11 sub-sections: historical contextualization (10); theoretical contextualization (9); membership analysis, organizational dynamics & longevity and retention factors (15); opportunity structures and political context (14); societal dimension (12); economic dimension (22); cultural dimension (25); emotional dimension (11); environmental dimension (4); action and impact analysis (5); challenges and opportunities (2). The survey on social media consisted of 86 questions across 8 sub-sections: social media influence (7); engagement with audience (8); design of virtual platforms and influence of algorithm (17); social marketing and PR on social media (16); digital literacy (6); culturomics analysis (10); ethical considerations (10); hypothesis validation (12). Prior consent was taken from the participants to enroll themselves in the study.

2.4 Hypothesis

The hypothesis is twofold: (a) formal institutions, through regulatory frameworks and enforcement mechanisms, provide a structured environment that can either enable or constrain CBO activities depending on the regulatory context; (b) informal institutions, through cultural norms and unwritten rules, influence the social acceptance and community support for CBO initiatives, thereby affecting their ability to mobilize resources and achieve their objectives. This hypothesis guides the research in exploring the interplay between institutions and CSOs, aiming to elucidate the principal functions of regulatory frameworks and cultural norms and understand the extent to which they guide, support or hinder the work of CSOs within the context of those institutions.

3. Results and Discussion

3.1 The Regulatory Framework as a Formal Institution

Formal institutions are characterized by their structured, codified, and officially sanctioned rules and procedures. A focus on the regulatory framework reveals its quintessential role as a formal institution, where rules are set, and regulations and standards created by (quasi-) governmental agencies to control activities within various sectors like the environment. These frameworks are subsets of the broader legal system and are designed to ensure compliance with laws and policies that are created, interpreted and enforced to maintain social order, protect individual and collective rights, and guide and facilitate various aspects of civic life, such as economic transactions and broader social interactions.

Wildlife policies, as a regulatory framework subset within environmental law, play a crucial role in the conservation of biodiversity, the sustainable management of natural resources and habitats, and regulating human interaction with wildlife. These policies are developed, enacted and enforced by governmental bodies through a structured legal system, which includes international conventions and

92

treaties, national laws, and local regulations to regulate human activities affecting wildlife, habitats, and ecosystems.

Specifically, North views policies as a deliberate effort by humans to control their environment, highlighting the interaction between formal rules, informal norms, and their enforcement characteristics. In the case of wildlife policies, they are designed to balance the ecological needs of wildlife with the economic and social needs of human populations, ensuring sustainable interaction between humans and the natural environment. They regulate behavior by setting limits on activities that may harm wildlife or their habitats, including restrictions on hunting, fishing, logging, and development in sensitive areas. By enforcing these regulations, wildlife policies work to prevent the overexploitation of wildlife, protect endangered species from extinction, and preserve biodiversity for future generations. The enforcement of contracts is an essential aspect of wildlife policies, particularly in contexts involving conservation efforts, land use agreements, and international wildlife trade (Polman, 2002). Wildlife policies ensure that agreements made between parties—be it government entities, private landowners, conservation organizations, or international bodies—are legally binding and enforceable. For instance, agreements under the Convention on Biological Diversity (CBD) or the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) are supposedly enforced through national legislation, ensuring countries adhere to their conservation and trade commitments. This legal enforceability is said to ensure that conservation efforts and wildlife management practices are implemented as agreed. These policies are equally meant to protect the rights of various stakeholders, including local communities, communal landowners, and the broader public's right to a healthy environment. These rights may relate to the use, management, and conservation of natural resources: for example, the recognition and protection of indigenous rights to traditional lands and resources, ensuring that conservation efforts do not infringe upon their way of life. However, history has proven that these clauses are not often respected. In the case of community rights in Southern Africa, the debate appeared centered on hunting, but it quickly became evident that the issue was far more profound, touching on fundamental rights. What was allegedly an animal-right defense ultimately revealed a deeper disregard for communities living alongside wildlife, undermining their autonomy and questioning their decision-making capabilities, as depicted below by a community member:

> **So there were a lot of things that were happening. First of all, it started just with hunting, and then I started thinking, this is not just about hunting. This is really undermining somebody's rights, you know? It's being put forward or being presented as if it's about hunting, but when you go deeper into it, the ugly truth is that the way the discussion is framed just fundamentally undermines people that live with wildlife, that live with these resources, and condescendingly questions their ability to make their own decisions. - P1**

This realization propelled southern African communities to assert their stewardship over their resources and rights and led them to vocalize their stance: "the wildlife is ours to manage, and we reserve the

right to utilize and trade sustainably within CITES regulations". Given that community-based natural resource management (CBNRM) practices were in full compliance with international treaties ratified by southern African governments, communities were puzzled by the criticism around their conservation hunting land use model. This prompt questions such as "If these are actions sanctioned by globally accepted agreements, why are they singled out for criticism and facing condemnation for implementing globally recognized treaties?" or "Why should they face repercussions for engaging in practices that are universally ratified and executed by other communities in other countries without censure?".

> **And that is actually what then culminated into us now starting speaking up around, you know, this is our wildlife, we make these decisions, and we can trade with whoever we want to trade, as long as it's sustainable and we adhere to CITES rules. We therefore did not understand what we were doing wrong because our governments signed up to these bilateral agreements, and so, if it's a global treaty that has been signed, everybody agreed to it, we did not do anything wrong. Why are we then being punished for something that we are implementing according to the rules that everyone has signed to and which other people are doing without being punished? – P1**

Subsequently, it can thus be inferred that even though formal institutions such as wildlife policies play an indispensable role in regulating behavior, enforcing contracts, and protecting rights related to natural resources and biodiversity, the regulatory framework on which they rely is not aptly predictable, still nurtures a level of uncertainty, and the imbalances around its enforceability jeopardize the institutional regalian function of facilitating economic transactions and social interactions that are critical for the sustainable management and conservation of wildlife. How can these loopholes be addressed in securing the health and vitality of wildlife for generations to come?

3.2 The Socio-Cultural Norm as an Informal Institution

Socio-cultural norms, an example of informal institutions, guide individual behavior through unwritten rules without formal enforcement. These norms foster trust, cooperation, and social cohesion within communities, filling gaps left by formal systems, particularly in indigenous and rural communities where formal legal mechanisms might be less present or effective. Unlike formal institutions that rely on codified laws and regulations, informal institutions exert influence through social or collective expectations for how individuals should act in various contexts. By providing guidelines for what is "acceptable" and "expected", socio-cultural norms play a significant role in shaping individual behavior, relying on the mechanisms of social approval and disapproval to enforce conformity. They are enforced not through legal sanctions but through social pressures such as ostracism, shame, or praise. For instance, norms around respect and hospitality are maintained by the desire to be seen positively by others and the fear of social exclusion. The norm of reciprocity in many cultures facilitates mutual aid and support within communities, enhancing social cohesion and collective action. This system of informal enforcement is highly effective in regulating behavior within communities, ensuring that members act in ways that support the group's values and goals.

Social norms create a predictable social environment where individuals can often rely on each other to behave in mutually beneficial ways. For example, norms that promote honesty and fairness facilitate trust among community members, making it easier for them to cooperate and work together towards common goals. This shared trust and cooperation, in turn, strengthens social cohesion, creating a sense of belonging and mutual support that is vital for community resilience.

A quintessential component of social norms is exemplified in the role of elders within the community, who embody the transmission and enforcement of cultural and spiritual values through customs and other unwritten norms and practices. Respected, their authority is derived from their knowledge and practice of traditional wisdom, rather than from any formal legal power. For instance, in Zimbabwe, specifically on African hunting institutions, elders affirm that hunting has deep traditional roots in human civilization, with many indigenous African communities historically managing their hunting practices sustainably through customary frameworks (adherence to totemic practices, demarcation of sacred areas, and other social norms) throughout pre-colonial times (Muposhi et al., 2016). These institutions were largely displaced during the colonial era and ultimately superseded by the establishment of state protected areas and strictly regulated recreational hunting in designated areas, with access often limited to fee-paying visitors from outside the community (Muposhi et al., 2016). By advising on matters of social conduct, conflict resolution, and moral dilemmas, elders ensure that the community's actions are aligned with its values. In this justice system that is culturally appropriate and effective, they often employ restorative (rather than punitive measures or retributive) practices that focus on healing relationships and restoring social harmony by reinforcing community solidarity and a shared sense of purpose, reflecting a deep understanding of the community's history and interconnectedness. Through storytelling, ceremonies, and daily interactions, elders pass down the knowledge and practices that define the community's identity and resilience. This intergenerational transfer of knowledge informs the community's understanding of itself and its place in the world, ensures the continuity of the community's cultural integrity and connection to its heritage, and remains lived and experienced, embedding these traditions in the daily life of community members (Acedo, Painho, & Casteleyn, 2017).
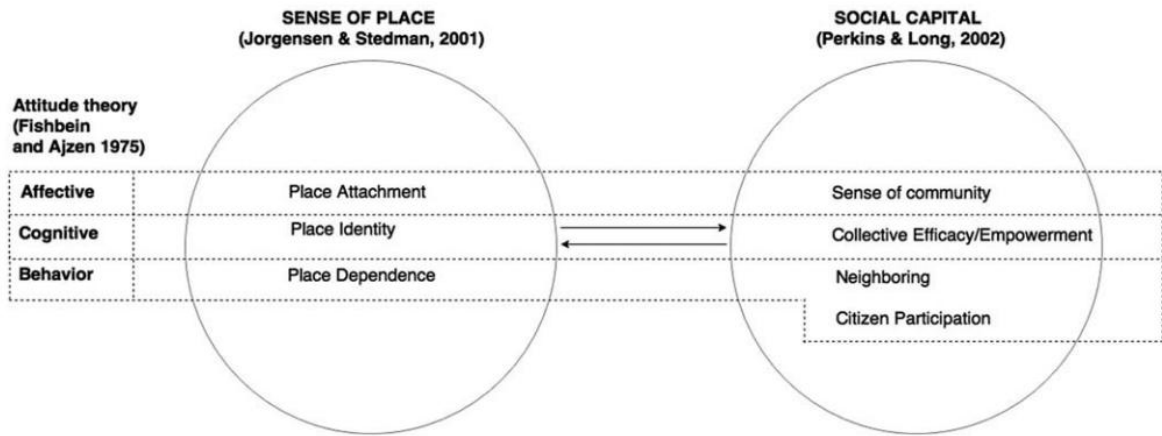
Figure 2. How People and Communities Connect to and Attach Meaning to Specific Geographic Locations (Emotional, Cultural and Personal Bonds) – Acedo, Painho & Castelyn 2017

In Namibia, the concept of elders has evolved into village councils which in turn have transcended into the conservancy structure, which, as a people's council, embodies the informal but structured governance system within many rural communities in the country in particular, and in the southern African sub-region as a whole. These conservancies are not merely administrative bodies but are deeply embedded in the social fabric of their communities, reflecting a sophisticated integration of traditional values with the demands of contemporary governance. These conservancies (or CBNRM associations, forums or trusts, depending on the country), which are in fact small CBOs, formally organize community governance over natural resources by serving as the primary CBNRM decision-making body within indigenous communities (Muchapondwa & Stage, 2015). They are responsible for creating policies, managing community resources, overseeing day-to-day administrative tasks and ensuring their sustainability. They operate based on a blend of customary laws and contemporary legal frameworks, ensuring that governance practices are both community-centered, culturally relevant and legally sound. Through regular meetings and community consultations, they facilitate democratic participation, allowing community members to have a voice in decisions that affect their lives. This participatory (rather than representative) approach is designed to ensure that governance is transparent, accountable, and reflective of the community's collective will.

Customary laws are based on the traditional practices, beliefs, and values of the rural community, and often cover a wide range of issues (i.e., land use, water access, environmental stewardship, social conduct, conflict resolution), guiding the CBOs within its jurisdiction to focus their efforts on these areas. The Community Leaders Network (CLN) of Southern Africa, as the umbrella embodying these CBOs, represent local communities in negotiations with external entities, including government bodies, private corporations, and international organizations. This role is key in safeguarding indigenous rights, lands, and resources. CLN negotiates on behalf of its members to ensure their involvement in any natural resource-based activity likely to affect their lives. Through advocacy, CLN works to secure

96

legal recognition of indigenous lands and rights and gain equitable benefits from resource development within their territories. By maintaining a degree of self-governance and asserting their rights in external negotiations, CLN upholds the political autonomy of its communities, allowing them to make decisions that affect their future independently.

Table 2. Distinctions and Relationships between Regulatory Frameworks and Social Norms (Source-Author*[1])

Aspect	Regulatory Frameworks	Cultural Norms
Definition	<u>written</u> rules and standards created by governmental bodies to control activities within a specific sector / guide public behavior	<u>unwritten</u> rules and expectations that guide behavior in society, maintained through traditions and social pressures / guides individual behavior
Key Characteristic	<u>legally</u> enforceable through sanctions, fines, or legal actions; designed to address specific, technical issues.	<u>socially</u> enforced through approval, disapproval, and other forms of social pressure; reflective of a society's values and beliefs. influence and are influenced by regulatory frameworks but are enforced socially rather than legally.
Comparison and Interaction	<u>structured</u> approach to governance, with clear, formalized procedures and consequences. can also be influenced by cultural norms, and vice versa, as legal systems adapt to societal values and norms can shape or resist regulatory changes.	<u>adaptive</u> form of social governance.

3.3 CSOs and Institutions

3.3.1 CSOs

CSOs are a wide range of organizations, including non-governmental organizations (NGOs), advocacy groups, charities, non-profit organizations, and CBOs, among others. They operate across various levels, from local to global, and cover a wide array of issues such as human rights, environmental protection, health, education, and social justice. CSOs are characterized by their operational independence from the state, although they may receive funding from government sources, private donations, or international aid. Their primary aim is to serve the public interest and advocate for social

change, policy reforms, and community development. CBOs are a type of CSO that operate at the local level and are deeply rooted in the communities they serve. They are typically organized around specific local issues and are often led and staffed by members of the community. CBOs' activities are directly responsive to the immediate needs and concerns of their community, such as local health initiatives, education programs, small-scale infrastructure projects, and environmental conservation efforts. The strength of CBOs lies in their intimate understanding of local contexts, cultures, and needs, allowing them to effectively mobilize local resources and knowledge to address issues.

In terms of (a) scope, while CSOs can operate at local, national, or international levels, CBOs specifically focus on local community levels; (b) function: both CBOs and broader CSOs aim to address social issues, advocate for change, and improve community well-being, but CBOs do so with a direct focus on local needs and community engagement; (c) membership: CBOs are typically comprised of community members and rely heavily on local volunteerism and participation, whereas CSOs, especially those operating at national or international levels, may have professional staff and broader membership bases. In essence, all CBOs can be considered CSOs, but not all CSOs are CBOs, as the term CSO includes a broader range of organizations with diverse scopes and operational scales. The distinction primarily lies in their scope of operation and focus areas, but they share the broader goal of addressing issues of public concern and improving the well-being of their communities or specific groups within those communities.

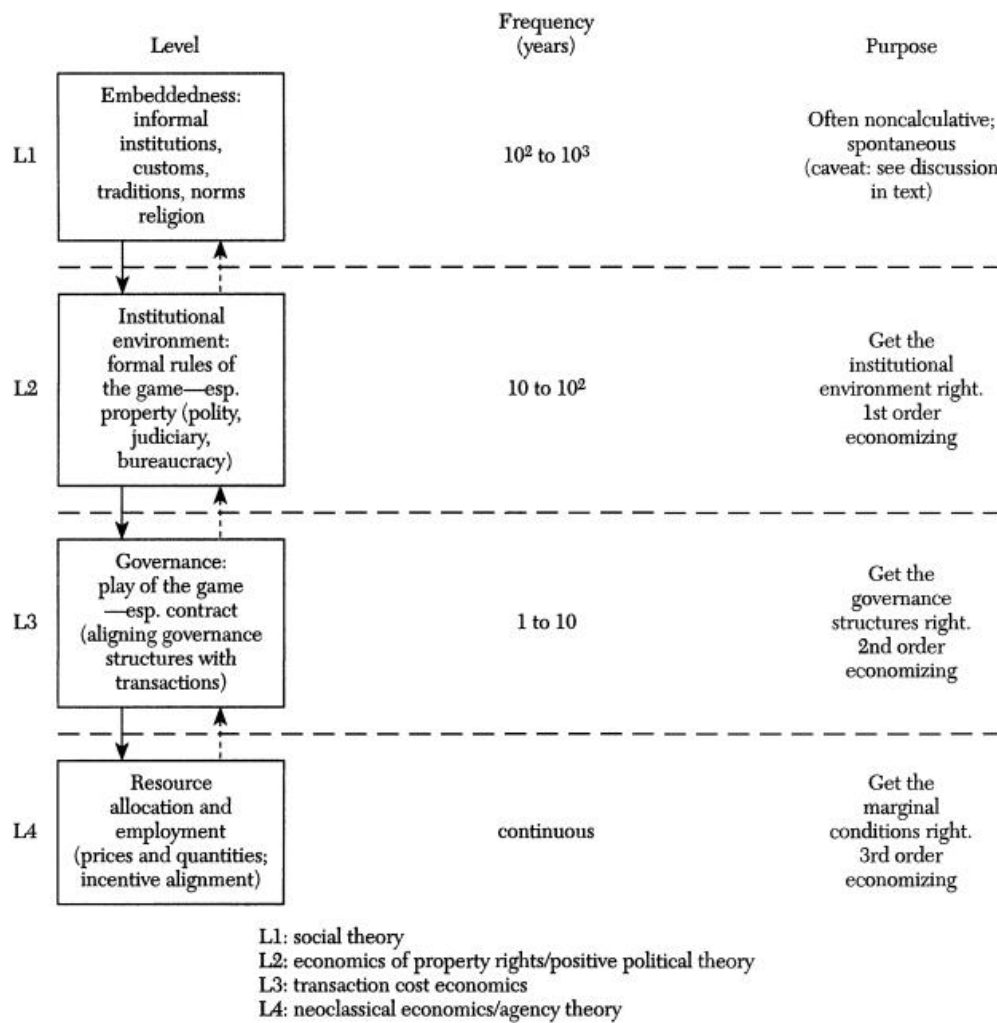3.3.2 Influence of Institutions on CSOs

Level	Frequency (years)	Purpose
L1 Embeddedness: informal institutions, customs, traditions, norms religion	10^2 to 10^3	Often noncalculative; spontaneous (caveat: see discussion in text)
L2 Institutional environment: formal rules of the game—esp. property (polity, judiciary, bureaucracy)	10 to 10^2	Get the institutional environment right. 1st order economizing
L3 Governance: play of the game —esp. contract (aligning governance structures with transactions)	1 to 10	Get the governance structures right. 2nd order economizing
L4 Resource allocation and employment (prices and quantities; incentive alignment)	continuous	Get the marginal conditions right. 3rd order economizing

L1: social theory
L2: economics of property rights/positive political theory
L3: transaction cost economics
L4: neoclassical economics/agency theory

Figure 3. Economics of Institutions (Williamson, 2000)

CSOs operate at the intersection of formal and informal institutions, navigating the regulatory landscapes and cultural contexts within which they work. These parameters can either enable or restrict the effectiveness and focus areas of CSOs, often in complex and context-dependent ways.

Formal institutions, particularly the regulatory environment and legal frameworks – primarily in urban contexts with representative application in rural settings, what Ribot calls "top-down rural administration" (Ribot, 2003) – determine the operational boundaries for CSOs, dictating how they can be formed (legal status), the scope of their activities, and their compliance requirements.

Laws and regulations related to funding, advocacy, and international cooperation can greatly influence the scope of activities CSOs can engage in and the strategies they employ. In some jurisdictions, regulatory frameworks require CSOs to register with the government and report on their activities and finances, which can be both an enabling mechanism, providing legitimacy and the ability to receive

funds and other resources, and a constraining factor, imposing administrative burdens and limiting operational autonomy.

Informal institutions such as socio-cultural norms and values – primarily in indigenous and rural contexts but passively integrated in modern organisations – shape the missions, strategies, and community engagement approaches of CSOs. These institutions influence what is considered legitimate, valuable, and effective within a given cultural context and shape the types of issues and initiatives CSOs prioritize, how they engage with communities (community outreach methods), the strategies they employ to mobilize support and advocate for change, and how they navigate challenges and opportunities. To ensure community support and engagement, CSOs often align their missions and strategies with the prevailing cultural norms or community values, leveraging these as strengths in their advocacy and development efforts. In communities where collective decision-making is valued, CSOs that adopt participatory approaches in their projects find greater community support and engagement. For example, a CSO operating in a community with strong norms favorable to meat consumption may find broad support for initiatives promoting conservation hunting. Similarly, cultural attitudes towards volunteerism and philanthropy – as depicted in a narrative below – can affect the resources available to CSOs and their strategies for engaging with the community. Strong community solidarity and trust in CSOs also facilitate grassroots mobilization and support for CSO initiatives, enhancing their impact. Conversely, strategies that ignore or contradict local norms and values may face resistance, limiting the organization's effectiveness and impact. Mistrust of external interventions or rigid social hierarchies would hinder CSO efforts to engage communities and implement change. While in countries with supportive regulatory environments for CSOs, such as tax exemptions and the protection of freedom of association, CSOs thrive, diversify their activities, and play a significant role in policy advocacy, service delivery, and community development, in settings where there is significant societal stigma associated with certain issues (e.g. albinism (Note 3), sexual orientation and gender identity (Note 4), disability (Note 5), mental health disorders (Note 6), HIV/AIDS (Note 7), etc), CSOs working on these issues may struggle to gain community acceptance and participation, limiting their effectiveness in addressing these challenges.

Table 4. Negative Functions of Trust, Lack of Trust and Distrust - adapted from (Stern & Baird, 2015)

Trust type	Negative function
Distrust	Unproductive conflict; withholding information; sabotage; withdrawal
Lack of trust	Apathy; withdrawal
Trust	Apathy; complacency

In the context of environmental governance and common-pool resources, Dolšak and Ostrom introduce the notion of "bounded rationality", emphasizing that individuals or groups managing shared resources

do not have the capacity to know all potential strategies, outcomes, or the full consequences of their actions. Instead, they operate within the constraints of their knowledge, experiences, and the information available to them, making decisions that are rational within these limits (Dolšak & Ostrom, 2003). This perspective is critical in understanding how communities self-organize and govern common resources effectively despite the complexity of the environment and the limitations in information and cognitive processing capabilities.

By focusing on the incentives created by different institutional arrangements and the nature of goods involved, and given the preferences and constraints, individuals (and by extension, CSOs) make choices that they believe will maximize their utility (Salazar & Lee, 1990). While this utility may include various factors such as wealth (Cust, 2018), achievements or happiness, in the case of communities, it includes access to communal resources (Cottrell, Vaske & Roemer, 2013), satisfaction (Guthiga, Mburu & Holm-Mueller, 2008), food security (Note 8) (Muyengwa, 2015), environmental sustainability (Adeleke, Ogunsusi & Alayande, 2018; Zhang et al., 2020), cultural preservation, and collective well-being. These community-focused utilities reflect broader, more integrated outcomes that go beyond individual gains, emphasizing the health, stability, and prosperity of the group as a whole. As communities navigate through various options and decisions, they weigh the benefits to collective social capital, trust, and resilience against the costs, aiming to enhance the overall quality of life and ensure the long-term viability of their communal ecosystem. This perspective aligns with the principles of social capital theory suggesting that the networks, norms, and social trust that facilitate coordination and cooperation for mutual benefit are crucial for societal progress and individual well-being within the community framework. This is supplemented by the rational choice theory that retains that rationality is instrumental and based on the idea that individuals use reason to select the best means to achieve their ends. It does not necessarily imply that individuals always make the best decisions, but that their decisions are systematically aimed at maximizing their utility, given their knowledge and constraints. Additionally, social expediency (Note 9) theorists contend that actions, policies, and societal structures should be evaluated based on their practical outcomes and benefits for society, emphasizing the importance of social utility, practicality, and the greatest good for the greatest number.

Table 5. Trust Types and Their Bases and Examples of How They Buffer Disturbances to other Trust types (Stern & Baird, 2015)

Trust type	Basis	Primary function	Common disturbances	Examples of buffering
Dispositional				
	Predispositions of individuals to trust or distrust; based on personal histories, general hearsay, and innate tendencies	Baseline from which trust and/or distrust can be built or eroded	Prior histories; external events	Rational: effective performance can shift negative dispositions Affinitive: positive personal relationships can shift negative dispositions Systems based: fair and transparent procedures can allow for initial risk-taking despite negative dispositions
Rational				
	Contingent on evaluations of likely outcomes of potential trustees' predicted behavior; based largely on assessments of prior performance and cost/benefit analysis of likely future performance	Enables agreement on actions, information sharing, learning, and adaptation	Performance failures; alternative means for reaching personal goals	Affinitive: positive personal relationships can speed recovery following performance failures and can provide greater weight to certain alternatives for reaching goals Systems based: agreed-upon procedures may be in place for addressing performance failures
Affinitive				
	Contingent on perceptions of shared values or other affinity with potential trustees; often developed through positive direct interactions in which responsiveness and active listening have been demonstrated	Enables agreement on actions, information sharing and deeper levels of learning, adaptation, and potential transformation	Turnover of personnel; competing relationships; values-based failure (lapse of integrity)	Rational: effective performance can keep people involved, even if personal relationships are not developed effectively Systems based: fair and transparent procedures can allow new participants to focus on building relationships, rather than burning energy understanding or reinventing a process; procedures may include specific practices for developing relationships with new participants
Systems based				
	Fair and transparent procedures buffer individuals' degree of risk in potential trust relationships	Lessens the importance of other forms of trust; individuals can work together with less interpersonal trust if systems-based trust is high	Changing policies, leadership, funding, or goals of an organization or system; catastrophic environmental change	Rational and/or affinitive trust between people or for an organization can allow groups to move forward and directly address system changes together through social and/or organizational learning

3.4 Case studies: Community Leaders Network (CLN) of Southern Africa and more

The Community Leaders Network (CLN) of Southern Africa is a CBO engaged in civil society activities at a regional level. Dedicated to empowering local communities through capacity building, CBNRM development projects, and advocacy for community rights, it operates across fifteen countries in Southern Africa, thereby navigating a complex landscape of formal and informal institutions. This case study briefly explores how CLN adapts its operations within these frameworks to achieve its mission.

CLN is deeply rooted in rural communities engaged in biodiversity and natural resource management, and stands as a vast network representing millions of people in southern Africans. For instance, using Zambia as a microcosm, we observe a country with nearly 21 million people (Worldometer, 2024), 54.24% of which reside in rural areas (World Bank, 2024) deeply integrated with the nation's rich biodiversity that occupies about 40% of the country's land area (Lubilo, 2024)

CLN is structured around various local groups and committees across multiple biodiverse regions, including 86 community resource boards, 265 community forest groups, numerous fishery groups and cooperatives, each serving as a vital link between the rural populace and the organization's overarching goals. These structures support farmers and residents across rural areas and collectively embody the organization's substantial footprint in rural community advocacy and environmental stewardship.

> **The vast and varied nature of CLN's membership makes it challenging to pinpoint an exact figure of its reach. However, it's reasonable to assert that our impact extends to more than 40 million people within the region. This estimation reflects the extensive network and influence CLN holds, emphasizing not just the numbers but the vast swathes of communities and individuals dedicated to biodiversity and sustainable development in Southern Africa. This demographic forms the backbone of CLN's representation, embodying the movement's reach and influence across vast ecological and community landscapes. – P2**

In terms of governance, CLN operates as a networked movement (Note 10) where each participating country, such as Zambia through its CBNRM program, elects leadership to represent its interests within the larger CLN framework. This structure expands to include representatives from various countries within the Southern African Development Community (SADC), furthering the network's reach and inclusivity. Initially starting with seven countries (Zambia, Namibia, Tanzania, Botswana, Mozambique, Zimbabwe, Malawi), the network expanded to include Angola and South Africa and has since grown to extend to Mauritius, Seychelles, the Democratic Republic of Congo (DRC), Eswatini, Lesotho, and Madagascar, with ongoing efforts to include more. Each country within CLN designates a focal point person, who acts as the main contact (Note 11) and representative for their country's interests within CLN. These focal points collectively form the core leadership of CLN, steering the movement's direction and strategies and ensuring that each member country's perspectives and priorities are integrated into the network's overarching goals and initiatives. This structure is central to CLN's operations, facilitating a cohesive and unified approach to environmental conservation and community empowerment across the region.

At the secretariat level, the personnel serves in permanent capacities as volunteers, contributing to the network's day-to-day operations and strategic initiatives. This tiered structure of governance, from local community groups to the network-wide leadership assembly, underscores CLN's commitment to a collaborative approach in advancing the interests and rights of rural communities throughout Southern Africa, marking the second institutional function as a cooperation enabler.

> **CLN is governed by an Executive Committee composed of representatives from the initial seven countries that founded the network. This committee includes Lubilo (Zambia), Louis (Namibia), Lungile (Zimbabwe), Montero (Mozambique), Kamuna (Tanzania), Sioka (Botswana), Langa (Malawi), and Shepeta (Angola). This core group, which convenes monthly, is not compensated for their roles within CLN; we volunteer our leadership and oversight for the betterment of the network and its mission. – P2**

Its small staff (4) and high reliance on volunteerism corresponds to a typical CBO membership.

> **Operational support for CLN is provided by a small secretariat based in Windhoek, a location chosen by the committee but subject to change as deemed necessary. The secretariat staff includes a finance manager to oversee financial operations and a CLN coordinator, who handles day-to-day activities much like a secretary would. In a recent expansion of our team, we decided to hire a Director for CLN and an IPLC (Indigenous Peoples and Local Communities) Officer, bringing our key staff count to four. Additionally, we may employ [a] monitoring and evaluation officer […], integrating them into CLN's broader operational framework. – P2**

3.5 How Does CLN Navigate Formal Institutional Frameworks?

3.5.1 Maximizing the Favoring Climate towards CBNRM in Southern Africa

CLN operates in a region characterized by diverse legal environments. These range from countries with well-established legal protections for civil society and community rights (i.e. Zimbabwe, Botswana) to those where civil society faces significant legal constraints (t Sas-Rolfes, 2017). The organization therefore tailors its activities to comply with the varying legal requirements across these jurisdictions.

> **The structure of CLN participation varies significantly across regions due to the diverse legal and organizational frameworks governing institutions in each country. For instance, in Botswana, our members might operate under a trust that deals with natural resource management, while in Namibia, engagement could involve NGOs, conservancies, community forests, or inland fisheries communities. This diversity is reflected in how we represent and integrate these different entities within CLN, often through national forums or associations like NACSO in Namibia. Moreover, each country within CLN showcases a wide range of environmental focuses and community types—from maritime communities in Mozambique to desert and forest communities in other areas—further emphasizing the tailored approach we must adopt. We encourage these diverse groups to engage in their national forums or equivalent platforms, ensuring that their unique perspectives and challenges are represented and addressed within the broader CLN framework. – P1**

In countries with supportive legal frameworks for civil society, CLN engages openly in advocacy work, utilizing legal channels to advance community rights and environmental protection.

> **In Zambia, the [national CBNRM forum] took the government to court, a move that saw muted support from allies. Everyone else was very adamant that you can't take government to court. You won't be able to work with the government anymore. We said, no, it's not about working with the government because the government should be the first institution to respect the law.   And if it is breaking the law,   then we need to seek redress. We need to seek justice. The government is not immune from the law, it's   supposed to be accountable for his decision.   So we are taking the government to court. When we succeeded,   everyone else's head is up, telling us you are brave guys. You can see how hypocrisy operates.   Even our friends were against that, but we stood firm. We said, guys, it's our issues, our countries, our people.   I mean, it's our government and these governments are not permanent. They will change. We had several governments before this one, so let's suffer now,   and enjoy the future.   So we took a decision, but it was very unpopular with others because they were,   they didn't want, but now that we won,   everyone has come back to talk to us. – P2**

3.5.2 Rules Do Have Exceptions, and as Climate Changes, so Does the Sunny Weather in CBNRM Land

Although CLN's deep engagement with both formal and informal institutions presents opportunities for amplifying its impact, it also poses challenges that toughen its ability to navigate formal institutional hurdles. Nevertheless, the network benefits from a regulatory environment that partially supports its cause, as CLN has built strong relationships with communities, enhancing its legitimacy and the sustainability of its initiatives.

> **While each country has its unique challenges, instances like our legal action against the Zambian government highlight the dynamic nature of these relationships. Nevertheless, governments in Southern Africa, notably Namibia, Zimbabwe, Botswana and Tanzania,   have generally supported initiatives that align with CLN's mission. Even when conflicts arise, the underlying belief in community empowerment and the value of CBNRM remains a common ground. While Zambia supports community initiatives and the essence of our work, conflicts have occasionally led to negative feedback concerning community empowerment. The concern is that empowered communities might pose challenges to authority. However, aside from these instances, there has been a robust commitment to our causes, especially before the transition to the new government. This demonstrates a belief in the value of our work, despite occasional apprehensions about the implications of strong community agency. – P2**

In countries with restrictive laws governing civil society activities, CLN focuses more on capacity building and development projects, maintaining a lower profile in advocacy work to navigate legal constraints effectively. In scenarios where a country may be under authoritarian rule or experiences a coup, the dilemma arises whether to continue operations (Bogaards & Elischer, 2016). CLN's stance is

to persist in its support for community and conservation efforts without directly engaging in national political dynamics. This approach allows the network to maintain its focus on environmental and community challenges, which often mirror those across its member countries, exemplified by its work with communities around Virunga National Park amidst political unrest in the DRC.

> **It would be a different story if we have a dictatorship government in a country. Should we stop working in that country? I don't think we've reached that level   because we are not SADC or ECOWAS or African Union. We are communities.   So if we go to Gabon, if Gabon became a member,   we still support them, even if there is a military coup. Our priority remains on conservation and community empowerment, steering clear of direct involvement in national politics, as we do in the DRC, despite the instability that you know about. – P2**

3.5.3 Conservation Politics

CLN operates in a realm where conservation intersects with politics, not by engaging in political activity but through influencing policy indirectly—a form of <u>conservation politics</u>. It's essential to distinguish between national politics and conservation politics. CLN's focus lies squarely on conservation matters, and the network remains neutral regarding the broader political landscape of a country. Its engagement with governments is driven by conservation needs. By advocating for its conservation agenda, CLN aims to influence leadership to prioritize these issues. For example, in 2016, it emphasized to Zambia's then-government the critical need for implementing the conservation policies the people of Zambia required, demonstrating the principle that the governmental tenure also depended on meeting rural needs. This episode served as a reminder that political leaders must align with conservation priorities, or face potential electoral repercussions. The communities' message was clear: "heed our conservation demands, for the time may come when your political survival depends on such actions". As history unfolded, those not adhering to this advice found themselves out of office. Accordingly, doing right by the people, including on conservation matters, isn't just ethical—it's politically prudent. Failure to act correspondingly carries its own set of consequences, reinforcing the communities' stance that meeting conservation needs is non-negotiable.

> **We told our previous government in Zambia in 2016 to give the people of Zambia the policy, because if you don't give them the policy they need, the time will come when the people decide whether they keep you in office or not.   And that was like politics of the nation, right? But we are bringing our conservation agenda to the politicians that, do what we are asking you to do, because if you don't listen, it's fine. Time will come when you will need us. And they are out of power now. History has taught us.   Do the right thing for the people. If you don't do the right thing, five years is coming. – P2**

CLN adapts to socio-political shifts within member countries by engaging with new governmental bodies and representatives, thereby fulfilling the first institutional function of uncertainty reduction. For

instance, electoral changes bringing new parliamentarians necessitate recalibrating its communication strategy with in-coming leaders. The Zambian CBNRM forum leverages its December conference to gather various players, including influential diplomats, to communicate the organization's mission, align on conservation goals and community empowerment and forge constructive relationships.

> **Whenever there's a change in leadership, it's crucial at both national and regional levels to introduce CLN's vision to the new government and initiate dialogue with the new administration. To stay responsive to the inevitability of political fluctuations, we recognize the importance of a robust research and monitoring framework to ensure we remain informed about current events and are equipped to address any potential hurdle. Ultimately, CLN is committed to cooperating with all governments in the region, adapting our strategies to maintain our mission amidst varying political landscapes. – P2**

However, acceptance of this vision isn't guaranteed, leading to potential challenges (Elischer, 2010). This was the case in Zambia again, where the incoming leadership had divergent interests, prompting efforts to engage in private discussions to convey the broader implications of CBNRM activities. Such situations highlight the political nature of the network's engagements.

3.5.4 Negotiating with Institutional Powers

A fundamental aspect of our strategy involves collaborating with governments. CLN represents the community in legal and political arenas, advocating for indigenous rights and sovereignty. Their legitimacy and structured governance enable them to engage effectively with external powers. Contrary to some misconceptions, working with governments does not preclude disagreements; it's about engaging constructively to influence policies and legislation that affect CBNRM. Governments play a critical role in creating the legal frameworks and environments conducive to CBNRM, and as signatories to various environmental and social treaties, their involvement in the dialogue is crucial.

> **We work with governments, and that is where people miss it. Because they think that working with government, you can't disagree.   No, you can disagree, but you should still work together. Why government is important? They make laws, preside, have a duty to create an enabling environment for CBNRM staff to survive. They are signatories to these treaties.   So we need to bring them to the discussion. So it's our primary responsibility as CLN to work with them. […] I know that Zambia have had issues because of our conflict.   They believe in communities. They believe in all this thing we do. But just because there was that issue, obviously, I'm being honest with that sometimes they might give some negative feedback when it comes to community empowerment, because they think that when communities become very strong, they can challenge them. Apart from that and prior to the new government,   the government had a very strong commitment. – P2**

Acknowledging external influences, including media narratives and government positions, is part of

navigating the landscape we operate within. Our approach adapts to these circumstances, ensuring we avoid metaphorical fires by addressing challenges strategically. Our current government recognizes the necessity of collaboration with the people, a principle enshrined in law, mirroring the evolving dynamics between employers and employees where the latter now have the right to challenge unfair practices. In an ever-changing environment, influenced by external factors such as media, government actions, or agendas from our partners, our organization remains agile, ready to adapt to these shifts. We understand that facing challenges head-on without strategy can be detrimental, likening it to walking into fire. Our approach involves either extinguishing these challenges or navigating around them to continue our mission.

> **So even our current government, I think they realized that we have to work together. There is no choice. The law provides for that government to work with the people. It's just like the employer and employee. In the old times, people didn't think that an employee can sue his employer. So sometimes, there is external influence.   As an organization that is not dead,   we have to be able to adapt to   the situations.   So if you see fire, you can't just walk into it   because you get burnt. So you have to find a way of extinguishing it off or walking around the fire so that you proceed with your journey. – P2**

Despite external pressures, CLN remains committed to its chosen path, guided by the principle of partnership and mutual respect with all stakeholders, including governments, which is likened to the evolving relationship between employer and employee. This adaptability and steadfast commitment to our principles ensure we continue advancing our mission effectively.

> **Despite potential influences or pressures from various external sources, we remain committed to our chosen course, firmly believing in the integrity and importance of our path. This steadfastness guides our actions and ensures we stay true to our core values and objectives, irrespective of the challenges we may encounter.   – P2**

This approach underscores the strategic positioning of CLN's conservation agenda within political discussions, not to sway political outcomes but to ensure environmental and conservation priorities are addressed. The network conveys to political leaders the importance of acting on conservation commitments, hinting at the broader implications of neglecting such areas. History has shown that leadership can change, and rural communities use these lessons to remind current governments of the importance of fulfilling conservation promises to maintain public support and meet environmental objectives.

3.5.5 Complying for Peace

When it comes to compliance, understanding and complying with the legal requirements in each country—such as registration processes, financial reporting, and restrictions on international funding—are crucial for CLN's operations. This compliance ensures that CLN can operate without

legal impediments, enabling it to focus on its mission. CLN's initiatives are deeply integrated with the broader societal values and government policies of the countries the network operates in, ensuring it doesn't function in isolation.

> **In Namibia, our activities align with the Ministry of Environment, Forestry, and Tourism's policies, reflecting national conservation and development goals. This alignment with governmental policies is a critical aspect of our work across all countries where we have a presence. – P1**

Moreover, when individuals or organizations apply to join CLN, the network evaluates how their work complements the developmental policies and strategies of their respective countries. It's essential for CLN that its members support and advance their country's national plans rather than work in opposition to them (Louis, 2024). This approach ensures that CLN's efforts are cohesive and contribute positively to the collective progress and environmental stewardship within each country.

> **For instance, if you become a member - in the membership application we ask […] how is your organization aligned with the development policies in your country? Because we don't want people to work against their country's national plans and strategies. We want to make sure that we move together in one direction. – P1**

CLN leverages a <u>multi-tiered approach</u> to engage broader society and those not directly involved in its primary activities, relying heavily on the role of focal and national focal points. These points are crucial for disseminating advocacy training through a "train the trainers" model, where they're equipped with advocacy skills to further educate their institutions at the national and membership levels. This strategy aims to bolster advocacy efforts within various contexts and structures unique to each country.

3.6 How Does CLN adapts to Informal Institutions?

The effectiveness of CLN's initiatives also depends on its ability to navigate and respect the informal social norms and cultural traditions of the communities it serves. These norms influence community engagement strategies and the support CLN receives from local populations.

> **In instances like my scheduled visit to Eswatini for a CLN meeting, we had to reschedule due to the king's attendance at an annual cultural event in the same area. Such occurrences require us to adapt and show respect for the local traditions and schedules. In this case, our ability to flexibly reschedule reflects our respect for the host country's cultural practices, showing the importance of sensitivity and adaptability in our operations. - P2**

Local institutions play a critical role in community adaptation strategies, underscoring the importance of integrating traditional knowledge and practices in addressing environmental challenges (Agrawal, 2008). Indigenous-led movements benefit from the support of both formal and informal indigenous institutions, leveraging traditional governance structures, cultural practices, and community norms to mobilize support, frame their issues, and negotiate with external entities effectively. In CLN's areas of

operation, traditional leadership structures are highly respected. CLN works closely with local leaders to gain community buy-in for its projects. Traditional community assemblies and councils serve as platforms for discussing issues, planning actions, and rallying community members. These gatherings are often rooted in cultural practices, enhancing their legitimacy and the willingness of community members to participate.

> **In cases where we need community consent, such as for a protest or advocacy letter, before dispatching letters to governments, we ensure there's preliminary consent involved. The process involves extensive travel and in-person consultations—sometimes covering distances of 500 to 600 kilometers—to explain the situation directly to the community members and obtain their genuine consent. This method ensures the concerns we present are truly reflective of the community's sentiments. – P1**

By aligning its initiatives with local values and involving community leaders in the planning and implementation phases, CLN ensures its projects are culturally sensitive and more likely to succeed. It leverages social norms around community solidarity and cooperation to mobilize support for its initiatives. For instance, by organizing community meetings in a manner consistent with local traditions, CLN fosters a sense of ownership and collective responsibility for the success of its projects. Added to the network's reliance on focal points, the third institutional function of <u>facilitating predictable interactions</u> by establishing a consistent set of expectations for behavior is exhibited. CLN prioritizes inclusivity and representation across the diverse communities it aims to engage with.

> **CLN operates as a coalition of community groups from various countries, founded on strong values and a shared commitment to environmental stewardship and community empowerment. Our decision-making process is characterized by participation and inclusivity, embracing a collaborative approach where responsibilities and opportunities to represent CLN at various forums are distributed among members. This includes not only executive committee (EXCO) members but also extending invitations to non-EXCO members from within our network, such as Chifundo from Malawi for UNEP engagements and Fatau from Botswana on indigenous issues, reflecting our broad-based representation. – P2**

In sum, CLN exemplifies how civil society organizations can navigate complex formal and informal institutional frameworks to achieve their objectives. Through a controversial method encompassing (a) strategic compliance with legal systems, (b) firm negotiations with political authorities and (c) sensitivity to social norms, CLN has managed to empower communities and advocate for their rights effectively, despite the challenges posed by diverse and sometimes restrictive environments. This case study highlights the importance of flexibility, local knowledge, and community engagement in the success of civil society initiatives in varying contexts.

3.6.1 The Standing Rock Sioux tribe and the Dakota Access Pipeline protest

The protest against the Dakota Access Pipeline (DAPL) by the Standing Rock Sioux tribe and its allies is a prominent example of an indigenous-led activism that leveraged both formal and informal institutions. The Tribal Council played a crucial role in organizing the protest, engaging in legal battles, and coordinating with environmental and human rights organizations. Simultaneously, the movement drew on informal institutions, such as cultural ceremonies and the mobilization of indigenous social networks, to sustain the camp and galvanize global support. The cultural framing of the protest around the protection of water and sacred lands resonated deeply within and beyond the indigenous community, illustrating the power of culturally resonant framing.

3.6.2 The Zapatista Movement in Mexico

The Zapatista movement in Chiapas, Mexico, is another example of an indigenous-led movement that effectively utilized indigenous institutions. The movement's governance structure, the Juntas de Buen Gobierno (Good Government Councils), reflects a blend of traditional Mayan governance practices and revolutionary ideology. While using formal institutions to coordinate the administration of Zapatista autonomous municipalities, its informal networks and assemblies mobilized support and engaged the broader community.

Institutions are central to the effectiveness of indigenous-led movements. By providing structures for organization and decision-making, avenues for mobilizing support, and frameworks for culturally resonant issue framing, these institutions enhance the resilience and impact of movements. Case studies of movements like the DAPL protest and the Zapatista movement highlight how leveraging both formal and informal indigenous institutions can lead to significant achievements in the pursuit of indigenous rights and sovereignty.

3.7 The North, Wallis, and Weingast (NWW) Theoretical Framework and CLN

The NWW theoretical framework is a comprehensive model for understanding the political and economic development of societies (Douglass, Wallis, & Weingast, 2006). The framework distinguishes between two types of social orders: "natural states" and "open access orders". Natural states (limited access orders) are characterized by the system (formal institution)'s ability to limit access to economic and political privileges to a small elite group. In natural states, the elite manage conflict through personal relationships and networks, creating a stable social order by distributing privileges and resources among themselves. This system restricts economic growth and political participation to maintain the power and privileges of the elite. In contrast, open access orders allow more widespread access to economic and political activities, supporting the development of more dynamic and competitive economies and inclusive political systems. These societies have institutions that enable individuals to form organizations, including economic and political ones, relatively freely. Open access orders are associated with higher levels of economic development, political stability, and the rule of law.

The transition from a natural state to an open access order is complex and involves significant institutional changes that allow more inclusive access to political and economic systems. This transition is crucial for the development of democracy, the expansion of market economies, and the enhancement of human rights and societal welfare. North, Wallis, and Weingast argue that understanding these two types of social orders and the conditions under which societies transition between them offers key insights into the challenges and pathways of development facing different countries. Their framework provides a useful lens for analyzing historical and contemporary political and economic systems, highlighting the importance of institutions in shaping social orders.

3.7.1 Conditions under Which Societies Transition according to the NWW Framework

Norms are rooted in values that tend to resist change, and power structures change slowly because powerholders prefer not to give up their privileges (Portes, 2006). According to NWW, four conditions create a foundation for a more inclusive, democratic and economically dynamic society that support individual rights, encourage economic competition, and allow for a broader distribution of political power. The transition is gradual and requires significant institutional transformation, moving away from arrangements that privilege a small elite towards those that enable wider participation and access for the general population. The key conditions for this transition include:

a.   **Rule of Law for Elites:** In natural states, the rule of law typically applies selectively. For a society to transition towards an open access order, the rule of law must first be established among the elites themselves, ensuring that no one is above the law, including those in power.

b.   **Perpetually Lived Forms of Public and Private Elite Organizations:** This condition involves the development of stable institutions that outlive their founders, such as the state itself, political parties, and economic corporations. These institutions must be capable of existing perpetually, beyond the lives of individual leaders, and allow for the management of social organizations and resources in a predictable manner.

c.   **Consolidated Political Control of the Military:** Transitioning societies must achieve a clear separation and control over the military and its use of force. The state must have the undisputed ability to control the military, ensuring that it cannot be used by individual elites or factions to further their own interests against the rule of law or public welfare.

d.   **Open Access to Economic and Political Organizations:** Finally, the society must allow individuals and groups to form and join economic and political organizations freely. This means reducing barriers to market entry and political participation, enabling a competitive economy and a democratic political system where citizens can organize for various purposes without undue restrictions.

3.7.2 Spatial Distribution of Resource Ownership between Social Orders

The spatial distribution of ownership between social orders refers to the way in which physical spaces and resources are allocated and controlled across different social groups, classes, or strata within a society. This concept intertwines with notions of power, authority, and social organization, and reflects

broader societal dynamics and inequalities. Understanding this spatial distribution of ownership helps in analyzing the socio-political landscape, the distribution of wealth and resources, and the mechanisms of social control and exclusion. It operates through four mechanisms:

Table 3. Mechanisms of Spatial Distribution of Resource Ownership between Social Orders (Source-Author*[1])

Mechanism	Description
Legal and Institutional Frameworks	Formal laws, property rights, zoning regulations, and institutional policies are significant factors in determining who owns what and where. These frameworks often reflect and reinforce existing power dynamics, every so often favoring certain social orders over others.
Economic Factors	Economic power is a major determinant of spatial ownership. Wealthier social orders have greater means to acquire, maintain, and expand their spatial holdings, often leading to spatial segregation based on economic status.
Cultural and Historical Contexts	Historical conquests, colonial legacies, and cultural norms can dictate spatial ownership. For instance, indigenous lands are often contested spaces due to historical processes of colonization and current legal frameworks.
Social Practices and Norms	Informal norms and practices also influence spatial assignment, dictating acceptable uses of space and the informal rights to certain areas within communities, often based on tradition or social consensus.

Implications of the Spatial Distribution of Ownership

• **Social inequality and segregation:** Because wealthier social orders often have access to more and better resources, including land, housing, and amenities, it may lead to spatial segregation where different social classes inhabit distinctly different spaces. Imbalances in spatial ownership thus exacerbate social inequalities.

• **Access to resources:** The spatial segregation resulting from inadequate spatial ownership distribution directly impacts access to essential resources, including clean water, food, healthcare, and education. Communities with less spatial control would face challenges accessing these basic needs. And for those who live in biodiverse rich areas where it is assumed access to resources would be easy, political control over space may further prevent communities living closer to these resources from benefiting from them, by rendering access impossible, expensive, conditional or insufficient.

• **Political and social power:** Control over space is not just about the physical territory but also about the political and social power it represents. Owning land or controlling certain areas can enhance

a social order's influence and authority within the broader society.

- **Cultural identity and heritage:** Spatial ownership is crucial for the preservation of cultural identity and heritage, especially for indigenous and marginalized communities. Control over ancestral lands and cultural sites is vital for maintaining their cultural practices and way of life.

3.7.3 How Does the NWW Apply to CLN?

CLN, through the Zambian CBNRM Forum's action of suing the government, exemplify the application of the rule of law at an elite level. By challenging government actions deemed unlawful, the CLN member advocated for a system where even those in power are subject to the law.   Moreover, CLN's structured governance, characterized by an Executive Committee that spans various countries and the creation of permanent roles within its secretariat, reflects the development of perpetually lived institutions. These institutions, crucial for managing social organizations and resources predictably, lay the groundwork for transitioning from a limited access order to a more inclusive political and economic framework that allows for the broader participation and empowerment of the community.

While the case study does not specifically address the control of the military, CLN's efforts to engage with governments and advocate for community rights and environmental stewardship indirectly support the broader goal of establishing consolidated political control. By fostering dialogue and cooperation with governmental bodies, CLN recognizes the state's role as the primary actor in governance. By empowering rural communities and advocating for their active participation in natural resource management, CLN works towards reducing barriers to market entry and political involvement. This sort of "security co-operation" (Elischer, 2022) with actors of the political class indiscriminatory (e.g building friendly relationships with new MPs) provides the transitionary government with CLN as an alternative partner in community affairs. Coupled with its legal challenges against restrictive policies, these actions resonate with the third NWW condition for transitioning to an open access order, widening access to a competitive economy and a vibrant democratic landscape.

4. Areas for Further Research or Action

To enhance the positive impact of institutions on civil society and overall societal well-being, further research or action could focus on (a) strengthening legal protections for CSOs and indigenous rights, ensuring that formal institutions support rather than hinder civil society initiatives; (b) developing policies and social planning methodologies that are deeply informed by an understanding of informal institutions and cultural values; (c) recognizing and supporting the role of informal institutions in governance, environmental stewardship, and cultural preservation; (d) exploring strategies for enhancing the resilience and effectiveness of indigenous institutions, understanding the interplay between formal legal systems and informal cultural norms; (e) identifying best practices for civil society engagement that respects and leverages these institutional dynamics; (f) facilitating the exchange of knowledge and strategies among CSOs and indigenous movements globally to strengthen their impact. Further study on the global challenges facing southern African indigenous institutions and

114

movements, such as climate change and globalization, could provide valuable insights into supporting the vitality and effectiveness of these crucial societal pillars.

5. Conclusion

Institutions, both formal and informal, play crucial roles in structuring social, economic, and political life by establishing the rules and norms that guide individual and collective behavior. The principal function of institutions is to reduce uncertainty by setting stable expectations for the behavior of others. This is achieved through mechanisms of constraint, enabling, and incentivizing certain actions over others, thereby facilitating cooperation, coordination, and predictability within society. CSOs operate within the constraints and opportunities presented by both types of institutions, which parallelly shape the activities of CSOs in numerous ways. They can enable or constrain CSOs in their efforts to mobilize communities, advocate for change, implement programs, frame their issues, and negotiate with external entities effectively. Formal institutions, such as regulatory frameworks and legal systems, define the operational boundaries for CSOs, dictating how they can be formed, how they must report their activities, and what activities they can engage in. These regulations can influence the scope of work, fundraising capabilities, and advocacy strategies of CSOs. Informal institutions, such as cultural norms and values, can shape the missions and methods of CSOs by influencing what causes are considered important and how societies believe these causes should be addressed. They embody the resilience and adaptability of local communities, ensuring the transmission of cultural values and practices despite the threats of assimilation and resource exploitation.

However, institutions are not just passive backgrounds against which civil society operates but are also actively shaped and reshaped by CSO activities. Through advocacy, service delivery, and community engagement, CSOs can influence the evolution of institutions, advocating for reforms that enhance social equity, environmental sustainability, and economic development. Such is the case of CLN's activities and governance, which can be viewed through the NWW theoretical framework as efforts to move the societies within Southern Africa towards open access orders. By advocating for the rule of law, institutionalizing its operations, engaging with governments for political control, and working to open economic and political organization to broader participation, CLN is addressing the critical conditions for societal transition outlined by NWW. This case study illustrates the complexities and challenges faced by civil society organizations in navigating both formal and informal institutions in their quest for community empowerment and sustainable development within the NWW framework.

References

Acedo, A., Painho, M., & Casteleyn, S. (2017). Place and city: Operationalizing sense of place and social capital in the urban context. *Transactions in GIS*, *21*(3), 503-520. ttps://doi.org/10.1111/tgis.12282

Adeleke, B. O., Ogunsusi, K., & Alayande, A. (2018). Resident's Satisfaction with Environmental

Resources Utilisation in an Unprotected Forest Area. *Proceedings of 6th NSCB Biodiversity Conference; Uniuyo* (Vol. 193, p. 199).

Agrawal, A. (2008). *The Role of Local Insitutions in Adaptation to Climate Change*. Retrieved from https://landscapepartnership.org/maps-data/climate-context/cc-resources/ClimateSciPDFs/SDCC WorkingPaperLocalInstitutionsupdated.pdf/app-download-file/file/SDCCWorkingPaperLocalInstit utionsupdated.pdf

Bogaards, M., & Elischer, S. (2016). Competitive authoritarianism in Africa revisited. *Democratization and competitive authoritarianism in Africa*, 5-18. https://doi.org/10.1007/978-3-658-09216-0_2

Coghlan, A. (2012). Linking natural resource management to tourist satisfaction: a study of Australia's Great Barrier Reef. *Journal of Sustainable Tourism*, *20*(1), 41-58. https://doi.org/10.1080/09669582.2011.614351

Collier, P. (2018). The Institutional and Psychological Foundations of Natural Resource Policies. In *Why Does Development Fail in Resource Rich Economies*. Routledge. https://doi.org/10.4324/9781315179445-4

Cottrell, S., Vaske, J. J., & Roemer, J. (2013). Resident satisfaction with sustainable tourism: The case of Frankenwald Nature Park, Germany. *Tourism Management Perspectives*, *8*, 42-48. https://doi.org/10.1016/j.tmp.2013.05.005

Cust, J. (2018). The role of governance and international norms in managing natural resources. *Extractive Industries*, 395. https://doi.org/10.1093/oso/9780198817369.003.0019

Dolšak, N., & Ostrom, E. (2003). The challenges of the commons. In *The Commons in the New Millenium: Challenges and Adaptations*. https://doi.org/10.7551/mitpress/1945.001.0001

Douglass, N., Wallis, J. J., & Weingast, B. R. (2006, December). *A Conceptual Framework for Interpreting Recorded Human History*. Retrieved from National Bureau of Economic Research: https://www.nber.org/papers/w12795

Elischer, S. (2010, June). Elischer, Sebastian. "Measuring and comparing party ideology in nonindustrialized societies: taking party manifesto research to Africa. *Global Institute of Global and Area Studies (GIGA) Working Papers*, 139, 1-33. https://doi.org/10.2139/ssrn.1629783

Elischer, S. (2022, July). Populist civil society, the Wagner Group, and post-coup politics in Mali. *West African Papers*, (36).OECD Publishing, Paris.

Erdmann, G., Elischer, S., & Stroh, A. (2011, May). Can historical institutionalism be applied to political regime development in Africa? *German Institute for Global and Area Studies (GIGA) Working Papers*, 166, 1-28. https://doi.org/10.2139/ssrn.1843091

Goldstone, J. A. (2004). More social movements or fewer? Beyond political opportunity structures to relational fields. *Theory and society*, *33*, 333-365. https://doi.org/10.1023/B:RYSO.0000038611.01350.30

Guthiga, P., Mburu, J., & Holm-Mueller, K. (2008). Factors influencing local communities' satisfaction levels with different forest management approaches of Kakamega Forest, Kenya. *Environmental*

Management, *41*(2008), 696-706. https://doi.org/10.1007/s00267-008-9080-z

Louis, M. (2024, March 7). *Is CLN a social movement*? (M. Foyet, Interviewer)

Lubilo, R. (2024, March 12). *Is CLN a social movement*? (M. Foyet, Interviewer)

Muchapondwa, E., & Stage, J. (2015). Whereto with institutions and governance challenges in African wildlife conservation? *Environmental Research Letters*, *10*(9), 095013. https://doi.org/10.1088/1748-9326/10/9/095013

Muposhi, V. K., Gandiwa, E., Bartels, P., & Makuza, S. M. (2016). Trophy hunting, conservation, and rural development in Zimbabwe: issues, options, and implications. *International Journal of Biodiversity*. https://doi.org/10.1155/2016/8763980

Muyengwa, S. (2015). Determinants of individual level satisfaction with Community Based Natural Resources Management: A case of five communities in Namibia. *Environments*, *2*(4), 608-623. https://doi.org/10.3390/environments2040608

North, D. C. (1997). Understanding economic change. *Transforming post-communist political economies*, *13*, 19.

North, D., Wallis, J. J., & Weingast, B. (2005). The natural state: The political-economy of non-development. *Los Angeles: UCLA International Institute.* Available at: www. international. ucla. edu/research/article. asp (2005).

Polman, N. B. (2002). *Institutional economics analysis of contractual arrangements: managing wildlife and landscape on Dutch farms*. Wageningen University and Research.

Portes, A. (2006). Institutions and development: A conceptual reanalysis. *Population and development review*, *32*(2), 233-262. https://doi.org/10.1111/j.1728-4457.2006.00117.x

Ribot, J. C. (2003). Democratic decentralisation of natural resources: institutional choice and discretionary power transfers in Sub-Saharan Africa. *Public Administration and Development: The International Journal of Management Research and Practice*, *23*(1), 53-65. https://doi.org/10.1002/pad.259

Salazar, D. J., & Lee, R. G. (1990). Natural resource policy analysis and rational choice theory: a strategy for empirical research. *Natural Resources Journal*, 283-300.

Stern, M. J., & Baird, T. D. (2015). Trust ecology and the resilience of natural resource management institutions. *Ecology and Society*, *20*(2). https://doi.org/10.5751/ES-07248-200214

t Sas-Rolfes, M. (2017). African wildlife conservation and the evolution of hunting institutions. *Environmental research letters*, *12*(11), 115007. https://doi.org/10.1088/1748-9326/aa854b

Williamson, O. E. (2000). The new institutional economics: taking stock, looking ahead. *Journal of economic literature* , *38*(3), 595-613. https://doi.org/10.1257/jel.38.3.595

World Bank. (2024, April). *Zambia - Rural Population*. Retrieved from Trade Economics: https://tradingeconomics.com/zambia/rural-population-percent-of-total-population-wb-data.html

Worldometer. (2024, April 7). *Zambia Population*. Retrieved from Worldometer: https://www.worldometers.info/world-population/zambia-population/

117

Zhang et al. (2020). A multiple importance–satisfaction analysis framework for the sustainable management of protected areas: Integrating ecosystem services and basic needs. *Ecosystem Services*, 46, 101219. https://doi.org/10.1016/j.ecoser.2020.101219