

## Laws, Parks, Reserves, and Local Peoples: A Brief Historical Analysis of Conservation Legislation in Mozambique

Anselmo Matusse

School of African and Gender Studies, Anthropology and Linguistics, University of Cape Town, Cape Town, South Africa

E-mail: [anselmomatusse@gmail.com](mailto:anselmomatusse@gmail.com)

### Abstract

This article uses a short historical study of Mozambican conservation legislation to show how local knowledges have been systematically disenfranchised from legislation since colonial period through a discourse analysis of conservation legal documents including constitutions. This study shows that the country has favoured modernity as a framework to deal with nature conservation which clashed in complex ways with local modes of living. Hence the article uses James Scott's concept of 'high-modern ideology' to trace continuities and changes in local knowledges and people marginalisation because of conservation legislation since the colonial period to the present. The article shows that, more market-based approaches to nature conservation are currently being promoted by the state and international donors and organisations; this in turn could lead to local communities treating nature as a commodity.

**Keywords:** Conservation Areas, local knowledges, local people, legislation, high-modern ideology, Mozambique

### INTRODUCTION

Conservation legislation refers to state actions that construct and code both subjectivities and natures informed by ideology (Scott 1998; Rasmussen 2017). Since Mozambique has had to adapt to radically different ideological paradigms, legislation is an ideal field of research. Hence, this article, following James Scott, shows how the marginalisation of indigenous knowledges and peoples in conservation legislation were a direct product of a materialisation of a 'high-modern ideology' with negative effects on people and nature (see Witter 2013; Diallo 2015; Walker 2015; Massé 2016; Lunstrum 2016). James Scott defines high-modern ideology as

'a strong, [...] muscle-bound, version of the self-confidence about scientific and technical progress, the expansion of production, the growing satisfaction of human needs, the mastery of nature (including human nature) and above all, the rational design of social order commensurate with scientific understanding of natural law' (Scott 1998: 4).

The article uses an analysis of discourse (Fairclough 2003) of land and conservation legislation in Mozambique focussing on how the legislation organises land, property relations, Conservation Areas<sup>1</sup> and the values promoted to manage and control these areas since the colonial period<sup>2</sup> until 2014<sup>3</sup>. In this year a new law for nature conservation was enacted, legally recognising 'Community Conservation Areas' (CCA), which are areas conserved by communities through customary laws and institutions. However, this law still privileges neoliberal and high-modern modes of relating to Conservation Areas, which amounts to commoditisation of nature and further disenfranchisement of local knowledges.

Additionally, the law is not clear about how local knowledges and people are to be integrated in already existing Conservation Areas where local people and protected fauna and flora co-exist; and the hard and long bureaucratic work that

#### Access this article online

Quick Response Code:



Website:  
[www.conservationandsociety.org](http://www.conservationandsociety.org)

DOI:  
10.4103/cs.cs\_17\_40

communities need to follow to turn an area into a community conservation area hinders them from legally conserving their significant nonhuman 'others'. It is the need to address this current uneven and unjust legal landscape and its legacies that inspired the production of this article.

The focus on land and nature conservation legislation springs from the fact that conservation debates in Southern Africa cannot be disentangled from the land question (see Plaatje 1916; Ramutsindela 2003; Jossias 2015). The analysis of how land property in Mozambique was organised showed that this had implications on how Conservation Areas and indigenous knowledges and peoples were framed. Hence even when land and Conservation Areas were nationalised and capitalism resisted by the socialist state; legally speaking, the marginalisation of indigenous knowledges and peoples was reproduced due to the continuation of the colonial 'high-modern ideology'.

The article extends Scott's work since Mozambique is characterised by constant awkward encounters between modernity, indigenous knowledges and practices (see Gonçalves 2009; Krawowska 2014; Obarrio 2015), control from party elites (see Gonçalves 2009) linked to growing extractive industries as well as pressures from international donors and NGOs, specifically after 1987 when the country opened its economy to market forces. James Scott focussed only on socialist Mozambique in his study of the villagisation process to support his argument on the failures of social engineering approaches based on modern ideals. It is noteworthy to state that this was a period in which NGOs were non-existent and only the state had absolute control on the laws and policies in Mozambique.

Hence, the article links Scott's work to Lunstrum's (2013) and Diallo's (2012, 2017) who show that civil society and international donors played a significant role in shaping the state gaze in Mozambique. Mozambican legislation is better seen as [unevenly] co-produced by state, international, and national organisations, a process Diallo (2012, 2017) calls 'transnationalisation', and Lunstrum (2013) 'articulated sovereignties'. The article shows how international discourses on nature conservation influenced nature conservation legislation in Mozambique. Considering this co-production of legislation in the postcolonial state and James Scott's work, this article argues that since colonialism, and during independence, conservation legislation has been shaped by a predominantly globalising narrative or 'travelling norms' (Zwingel 2011), that privilege high-modernist ways of relationships between humans and nonhumans that need to be challenged in times of climate change, extractivism, global inequalities, displacements, and dispossessions.

### COLONISING NATURE AND PEOPLE

The Portuguese colonial system aimed at modernising black Africans through Christianity, science, and (forced) labour for the benefit of Portugal. During the colonial period, Mozambique was considered an Overseas Portuguese Province<sup>4</sup>. António

Enes, the first commissioner in colonial Mozambique and the architect of the colonial administrative system, proposed that 'the state allows black inhabitants of Mozambique Province to occupy and use temporarily, land parcels which belong to the state [Portuguese Crown]' (Enes 1893: 532). However, the houses were to be *precariously* built, and the parcels of land were limited to five hectares; for this they would also pay a hut tax (or *imposto de palhota* in Portuguese), locally called *mussoco* (Enes 1893: 532).

Moreover, according to António Enes' proposal, 'the *régulos* and other traditional chiefs did not have any rights to property over the lands on which they exercised political authority, if they are not acquired by state concession or any other judicial title, and they cannot dispose of them' (Ibid). Only through private property system could they claim ownership of land which was no easy task for black people.

In the 1900s, Portugal was concerned with the possible 'denationalisation' of Mozambique due to growing interests of other colonial powers in the region. This obliged the government to take strong measures to make sure that land concessions could only be granted through formal laws with the participation of the state (Direito 2013). In 1901, a provisory regulation for the execution of the law of May 9, 1901 on concession of the overseas created the category of indigenous reserves. Most of the colonial efforts of Portugal in this period were aiming at gaining effective control of overseas people and lands. Only in 1918, Portugal enacted a diploma regulating the concession of state lands which also continued with the indigenous reserves category (Direito 2013). Portugal started intensively resorting to its colonies for raw materials, land, and forced labour after the rise in 1928 of the 'New State' characterised by a totalitarian, fascist, corporative, nationalist stance that lasted until 1974 (Isaacman and Isaacman 1983). Taxing land use was a crucial colonial administrative tool to generate income for the crown and control people and land. This required a territorialisation and registration of the people and land.

In 1944 Portugal enacted the Decree no. 33727 which set all the conditions for colonial land allocation according to different ends. In relation to reserves, this Decree identified two types of land reserves, namely the colonisation reserves and the special reserves (Decree no. 33727: article 20). The colonisation reserves were dedicated to 'surface soil exploration; establishment and assistance to cultural and spiritual development of the inhabitants of the colonies already settled or who were expected to settle (Decree no. 33727: article 21). These also included the 'indigenous reserves' (Decree no. 33727 of June 22, 1944: article 21, number 5) which were lands destined for exclusive use by the indigenous population and for the creation of indigenous settlement' even though 'this settlement will never give them [the black people] property rights and will be regulated according to their traditions' (Decree no. 33727: article no 32). This resonated with the 'Scheduled Native Areas' determined in the 1913 Native Land Act in South Africa (Plaatje 1916). While Portugal stated that these reserves were created to

'protect' the local black people, their main purpose was to guarantee the reproduction of (forced) labour (Negrão 2001; Direito 2013). This was a strategy to create dualistic spaces for black people and spaces for white people, being the other reserves destined for the amusement and benefit of the latter (see Gonçalves 2002).

The rest of the reserves were classified as special reserves. This inclusion of indigenous reserves under colonisation reserves and their precarious land ownership meant that black inhabitants could be displaced from these lands if these were deemed useful for the white settlers. The special reserves included the 'reserves for the protection of fauna, flora, and objects of interest' (Decree no. 33727: article 22, number 4). In 1944, game reserves or *coutadas* already existed in Mozambique. This Decree set the stage for the existence of Conservation Areas in Mozambique.

Counting and mapping were used as tools for governing nature and people. For instance, '[f]orest reserves when established had to be described, numbered in special records and the respective plants, whenever possible quoted' (Decree no. 33727: number 38) this obviously excluded from the colonial state's field of vision other species that were not of economic, aesthetic, and scientific value. If there were settlements of indigenous or European people in these areas, they should be delimited and indicated on a map.

The colonial efforts to conserve nature in Mozambique were also shaped by international(ising) high-modern ideology on fauna and flora conservation in the 1930s. For instance, National parks, reserves and game reserves in Mozambique were first legislated through the Decree no 40040 in 1955, which established the Principles for Soil, Flora, and Fauna Protection in Overseas Provinces. This Decree-law considered the Bukavu Conference which happened in 1953 (Decree no. 40040: 48). The Convention made some modifications to the Convention Relative to the Preservation of Fauna and Flora in their Natural State, also known as the 1933 London Convention<sup>5</sup>, which 'focused only on fauna ignoring soil, water and vegetation' (Adams 2014: 64). This conference stated that conservation should be carried out considering 'the interests of African populations' (Aubréville 2014), signalling the growing global anti-colonial atmosphere of the period (Adams 2014).

The convention and the Decree-law it inspired stated that parks and reserves were to be managed and controlled by the state (Decree no. 40040: article 2, number 1), ignoring indigenous people, which shows that this was not a framing limited to Portugal but also linked to global processes of fauna and flora conservation. The convention took place because 'natural fauna and flora of certain parts of the world, specifically in Africa, in current conditions, are in danger of extinction or permanent injury' (Convention Relative to the Preservation of Fauna and Flora in the Natural State, 1933) and this danger was caused by the game industry. This was the reason why the Portuguese colonial state had a special focus on regulating the game activity on this Decree as 'hunting is the most generalised way of fauna destruction, and

therefore, the one in need of strict regulation and surveillance' (Decree no. 40040: 48, paragraph 6).

Linked to the statement above, Safari and game hunting were booming in Africa and attracted a lot of white tourists and hunters from around the world and so was the case in the 1950s in Mozambique (see Gonçalves 2002); the reason for Portugal's stronger legislation on game hunting (Decree no. 40040: paragraph 6). The Decree no. 40040 of 1955 brought a set of new institutions which were meant to ensure effective control of nature and people in Mozambique. It created the Nature Protection Council, which would work with the veterinary services for fauna, agricultural services for soil and forest services for flora. Another body was the Board for Geographical Missions and Colonial Research (Junta das Missões Geográficas e de Investigação do Ultramar), 'which orientate[d] and coordinate[d] research on nature protection, and made inventories of species which were to be protected in parks, reserves and game reserves, propose[d] protection of certain species and deliberate on diverse protection regimes' (Decree no. 40040: article 3).

According to this Decree, article 31, protected areas were classified as national parks, integral natural reserves, partial reserves and special reserves which should all be managed and supervised by the Nature Protection Council. The national parks and integral natural reserves would be created due to their 'beauty or aesthetical or scientific interest' (Decree no. 40040 of 1955: article 2).

According to the Decree no. 43894 on September 6, 1961, land ownership was organised in 'public domain or State, regime of unoccupied territories, and regime of private property' (Decree no. 43894 of 6 of September 1961: article 2). While this whole system was inherently unjust - as it was based on exploitation of African people and nature by Westerners - it also did not include common property regimes which were characteristic of indigenous people<sup>6</sup>. The lands with which local people related to through customary institutions most often fell under the unoccupied lands category and these could be appropriated by the colonial state. Furthermore, this Decree removed the 'indigenous reserves' category created in the law of May 9, 1901 on concession of the overseas<sup>7</sup>. This omission removed the already precarious legal power the indigenous people had to claim and protect their lands, under the already unfair legal system.

In article 14 of this Decree, reserves were classified as total or partial reserves. The total reserves included the national parks and the integral natural reserves which were established by article 31, Decree no. 40040, of January 20, 1955. These reserves could only be used for scientific and touristic ends (Decree no. 40040: article 14, number 1). It is under this logic that Conservation Areas were established in colonial Mozambique. For example, the first national park to be established in Mozambique was Gorongosa National Park (GNP), in 1960. It first started as a game reserve in 1920 created by the Mozambique Company to entertain managers and guests of the company from 1920 to 1959. There are testimonies of people claiming that Hollywood stars like John Wayne and

Joan Crawford visited this park (Pereira 2011). When the company ceased its contract, the ownership of the area reverted to Portugal. During the following years, hunting was banned and the area turned into a tourist attraction.

Studies show that until the present (2017) the GNP is characterised by conflicts between indigenous people and the Park (Pritchard 2015; Schuetze 2015) which were or are further exacerbated by the civil war in the region as the article details below. Similar patterns of exclusory logic can be found in the 'four national parks, as well as five national reserves and 12 wildlife use areas (*coutadas*) that were created between 1960 and 1970' (Diallo 2015: 120). This was not a by-product of conservation laws in colonial period, but a direct product of imperialistic, neoliberal, utilitarian, and high-modernist conservation approaches. The country had to grapple with these colonial imprints and legacies after independence in June 1975.

### NATIONALISING NATURE AND CONSTRUCTING A 'NEW MAN'

In 1964, FRELIMO (Frente the Libertação Nacional)—a nationalist movement that evolved into a political party in post Independence Mozambique—started a war against the colonial system. In 1975 Mozambique attained independence and Samora Machel became the first president of Mozambique. In 1976 a civil war broke out and lasted for 16 years. A socialist state was established in 1977 after FRELIMO's Third Congress.

During the socialist period 1977-1987, the focus of the government was on rural development through industrialisation and collective farming based on 'science'. Machel and his government was invested in 'socially engineering' (Scott 1998) Mozambique towards a 'New Nation', in which ideals of modernity shaped most of the legislation and policies towards an illuminated *Homem Novo* (New Man). This was a 'modernist Marxism, (Filho 1997) as opposed to the Marxisms that opened space for local knowledges like in Tanzania. In this period, modernism acted as an 'emancipatory ideology' (Sumich 2008) which clashed in complex ways with the local knowledges and authorities.

In the constitution of 1975 FRELIMO established itself as the new 'ruling force of the society and state' (Constitution 1975: article 3) in a centralised system. One of the objectives of the arising nation was to 'eliminate colonial and traditional oppressive and exploitative structures and the mentality underlying them' (Constitution 1975: article 4). Hence, the modernist socialist revolution was not only economic and political but also ideological; and science was the privileged weapon for liberation of black people's minds, bodies, and land. Consequently, this modernist Marxism that Frelimo adhered to was on a direct collision route with the local people and authorities (Filho 1997) as these related to their lands, fauna, and flora through institutions like spirits, kinship, and totems (see for example Virtanen 2002; Izidine et al. 2008; Simbine 2013) that were considered superstitious and ignored

in the new era (see National Education System Law 1983, article 4).

The land and natural resources in the soil and subsoil, in territorial and continental platform waters were state property and the State was to determine the conditions for their benefit and use (CPRM 1975: article 8). This was to be carried out through a centrally planned economy in which the state followed a utopian view of a ubiquitous presence in people's and nature's lives. This entailed a nationalisation of all former private and colonial properties and collectivisation of land and production through what became *aldeias comunais*, or 'villagisation' (Scott 1998; Dear 2008).

Following the above-mentioned modernisation ideology, the Constitution organised property in public, individual, and collective regimes, which is not to be confused with common property. Collective property was based on the ideas of cooperatives and associations anchored on the ideals of collectivisation followed by the socialist regime. Common or community property consisted of communities relating to a certain natural entity through the language of customary institutions such as religion, kinship, death, birth, and myth (see Serra 2001; Virtanen 2002; Izidine et al 2008; Simbine 2013) which were not recognised by the colonial or the socialist state, or as I show below, the neoliberal state.

In this period, it was the public and collective regimes of property that were enhanced. Common property organised through customary laws was not even mentioned. This was a clear continuation of lack of emphasis on common property. Moreover, by only favouring state and 'collective property regimes' (CPRM 1975: article 11), the 1975 Constitution was also reproducing the colonial legacy in which land and all resources available in it were state property. The socialist state also recognised private property, however, it made this option difficult as 'the private income and property [were] subject to progressive taxes, determined by the criteria of social justice' (Constitution 1975, article 13) making private property hard to follow as only private owners had to pay for the use of land within a limited period. Family-owned lands were also recognised as long as they were meant for agricultural practice to feed the household (Land law no. 6/79: article 15, number 1). During this period, the state focussed mostly on agriculture and industrialisation. Nature was a factor of production that had to be transformed by the forces of the 'New Man'; therefore, nature conservation did not have special attention during the 1970s.

The first land law in independent Mozambique was enacted in 1979. It aimed at 'devolving' land from the 'few foreign and national private land owners to the peasants and workers (Law no. 6/79 of July 03, 1979: 223) through nationalisation, towards a 'high modernist' socialist system. In this case, only the public and collective (including households) property regimes were promoted. Additionally, land could 'not be sold, rented, alienated, or mortgaged' (Law no. 6/79: article 1, number 2). The land was classified as either 'land for agriculture or not for agriculture' (Law no. 6/79: article 3, number 1) highlighting the centrality of agriculture informed by scientific methods to

fight against 'famine, nudity<sup>8</sup>, and diseases' (Frelimo 1976). These lands could totally or partially exclude Conservation Areas (Law no. 6/79 of July 03, 1979: article 3, number 2) which were considered former spaces for colonialists' and capitalists' leisure.

Conservation Areas again were classified as partial or total. Total conservation areas were only meant for conservation and preservation activities and they were to be managed by competent state bodies (Law no. 6/79 of July 03, 1979: article 24, number 1); however, different from the colonial regime, local people could participate in managing these areas (Law no. 6/79: article 24, number 2). In the partial reserves the law excluded 'indigenous lands'. The National Land Fund oversaw the management of land. All the lands should be registered through the National Land Registration, which was responsible for helping the state undertake periodic evaluation of the National Land Fund (Law no. 6/79: article 2, numbers 1 and 2).

Like the previous period, international travelling discourses on Conservation Areas also influenced Mozambican legislation. During the early 1980s, Mozambique signed three international conventions that shaped the future legislation on conservation in the country worth mentioning. The African Convention on Nature and Natural Resources Conservation was signed in 1981. This convention focussed on water, soils, flora, and fauna and a list of endangered species to be protected. Conservation Areas were framed as 'national assets' (Resolution 18/81 of December 30, 1981). 41 African countries ratified the convention excluding South Africa.

In the same year, Mozambique ratified another convention, the Convention on International Trade of Endangered Wild Fauna and Flora Species, which elaborated regulations for trade of endangered species that should be licensed by a competent state body after a scientific evaluation. Finally, in 1982 Mozambique adhered to the Convention for the Protection of World Cultural and Natural Heritage.

These conventions were created because 'wild fauna and flora have aesthetic, scientific, cultural, recreational, and economic values' (Resolution no. 20/81 of December 30, 1981). Conservation Areas were created to promote conservation, tourism, and poverty reduction (French cited by Diallo 2012: 2).

While the Mozambican socialist state resisted capitalism and sought to liberate Mozambican bodies, minds, and nature; it continued with the 'high-modern ideology' in its legislation that privileged scientific modes of relating to nature, further marginalising indigenous peoples and knowledges. This marginalisation of indigenous peoples and knowledges alongside the geopolitics of the era fuelled the civil war in Mozambique (Meneses 2006).

### **PRIVATISING NATURE MANAGEMENT**

After the death of Samora Machel in 1986, Joaquim Alberto Chissano became the president of Mozambique, and most of his government's focus was on dealing with the effects of the civil war, poverty, and natural disasters such as droughts and

floods. These in addition to the legacies of colonialism qualified Mozambique as a country in crisis eligible for Structural Adjustment Programmes (SAPs).

Most Conservation Areas were abandoned during this period. The civil war had driven civilians and armies into these areas for protection, protein, and proceeds. Gorongosa National Park is estimated to have lost 90% of its wildlife population (Gorongosa National Park 2017, timeline). In this period, there is an even more intense--in Ramutsindela's words-- 'confluence of capital, politics and nature' in Mozambique.

IMF and World Bank demands required the opening of the country's economy to private forces; a regulation<sup>9</sup> of the 1979 land law was enacted. One of the biggest changes it brought was a need for decentralisation. Another aspect was the opening for '[...] nationals both living in or outside Mozambique and foreigners to acquire land' (Decree no. 15/87: article 2). This process created room for foreign private capital.

This Decree continued with the former classification of protected areas as total or partial. The total conservation areas included the national parks, integral natural reserves, conditioned reserves and special reserves (Decree no. 15/87: article 41). The blueprint of Conservation Areas was closer to the colonial one and it also focussed on soil, fauna, and flora plus the water and the atmosphere. It did not include indigenous reserves at all. It also did not mention indigenous knowledges as legitimate ways of relating to these areas.

Although the National Directorate of Flora and Wildlife (Direcção Nacional de Flora e Fauna Bravia) was created within the Ministry of Agriculture to manage these areas, the law did not centralise the management of these areas. While the 1979 land law stated that the Conservation Areas were going to be promoted by competent state bodies (Law no. 6/79 of July 6, 1979: article 24, number 1), the Decree no. 15/87 stipulated that 'all activities of preservation, placement of boards, and respective indemnisation are the responsibility of and will be paid by the entities that proposed the creation of the protected area' which was a clear opening to different private and public actors to engage in nature conservation management due to perceived state fragility. This resonated with the privatisation process underway in Mozambique in the context of a civil war that started in 1976 and lasted for 16 years and the effects of the droughts that devastated most of Conservation Areas in Mozambique.

Hence, privatisation under the umbrella of neoliberalism started taking the forefront of the 'high-modern ideology'<sup>10</sup> expansion in Mozambican legislation. This period is characterised by a strong foreign and national influence in decision-making processes and management of Conservation Areas, amounting to 'transnationalisation' (Lunstrum 2013) or 'articulated sovereignties' in Mozambique (Diallo 2012).

In the 1990s, there was a push for privatisation of land from World Bank and the IMF and CAs' management. These organisations are strong advocates of neoliberalism that started in the 1970s which is understood as '[...] a theory of political economy practices that proposes that human well-being can be best advanced by liberating individual entrepreneurial freedoms

and skills within an institutional framework characterised by strong private property rights, free markets and free trade' (Harvey 2005: 2). Mozambique enacted environmental laws to accommodate this push.

The country also adhered to international conventions on nature conservation. For instance, in 1993, Mozambique adhered to Vienna and Montreal Convention and the Montreal Protocol for the Protection of the Ozone Layer. Also in 1994, the country ratified the United Nations Framework for Climate Change Convention (UNFCCC), which also was informed by a high-modern ideology in which 'Man' was put in the centre for managing nature, through science and technology within a market based mentality (see Campbell 1998; Liverman 2008).

The 1990 Mozambican constitution brought changes that were to shift the way the country organised lands, people, and related to foreign countries. The constitution opened room for a multiparty system, market forces, NGOs, and local traditions as vehicles of Mozambican identity to take place within a neoliberal framework. In this period there is a generalised sense of 'loss of traditional culture', which can be evidenced by the realisation of the First National Conference on Culture in 1993 in which traditional knowledges were framed as 'capital' that was being lost. This sense of loss can evidence the success of the 'high-modern ideology' in weakening traditional and indigenous structures and practices, as an effect of its 'creative destruction' (Harvey 2005: 3). However, this public sense of loss did not translate into effective legislation, specifically regarding land and CAs.

Property regimes were classified as state property, cooperative property, mixed property, and private property (Constitution 1990: Article 41, number 2). This was a clear continuation of the former legal colonial and socialist blueprint. One of the major shifts was the state recognition of the right to inherited or occupied land (Constitution 1990: article 48). However, like all other previous constitutions in Mozambique land continued as state property (Constitution 1990: Article 46, number 1) and it could not be 'sold, alienated neither mortgaged' (Constitution 1990: Article 46, number 2) and this was considered a 'means to create wealth and well-being to the people' (Constitution 1990: Article 46, number 3). This was a blow to the donors as these were forcing the issue of total privatisation of land to stimulate investment (Silva 2005). This shows the complexities of land property rights in Mozambique, as even though the country was opening room for private forces, land continued as state property (CRM 1990: article 35, number 2, line d).

In 1995, the Ministry for the Coordination of Environmental Affairs was created through the Decree no. 6/95 of November 16. The existence of this ministry was a result of the international discourses on sustainability. In its organic structure and function the Decree made no mention to indigenous people and knowledges but only experts. In that year, Conservation Areas were still under the Ministry of Tourism after being moved from the Ministry of Agriculture through the National Directorate of Conservation Areas (see Bila 2004). This was because Parks and reserves were framed as income generating

entities through tourism and game hunting, not because of their intrinsic properties or socio-natural relations. It is because of the failure of the Ministry of Tourism to turn Conservation Areas into a lucrative business that motivated the move of the management of these areas to the Ministry of Land, Environment, and Rural Development (former Ministry for the Coordination of Environmental Affairs) (see Bila 2004).

The land Law no. 19/97 of October 1 and its regulation in 1998 were legislated within this neoliberal logic underway in Mozambique. This legislation restated that land was state property under the same conditions as previous legislation in Mozambique. The partial and protected areas constituted the public domain. These legal documents brought two new developments. Local people occupying land according to their customary practices were granted DUATs, as well as singular national individuals who resided in a land for more than 10 years (Law 17/97: article 12, line a and b). Like in other post-colonial legislation, local people were called to participate in the management of natural resources (Law 17/97: article 24, number 1, line a). Not surprisingly, different from the laws passed during the socialist period, private property was mostly promoted in this law through DUATs, which were documents allowing individuals, collectives, or companies to own rights to explore land, since secure property rights would attract more foreign and local investment (Silva 2005), which were one of the main foci of Joaquim Chissano's government<sup>11</sup>.

In 1999, the first Flora and Fauna Conservation and Protection law was enacted and regulated in 2002 through the Decree no. 12/2002 of June 6. This law restated that all flora and fauna are state property (Flora and Fauna Conservation and Protection Law no 10/99, article 3, line a) and it also recognised local people as legitimate flora and fauna resource managers through their customary institutions (Flora and Fauna Conservation and Protection Law no. 10/99: article 3, line e) as well as the involvement of the private sector (Law no. 10/99: line f) and international cooperation (Law no. 10/99: line i).

The law also regulated the protected areas and classified them into 'national parks, national reserves, areas of historical and cultural value (Flora and Fauna Conservation and Protection Law no. 10/99: article 10, number 2, lines a-c). This was the first-time customary laws and practices were acknowledged in legislation in Mozambique, signalling a shift in how Conservation Areas were legally framed. This law also created legal conditions for the existence of 'local councils for natural resource management consisting of representatives of the local people, private sector, associations, and local state authorities with the aim of protecting, conserving, and promoting the sustainable use of flora and fauna resources' (Law no. 10/99: article 31, number 1) which intended a close participation of local people (Law no. 10/99: article 31, number 3). Some scholars framed this move as a strategy to curb 'illegal' logging and 'poaching'<sup>12</sup> that was beyond state control (Bila 2005: 6).

This delegation of state power to local councils was also a novelty compared to the previous legislation, which had placed state centrality to manage and control natural resources. However, the law did not mention Community Conservation

Areas at all and reserves and parks continued as state property and '[the laws] provided no clear indication as to the role reserved for locally based institutions such as traditional authorities and customary laws in the management of natural resources' (Virtanen 2004: 5).

The end of the civil war in 1992 and increased interest in community involvement in natural resources management practices created a wealth of case studies showing the continued marginalisation of local people in Conservation Areas and increased militarisation of conservation, due to poaching and illegal logging networks with a 'significant Chinese takeaway' (Dijkstra 2015) and involvement of political and economic elites. This period showed a rethinking of the 'high-modern ideology' and more attempts at integrating indigenous knowledges in conserving nature if these conformed to the interests of the state, Mozambican elites and capital.

### **2000-2014: THE RISE OF PPPS AND PPCPS**

The period between 2000 and 2014 was characterised by enactment of new legislation and amendments of older ones, the creation of new or restoration of old Conservation Areas in Mozambique and an intense relaxation of national frontiers to create trans-frontier Conservation Areas, like the Limbombo in 2000, the Great Limpopo and Zimoza in 2002 and Niassa-Selous in 2007 in cooperation with international and regional organisations and donors like Peace Parks, GIZ, World Bank, German Cooperation and SADC. This period was also characterised by huge foreign investments, which requires minimal state intervention that the neoliberalisation process in Mozambique was promoting (Bishop and Green 2008), also showcasing a confluence of capital, nature and politics in the southern Africa region (see Ramutsindela 2007) and in Mozambique in specific.

This neoliberal or profit-based logic of nature conservation can be highlighted by other two developments during this period. The first is a move of the Protected Areas from the responsibility of the Ministry of Tourism to the Ministry of Land, Environment and Rural Development, through the National Administration of Conservation Areas (NACA). The NACA, a parastatal body, was created through the Decree no. 11/2011 with the funding from BIOFUND, a private Foundation for Conservation of Biodiversity which was created in 2011<sup>13</sup>.

The NACA was meant to have a more 'business-like' approach to Conservation Areas, as the following statement evidences: 'the government of Mozambique wants the management of Conservation Areas to be more professional and profitable in the future, by adopting an approach like the private sector' (USAID 2014: 2). The NACA was also responsible for suggesting to the ministry the creation of new Conservation Areas, or their modification and extinction (Decree no. 11/2011: article 5, line g).

The second development was the new conservation law enacted in 2014 – Law no. 16/2014 which '[...] established basic principles and norms for protection, conservation,

restoration and sustainable use of the biological diversity in Conservation Areas, as well as an integrated administration, for the sustainable development of the country' (Conservation Law no. 16/2014: article 2). The law stated that the 'state administers the conservation in a participative way, by establishing appropriate mechanisms for the participation of public, private and community entities' (Conservation Law no. 16/2014: article 2). The national and foreign Public, Private, and Community Partnerships (PPCPs) are also encouraged as a source of funding. The Gorongosa National Park, Limpopo National Park, Maputo Reserve, Marine Partial Reserve of Ponta de D'ouro and Niassa Reserve are examples of Conservation Areas managed through Public and Private Partnerships (PPPs). NGOs are also encouraged to manage Conservation Areas<sup>14</sup>.

One of the biggest additions in this law was the inclusion of Community Conservation Areas (CCA), which resonate with the colonial 'indigenous reserves' classification; these were lands to be managed by the indigenous people through their customary laws. Contrary to colonial indigenous reserves, now, legally speaking, communities own the rights to make use of conservation areas with a legal protection to secure land and can decide what exploration activities they want or not in these areas in cooperation with public and private actors (PPCPs). Additionally, the law opens room for the communities to lease or sublease their lands.

### **DISCUSSION AND CONCLUSIONS**

This short history of conservation legislation in Mozambique shows the overemphasis on the capitalist, imperialist, and scientific knowledge-based approaches to nature conservation during the colonial period; their underlying nature-culture divides being given more privilege over local modes of knowing and relating to nature which did not abide to that model. The creation of Conservation Areas was based on their instrumental values. These were created and protected due to their economic, scientific, and tourist values hence in need to be separated from peoples. This dualistic way of framing Conservation Areas is deeply inscribed in the Western conservation practices since the creation of Yellowstone National Park, the first in the US and world which would then work as model for parks throughout the entire world.

It was the 'commercial potential as a magnet for tourism' as well as the 'powerfully persuasive images of the region as a place of uniquely American wonders' that persuaded the Congress to pass the act which later became a law on March 1, 1872 that created Yellowstone National Park<sup>15</sup>. The conservation movement in the US, which also inspired conservation movements throughout the world, was also born from the realisation that there was a 'need for measures to protect the game species from further destruction and eventual extinction' (Brands 1997: 188) which then resulted in the creation of 'the Boone & Crockett Club in 1887 by the then US president Theodore Roosevelt with the aim of conserving large game animals and their habitat' (Ibid). This limited focus on what is of economic utility to (some) humans, informed

by a high-modern ideology, was (and continues to be) in the 'DNA' of most conservation policies and practices travelling around the World, and landing in Mozambique.

Hence counting, mapping, and modelling were privileged tools to account for natural regions that were of scientific, aesthetic, and touristic value excluding other species and sets of relationships from state visibility. The use of maps was a tool to effectively control nature and people by the Portuguese colonial state to curb incursions from other colonial powers with interest in Mozambique. Pickles (2003) argued that maps are products of specific material conditions in Europe – liberalism (private property), nation building, and the print industry – and these rather than mere representations are world-building entities. For this reason, 'cartographies have the power to code subjects and produce identities' (Pickles 2003: 12). These mappings are what James Scott (1998) called a simplification process which aimed at ensuring legibility of the complex mosaic of local cultures and natures that the colonial state did not know much about. The colonial state made all efforts to remove any legal power from local peoples to legally own land and centralise land ownership.

The socialist period sought to devolve land to local people; however, its overemphasis on science also created conditions for further disenfranchising local modes of knowing and relating to nature from legal nature conservation documents. In this period, while capitalism and private property were actively resisted, local knowledges were still not recognised as legitimate ways of relating to Conservation Areas. Local people were legally called to take part in managing Conservation Areas but their knowledges took a back seat as 'obscure knowledge'. Again, counting and mapping were portrayed as the only legitimate ways of knowing nature.

Land continued as state property and community property was not promoted since it was perceived as backward and against the construction of a 'New Nation' and a 'New Man' based on the ideals of science. This shows that capitalism alone could not be attributed as the sole cause of local knowledges disenfranchisement in conservation legislation and other important state political life processes nor can socialism be portrayed otherwise. Here is why the concept of high-modern ideology proposed by James Scott proves to be resourceful, for it allowed to devise continuities in all periods of Mozambican legal life and show amalgamation of different legacies and power relations in the current legal landscape in Mozambique. Therefore, this enabled the article to show how the high modern-socialism that Mozambique chose to adhere to was in direct route of clash with the local knowledges in complex ways (Filho 1997), a stance that continued in neoliberal Mozambique.

The neoliberal period was characterised by a strong public debate on Mozambican cultural diversity as opposed to the previous periods. However, in this period the civil war and natural disasters had devastated the country's socio-natural fabric. Consequently, the country opened room for diversity in its conservation legislation as well as for private investment.

The debate on inclusion and recognition was happening concomitantly with the opening of the country to private forces and foreign investments in nature conservation. This opening to foreign capital in turn gave rise to many displacements and dispossessions (see Lagerkvist 2014; Porsani, Lehtilä, and Börjeson 2017) that still characterise many Conservation Areas today.

The state created space for PPPs and PCPPs as 'silver bullets' to deal with nature conservation management which was increasingly beyond the state's capability. This opening to market-based approaches for nature conservation is framed in such a way that local modes of relating to nature must comply with the interests of the state, Mozambican elites, and capital (see Hanlon 2002). It is crucial to highlight that the promises of development could easily win over local people to lease their lands to private investors (for concrete examples in Mozambique see Isaacman and Isaacman 2016; Dear 2008, in Cameroon read Nguiffo 2001).

While these PPCPs are framed as 'silver bullets' by the state, the article follows a more prudent approach proposed by Ahebwa, Van der Duim, and Sandbrook (2012) on their study of Private-Community Partnerships in Uganda which showed that power relations in these partnerships give rise to political conflicts that can ultimately undermine the win-win logic behind them. Furthermore, these partnerships could also lead to strong commoditisation of nature and consequent transformation of local ways of relating to nature, and further inscription of the high-modern ideology in people's minds, bodies, and natures.

As stated above, the 2014 conservation law created conditions for the existence of Community Conservation Areas through customary laws; however, this opening happened concurrently with the rise of the private and foreign investment in Conservation Areas in Mozambique. Furthermore, the law is not clear on how local knowledges ought to be integrated into already existing Conservation Areas. In addition, the long and bureaucratic work that needs to be done to turn an area into community conservation areas under this neoliberal logic is very prohibitive. For example, in a personal conversation with an officer working for NACA I learned that since 2014 to the present, no applications have been submitted for community Conservation Areas that she is aware of (Julieta Lichunge pers.comm. 2017).

The emphasis on market-based conservation approaches is a continuity of the high-modern ideology highly criticised by James Scott, one that needs to be scrutinised in the context of climate change, global inequalities, extractivism, and neoliberalism. The article showed that modernity has failed in dealing with the current problems Mozambique is facing on nature conservation as well as integrating local knowledges, therefore a more situated approach to dealing with nature conservation is required. Examples of laws that consider local knowledges exist in countries like New Zealand, India, Kenya, and Ecuador that Mozambique could learn from. However, these laws are not enough, their coupling with capitalism needs to be challenged and effective implementation needs



to be promoted for the betterment of local communities' and natures' lives.

### ACKNOWLEDGEMENTS

I would like to thank NIHSS for funding my PhD studies at the University of Cape Town. Many thanks to the two anonymous reviewers and C&S editors for invaluable comments on previous versions. I would also like to thank the Environmental Humanities – South collective. Finally, I would like to thank Rebecca Witter, Euclides Gonçalves, Frank Matose, Nelson Mugabe, Vanessa Cabenelas, Luciana Esteves, Jonas Tembe, Julia Matusse, and commentators from the 2017 Lund Conference on Earth Systems Governance for their insights on previous versions.

### NOTES

1. The article uses this term to refer to areas that are protected by the state due to their perceived ecological, economic, scientific, social value. Protected areas or conservation areas are used interchangeably in the article.
2. The article uses the colonial, socialist and neoliberal periodization as analytic constructs that help give context to some shifts in legislation. In everyday life people mobilize different temporalities and spatialities that collapse these periods, however, the impacts of laws in people's lives is still felt. For a more detailed discussion of how laws impacts on indigenous people read the detailed and beautifully written book by Sol Plaatje *Native Lie in South Africa* in which he details the impacts of the 1913 Native Land Act on native people in South Africa. This book has inspired the composition of this article.
3. In 2017, after I submitted the first draft of this article for revision, the government enacted a regulation for this law on December 29, although it did not bring any changes or new configurations. Hence, I did not include it in the analysis.
4. The 1822, 1826, 1911, 1933 constitutions of Portugal mentioned the ultramarine lands as part of the Portuguese empire.
5. The 1933 London Convention was an early agreement among colonial powers for the conservation of nature in Africa specifically of African game species (CITES World 2003). Nine countries including South Africa ratified this agreement in London. Portugal only ratified it in 1948 through the Decree-law no. 37188 of November 24.
6. I use this concept to mean local people who live near or within Conservation Areas.
7. No rationale is provided as to the reason behind this removal.
8. In socialist period, this was used as a metonym to refer to poverty associated with lack of clothing.
9. A regulation is a legal document that is enacted to give guidelines on how a law is to be implemented in terms of who gets to do what and under which circumstances. A law can cancel a regulation but not the other way around (for a detailed discussion read D. Quixote, Marcelo Rebelo de Sousa e André Salgado de Matos. 2009. *Direito Administrativo Geral, tomo III*, 2<sup>nd</sup> Edition).
10. For more details about the relation between capitalism and modernism read Dawson, Matt. 2013. *Late Modernity, individuation and socialism: an associational critique of neoliberalism*. Palgrave, McMillan: UK and Sayer, Derek. 1991.

*Capitalism and modernity: an excursus on Marx and Weber*. Routledge: London and New York

11. Joaquim Chissano, 'the birth of a nation' accessed on October 28, 2017 available at <https://www.thebusinessyear.com/mozambique-2013/the-birth-of-a-nation/interview>
12. Poaching and illegal logging are put into inverted commas because the article shows that indigenous people who have been relating to their nature through their customs and institutions for animal protein, plants, and housing were turned illegal by the laws.
13. For more details about this organisation visit <http://www.biofund.org.mz/en/>
14. For more details read ANAC. 2015-2024 Strategic Plan for the National Administration of Conservation Areas. Accessed on October 31, 2017 available at <http://www.anac.gov.mz/wp-content/uploads/2017/07/Plano-Estrategico-da-ANAC-2015-2024-1.pdf> (pp 35-36).
15. For more information read the Evolution of the Conservation Movement, 1850-1920. Accessed on February 15, 2017. Available at [http://memory.loc.gov/cgi-bin/query/r?ammem/consrvbib:@field\(NUMBER+@band\(amrv1+v1002\)\)](http://memory.loc.gov/cgi-bin/query/r?ammem/consrvbib:@field(NUMBER+@band(amrv1+v1002)))

### REFERENCES

- Adams, R. 2014. *Elephant treaties: the colonial legacy of biodiversity crisis*. University Press of New England: Hanover and London.
- Ahebwa, W., V. Van der Duim, and C. Sandbrook. 2012. Private-community partnerships: investigating a new approach to conservation and development in Uganda. *Conservation and Society* 10(4): 305–317.
- Aubréville, A. 2054. A charter for nature protection in tropical Africa. *Journal Bois et Forêts des Tropiques*. 34. <http://ur-forets-societes.cirad.fr/content/download/4470/35953/version/1/file/BFT323-A+charter+for+nature+protection+in+tropical+Africa.pdf>. Accessed on January 30, 2017.
- Bila, A. 2004. Estratégias para a fiscalização participativa de florestas e fauna bravia em Moçambique. Prepared in the scope of support for the implementation of forest and wildlife legislation in Mozambique. DNFFB/FAO: Maputo.
- Bishop, M. and M. Green. 2008. *Philanthrocapitalism: how giving can save the world*. New York, NY: Bloomsbury Press.
- Brands, H. 1997. *The Last Romantic*. New York: Basic Books.
- Brockington, D., R. Duffy, and J. Igoe. 2008. *Nature unbound: conservation, capitalism and the future of protected areas*. EarthScan: London.
- Campbell, K. 1998. From Rio to Kyoto: the use of voluntary agreements to implement the Climate Change Convention. *Review of European Community & International Environmental Law*. 7(2): 159–169.
- CITES World. 2003. Official newsletter of the parties: convention on international trade in endangered species of wild fauna and flora (CITES). <https://cites.org/sites/default/files/eng/news/world/30special.pdf>. Accessed January 30, 2017.
- Constitution of Republic of Mozambique. 2004.
- Constitution of Republic of Portugal. 1933.
- Constitution of the People's Republic of Mozambique. 1975.
- Constitution of the Republic of Mozambique. 1990.
- Dear, C. 2008. *Causes and consequences of displacements decision-making in Banhine National Park, Mozambique*. PhD thesis. University of Montana, Montana, United States of America. <http://scholarworks.umt.edu/etd/174>. Accessed on February 12, 2017.
- Delanty, G. and A. Mota. 2017. Governing the anthropocene. *European Journal of Social Theory* 20(1): 9–38.

- Diallo, R., and E. Rodary. 2017. The transnational hybridization of Mozambican nature. *African Studies* 76(2): 188–204.
- Diallo, R. 2015. Conservation philanthropy and the shadow of state power in Gorongosa National Park, Mozambique. *Conservation and Society* 13(1): 19–128.
- Diallo, R. 2012. Conservation, international aid and state power: case studies from Mozambique. [https://www.academia.edu/11885089/Conservation\\_international\\_aid\\_and\\_state\\_power\\_Case\\_studies\\_from\\_Mozambique](https://www.academia.edu/11885089/Conservation_international_aid_and_state_power_Case_studies_from_Mozambique). Accessed on June 05, 2017. Working Paper.
- Direito, B. 2013. Land and colonialism in Mozambique: policies and practice in Inhambane, c.1900 – c.1940. *Journal of Southern African Studies* 39(2): 353–369.
- Dijkstra, A. 2015. Mozambique will be stripped of its forest ‘in just a few years’. <http://mg.co.za/article/2015-03-19-moz-will-be-stripped-of-its-forests-in-just-a-few-years>. Accessed on February 10, 2017.
- Enes, A. 1893. *Moçambique: relatório apresentado ao Governo*. Divisão de Publicações e Biblioteca - Agência Geral das Colónias: Lisboa.
- Fairclough, N. 2003. *Analysing discourse: textual analysis for social research*. London and New York: Routledge.
- Filho, A. 1997. The political economy of agrarian transition in Mozambique. *Journal of Contemporary African Studies* 15(2): 191–218.
- FRELIMO. 1976. *Combate popular contra a criminalidade*. Maputo. 2017. [http://www.mozambiquehistory.net/politics/frelimo/\\_palavras\\_de\\_ordem/19760900\\_no\\_03.pdf](http://www.mozambiquehistory.net/politics/frelimo/_palavras_de_ordem/19760900_no_03.pdf). Accessed on February 10, 2017.
- Gonçalves, L. 2009. *Mia Couto and Mozambique: the renegotiation of the national narrative and identity in an African Nation*. PhD Thesis. University of North Carolina, North Carolina, USA.
- Gonçalves, C. 2002. Recordando caçadores guias que fizeram história. <http://faunabraviademocambique.blogspot.com/>. Accessed on February 6, 2017.
- Hanlon, J. 2002. The land debate in Mozambique: will foreign investors, the urban Elite, advanced peasants or family farmers drive rural development? Research paper commissioned by Oxfam GB – Regional Management Centre for Southern Africa.
- Harvey, D. 2005. *A brief history of neoliberalism*. Oxford University Press: Oxford.
- Isaacman, A. Isaacman, B. 1983. *Mozambique: from colonialism to revolution, 1900-1982*. Boulder, Colorado: Westview Press.
- Isaacman, A. Isaacman, B. 2016. *Dams, displacement, and the delusion of development: CAHORA Bassa and its legacies in Mozambique, 1965/2007*. Ohio University Press: Ohio.
- Izidine, S. et al. 2008. Taboo and authority in conservation policy: a case study of the Licuati Forest in Maputland, Mozambique. *Journal for the Study of Religion, Nature & Culture* 2(3): 373–399.
- Jossias, E. 2015. ‘O primeiro a chegar é o dono da terra’: pertença e posse da terra na região do Lago Niassa. PhD Thesis. Lisbon University, Lisbon, Portugal.
- Lagerkvist, J. 2014. As China returns: perceptions of land grabbing and spatial power relations in Mozambique. *Journal of Asian and African Studies* 49(3): 251–266.
- Liverman, D. 2008. Conventions of climate change: constructions of danger and the dispossession of the atmosphere. *Journal of Historical Geography* 35(2): 279–296.
- Lunstrum, E. 2013. Articulated sovereignty: extending Mozambican state power through the Great Limpopo Transfrontier Park. *Political Geography* 1(33): 1–11.
- Lunstrum, E. 2016. Green grabs, land grabs and the spatiality of displacement: eviction from Mozambique’s Limpopo National Park. *Area* 48(2): 142–152.
- Massé, F. 2016. The political ecology of human-wildlife conflict: producing wilderness, insecurity, and displacement in the Limpopo National Park. *Conservation and Society* 14(2)100–111.
- Meneses, M. 2006. Traditional authorities in Mozambique: between legitimisation and legitimacy. In: *The shade of new leaves: governance in traditional authority: a southern African perspective* (eds. Hinz, M.) Centre for Applied Social Sciences, University of Namibia. Windhoek.
- Negrão, J. 2001. A indispensável terra africana para aumento da riqueza dos pobres. <http://www.ces.uc.pt/publicacoes/oficina/ficheiros/179.pdf>. Accessed on June 4, 2017.
- Nguiffo, S. 2001. *Broken promises: Chad-Cameroon oil and pipeline project: profit at any cost?* CED: Yaoundé.
- Obarrio, J. 2014. *The spirit of laws in Mozambique*. Chicago: The University of Chicago Press.
- People’s Republic of Mozambique. 1978. Reforms some state functions without any significant change to the 1975 constitution.
- People’s Republic of Mozambique. Land Law 1979. Regulates the Principles for Land Allocation within a Nationalistic and Socialist Framework.
- People’s Republic of Mozambique. Law n°11/78 of August 15, 1978. Revision of the 1975 constitution.
- People’s Republic of Mozambique. Law n°6/79 of July 03, 1979, Land Law.
- People’s Republic of Mozambique. National Education System Law 1983. Mentions the fight against ignorance and superstition through science.
- People’s Republic of Mozambique. Resolution n°18/81 of December 30, 1981. Mozambique signs the African Convention on Nature and Natural Resources Conservation.
- People’s Republic of Mozambique. Resolution n°20/81 of December 30, 1981. Ratifies the adherence of Mozambique to the Convention of International Trade of Endangered Fauna and Flora Species (CITES).
- Pereira, C. 2011. Gorongosa Moçambique: o renascer da glória. <http://www.buala.org/pt/vou-la-visitar/gorongosa-mocambique-o-renascer-da-gloria>. Accessed on January 30, 2017.
- Pickles, J. 2003. *A history of spaces: cartographic reason, mapping and the geo-coded world*. London and New York: Routledge
- Porsani, J., J. Lehtilä, and Börjeson, K. 2017. Land concessions and rural livelihoods in Mozambique: the gap between anticipated and real benefits of a Chinese investment in Limpopo Valley. *Journal of Southern African Studies*. 43(6): 1181–1198.
- Pritchard, M.F. 2015. *From soldiers to park rangers: post-conflict natural resource management in Gorongosa National park*. London: Routledge.
- Ramutsindela, M. 2005. *Parks and people in postcolonial societies: experience in southern Africa*. Netherlands: Springer.
- Ramustindela, M. 2007. *Transfrontier conservation in Africa: at the confluence of capital, Politics and Nature*. CABI.
- Republic of Mozambique, Land law n°6/79. Regulates the Principles for Land Allocation within a Nationalistic and Socialist Framework.
- Republic of Mozambique. Conservation Law n°16/2014. Regulates Biodiversity Conservation within a Neoliberal Framework, and Allows the Existence of Community Conservation Areas.
- Republic of Mozambique. Decree n°11/2011. Creates the National Administration of Conservation Areas.
- Republic of Mozambique. Decree n°16/87. Approves the regulation of Land laws.
- Republic of Mozambique. Decree n°34/2003 of August 19, 2001. Creates the Chimanimani National Reserve
- Republic of Mozambique. Decree n° 12/2002, of June 6. Regulation of Forest and Wildlife Conservation Law 2002.
- Republic of Mozambique. Environmental Law 1997. Regulates Environmental actions within a Neoliberal Framework, no Mention to Community Conservation Areas.
- Republic of Mozambique. Flora and Fauna Conservation and Protection Law n°10/99. Regulates Biodiversity Conservation within a Neoliberal Framework, no Mention to Community Conservation Areas.
- Republic of Mozambique. Land Law n°19/1997 of October 1. Regulates Land Use Allocation within a Neoliberal Framework and Mentions Community Lands.
- Republic of Mozambique. Law n°10/1999. Forest and Wildlife Conservation

- Law 1999. Regulates Biodiversity Conservation within a Neoliberal Framework, no Mention to Community Conservation Areas.
- Republic of Mozambique. Ministerial Diploma n°49/97. Approves the status of the Ministry for the Coordination of Environmental Affairs.
- Republic of Portugal, Overseas Ministry. Decree n°33727 of June 22, 1944. Approves the Regulation for land Concessions from the Continental Colonies in Africa.
- Republic of Portugal, Overseas Ministry. Decree n°33727 of June 22. Approves the Regulation for land Concessions from the Continental Colonies in Africa.
- Republic of Portugal, Overseas Ministry. Decree n°43894 of September 6. Regulation for the Occupation and Concession of Overseas Province's Lands.
- Republic of Portugal. Constitution 1933. Mentions Mozambique as an overseas province.
- Republic of Portugal, Overseas Ministry. Decree n°34597, of May 12, 1945. Suspends the Previous Regulation for land Concessions from the Continental Colonies in Africa State.
- Republic of Portugal. Overseas Ministry. Decree n°40040, of January 20, 1955 Establishes the Principles for the Protection of Soil, Flora and Fauna in the Colonial Lands.
- Republic of Portugal. Overseas Ministry. Decree n°44531, of August 26, 1962, Approves the Forest Regulations in the Colonial Provinces of Angola, Mozambique.
- Schuetze, C. 2015. Narrative fortresses: crisis narratives and conflict in the conservation of Mount Gorongosa, Mozambique. *Conservation and Society* 3(2): 141–153.
- Scott, J. 1998. *Seeing like a state: how certain schemes to improve the human condition have failed?* New Haven and London: Yale University Press.
- Serra A. 2001. Legitimacy of local institutions of natural resources management: the case of M'Punga, Mozambique. School of African and Asian Studies, Sussudenga. Mozambique, University of Sussex, and Centro de Experimentação Floresta. Working Paper 3.
- Silva, S. 2005. Interview with Professor José Negrão, hero of Mozambique's poor. [http://mokoro.co.uk/wp-content/uploads/interview\\_with\\_professor\\_jose\\_negrao.pdf](http://mokoro.co.uk/wp-content/uploads/interview_with_professor_jose_negrao.pdf). Accessed on June 10, 2017.
- Simbine, M. 2013. Factores antrópicos da conservação da Floresta Sagrada de Chirindzene, Gaza-Moçambique. Master's thesis. Ecology, Environment and Territory, Porto University.
- Sumich, J. 2008. Construir uma nação: ideologias de modernidade da elite Moçambicana. *Análise Social* 43(2): 319–345.
- USAID. 2014. Planeamento estratégico ANAC (Agência Nacional de Gestão de Áreas de Conservação). Terms of Reference. <http://www.speed-program.com/wp-content/uploads/2013/10/ANAC-Strategic-Development-Plan-ToR-Tomas-Port.pdf>. Accessed on June 14, 2017.
- Virtanen, P. 2002. The role of customary institutions in the conservation of biodiversity: sacred forests in Mozambique. *Environmental Humanities* 11(2): 227–241.
- Virtanen, P. 2004. Community-based natural resource management in Mozambique: a critical review of the concept's applicability at local level. *Sustainable Development* 13(1):1–12.
- Walker, M. 2015. Producing Gorongosa: space and the environmental politics of degradation in Mozambique. *Conservation and Society* 13(2): 129–140.
- Witter, R. 2013. Elephant-induced displacement and the power of choice: moral narratives about resettlement in Mozambique's Limpopo National Park. *Conservation and Society* 1 (11): 406–19.
- Zwingel, S. 2011. How do norms travel? Theorizing international women's rights in transnational perspective. *International Studies Quarterly* 56(1):115–129.

---

Received: March 2017; Accepted: June 2018