

## Chapter I

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# Introduction

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**Abstract** This chapter provides an introduction to the volume on conflicts over natural resources in the Global South and situates the various contributions made. The authors note that such conflicts frequently involve poor, mainly rural people who are struggling to maintain access to the resources on which they depend for a living. The volume is concerned mainly with conceptual approaches to the issue of conflict. Given the diversity of conflict and cooperation dynamics and their relation with natural resources, the authors argue that general causal theories are problematic. Rather than aiming for grand explanations, the volume therefore is aimed to realise what Merton (1949) has termed ‘middle-range theory’.

**Keywords** Natural resources, conflict, cooperation, Global South, poverty, governance.

### I.1 PRELIMINARY REMARKS

This book is primarily about the conflicts that often characterise the exploitation of natural resources. The focus is on poor, mainly rural, people and their struggles to maintain access to the resources on which they depend for a living, such as water, land, agriculture, fisheries and minerals. It is about the troubles that prevail and the ways in which people cooperate to resolve them, for better or worse.

Although poverty is a universal phenomenon, not limited to specific parts of the world (CIESIN 2006), it is the defining feature of the region known as the Global South. The countries that belong to the Global South are mostly located in Africa, Asia and Latin America, and a large part of their populations live in rural areas and is engaged in the primary sector. This means that they rely directly on the natural environment for their livelihood.

The effects of human development on the natural environment have been analysed globally in the Millennium Ecosystem Assessment (MEA) (2005). This report points to the human reliance on manifold ecosystem services. The present volume concentrates

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on a particular kind of services, known as provisioning: services that provide people with goods essential for their livelihoods. The MEA notes that many of these services are degrading globally and therefore becoming increasingly scarce. This not only puts pressure on present but also on future generations and their opportunities for wellbeing.

Climate change adds a new dimension to the discourse on ecosystem services. Resilience and adaptation are the new buzzwords, drawing attention to the need for preparing societies for important changes in their climatological and physical surroundings. Importantly, attention is also being paid to the differential impact of climate change. As Adger et al. (2009: 11) point out, the debate is now also about “how adaptation must happen for the common good, coupled with assisting the most vulnerable.” It is clear that resilience and adaptation processes are not necessarily conflict-free, and that, here again, some people are more likely to be side-lined than others.

The present volume finds its origin in an innovative research programme initiated by the Netherlands Organisation for Scientific Research (NWO/WOTRO) in collaboration with the Ministry of Foreign Affairs of the Netherlands. This programme, entitled ‘Conflict and Cooperation over Natural Resources’ (CoCooN), has three objectives: 1) to generate new knowledge, high quality research and innovation in the field of conflict and cooperation over natural resources; 2) to support policy development and practice in developing countries; and 3) to build up capacity at different levels. The seven projects that have been funded during the CoCooN programme (2010–2016) all follow a case study approach; they cover different geographical regions as well as a broad range of resources and resource issues. The project teams consist of academics and practitioners, and have a multi-disciplinary composition. More details on the rationale of the programme and how it was developed can be found in Kessler et al.’s concluding chapter, “Challenges in the design of a research and development programme on Conflict and Cooperation over Natural Resources” (Chapter 11).

The aim of this volume is to present the various conceptual approaches adhered to by each of the CoCooN projects. It therefore has a theoretical, rather than a practical ambit. The volume consists of three parts: theoretical overviews (Part 1), case studies (Part 2) and policy perspectives (Part 3). This chapter introduces the diverse contributions and situates them in the debate over natural resources and conflict. First, we describe the case study chapters, which constitute the core of the volume. Secondly, we turn to the theme of conflict and cooperation over natural resources, highlighting the debate as brought forth in the more general contributions to this volume. Thirdly, we discuss the action potential of the CoCooN programme.

### **1.2 THE COMPENDIUM OF CASES**

The cases included in this volume capture a range of natural resources, geographical contexts, and conflict dynamics. The geographical scope is wide-ranging: three projects focus on Latin America, one on Asia, one on the Middle East, and two on Africa (with one project bridging two continents). The majority of cases are of a comparative nature, exploring experiences in multiple regions. The natural resources, on which the cases ultimately hinge, vary from land to minerals (oil, gold, marble and gypsum), biofuels (Jatropha) and fish.

Chapter 4 by Rutten and Mwangi is rooted in a project on the reconciliation of competing claims in Kenya's dry land regions. Noting that concepts such as 'natural resources' and 'conflict' are frequently ill-defined, they consider the manner in which scholars, particularly in Africa, have addressed them. The assessment framework they formulate to understand the origins of conflict is rooted in historical analysis and political economy (cf. Peluso and Watts 2001; Sikor and Lund 2009). The framework is illustrated with an animated case study on conflicts over the mining of marble and gypsum (which is used for fabricating fertiliser and plaster) that involves representatives of various ethnic groups. The chapter shows that conflicts that seem straightforward are in fact intricately multi-layered and have a complex historical nature, in which power and various notions of justice are at play.

Chapter 5 by Smidt et al. focuses on the issue of groundwater exploitation as it plays out in three unique cases, the Palestinian Territories and Yemen in the Middle-East and Ethiopia in the Horn of Africa. Both regions suffer from water scarcity as well as social strife, all of which increase the importance of the political domain for realising adequate water usage arrangements. The main aim of this particular chapter is to analyse, in a comparative perspective, the workings of the 'political black box' in a collection of state formations: democratic states, autocratic states, exclusive states (in which certain groups are systematically marginalised), and fragile states. The authors emphasise that conflict and cooperation are not mutually exclusive concepts, but that cooperation on minor issues can occur in a context of overarching conflict.

Chapter 6 by Zaitch et al. takes a green criminological perspective and applies this to the issue of land-use transformations in Colombia and Brazil. These include deforestation, the conversion of land to agro-fuel monocultures, the construction of mega-dams, and large-scale commercial mining. The authors argue that criminology offers inroads into understanding three interrelated issues. First, it allows for analysis of who the perpetrators are, how illegal mechanisms are constituted, and why illegal practices take place. Second, it reveals the victims and the social and environmental harms created by large-scale land-use transformations. Finally, it highlights the violation of 'rights', and the initiatives to guarantee, defend and enforce them. Events in the Tapajos Basin in Brazil and the Cauca Basin in Colombia provide illustrations of the approach, and of manners in which a reduction of harm can be realised. Overall, the criminological approach permits an analysis of the actors and the mechanisms at play when natural resources are (mis-)appropriated in manners that violate the *de jure* framework.

Chapter 7 by Arsel et al. concentrates on minerals in Bolivia and Ecuador and the impact of the nationalisation of extractive industries on the conflicts that mark the sector. The authors use a property rights framework to explore the changes that are taking place and highlight contradictions that exist in the regulatory framework. In both Bolivia and Ecuador change follows from the radical demands of indigenous communities and other groups. The authors argue that a theory of nationalisation needs to highlight continuities as well as breakages in the historical pattern. Moreover, nationalisation must be situated in the much broader political economy dynamics of the so-called Left Turn. The state is in this context not only the instigator of nationalisation, but is itself transformed in the process.

Like that of Arsel et al. (Chapter 7), De Theije et al.'s study (Chapter 8) is also situated in Latin America. De Theije et al., however, instead focus on one specific

activity: small-scale gold mining in Surinam, Colombia and Brazil. Realising that state influence over these activities is frequently marginal and often distorted, and that parallel arrangements are frequently in place, the authors make use of a legal pluralism framework. The argument here is that the analysis of the interplay between legal systems in a given context contributes to knowledge on how conflicts develop over time. This framework also allows for the development of more appropriate policies that are relevant to and reflect the realities of the sector. The authors also highlight how an apparent situation of regulatory void, when analysed in depth, consists of numerous regulatory frameworks, each with a different degree of formalisation. When staking their claims over resources, the actors refer strategically to the various frameworks in view of current contingencies and with the purpose of furthering their own interests.

In chapter 9, Bavinck, Sowman and Menon shift attention from the land to the sea. They study fishing conflicts in two contrasting geographical regions: South Africa and South Asia. Although the parties to these conflicts and their historical precedents differ substantially, the authors argue that they can be analysed in a similar fashion. This chapter provides a framework for analysing governance processes ‘from the bottom up’ – that is, starting from the perspective of small-scale fishers. Here again the legal pluralism perspective provides good service. Over a time period of one hundred years, the fisheries in both regions have been impacted by the introduction of new technologies, globalisation and the fragmentation of law. Legal pluralism has complicated the fisheries picture and contributed to the exacerbation of conflict. In fact, ‘new’ regulatory regimes introduced by the state have failed to replace customary law, which maintains significant influence. The authors hold, however, that co-management and participatory governance provides opportunities for resolving conflicts over fisheries.

The final chapter in the case study section, authored by Timko (chapter 10), discusses the development of biofuel cropping in Ghana and Ethiopia and the conflicts that have since arisen. The sustainable livelihoods approach (Scoones 2009) constitutes her main source of inspiration, and the chapter’s aim is to develop a framework by which local people can establish the potential impact of *Jatropha* cultivation, production and usage. Timko discusses three criteria that have been established through preliminary fieldwork as well as from the literature. The first criterion is whether local people are consulted and adequately informed about potential biofuel projects in their vicinity. Secondly, the impact on local landholdings and land use needs to be minimised. Thirdly, local livelihoods must benefit to the greatest extent possible from *Jatropha* cultivation. The author concludes that there is ample scope for reducing conflicts around *Jatropha*-related projects in ways that enhance local livelihoods, including those of women.

### 1.3 SITUATING THE CASES

Reasoned scrutiny (Sen 2009) starts with defining the concepts in question and most contributors to this volume would probably agree with Bavinck et al.’s (Chapter 9) minimal definition of conflict as “confrontations between groups or categories of people” regarding a resource activity and its management. Conflict in this sense may be positioned on a continuum ranging from mild tension to outright violence. Usually, however, the term is reserved for the more serious cases that preclude mutually

beneficial cooperation, involve violence, or have a high potential of developing into such cases (Smidt et al., Chapter 5).

Conflicts in the sense of confrontations are related to, but differ from conflicts in the sense of conflicting interests. Conflicting interests may or may not lead to confrontations. For instance, if there is water scarcity, not all demands can be met and the different water users will have a conflict of interests. However, effective institutions may be in place that regulate and limit water use and facilitate peaceful relations. If problems nonetheless occur, formal or informal conflict resolution procedures may be used for resolving or containing the conflict and preventing escalation. Below we shall note that while institutions can help to contain conflict, they can also provoke it.

The word ‘cooperation’ derives from the Latin *cooperatio*, which means working together. Authors often add a qualification, working together “towards a common goal.” Actors, however, may also work together if they have different goals (Gray 1989; Huxham and Vangen 2005). Cooperation is often seen as the opposite of conflict: the more cooperation there is, the less conflict there will be, and vice versa. Yet, conflicting interests do not exclude cooperation, and cooperation does not exclude conflicting relations. Basing themselves on Zeitoun (e.g. Zeitoun and Mirumachi 2008; Zeitoun, Mirumachi et al. 2010), Smidt et al. (Chapter 5) argue that formal agreements on relatively minor issues may be concluded without the root causes of the problem being addressed; hence the underlying conflict may actually persist.

It must be noted that we do not take a normative stance on conflict and acknowledge the functions that conflict can serve. After all, if the root causes of a problem are not addressed, cooperation may actually facilitate the perpetuation of injustice and legitimise the status quo. An overt conflict may be necessary to deal with these root causes. Kessler et al. (Chapter 11) refer to this as the ‘positive functions’ of conflict. Yet, as Georgescu Roegen (1975) has already noted, drawn out conflict is also a very wasteful process. While cooperation may benefit some more than others, conflict is generally costly for all parties concerned, especially for those who possess less power and fewer resources. Moreover, the outcomes of overt conflict are very uncertain. Considerations such as these may explain why some inhabitants of the Palestinian Territories are willing to cooperate on environmental matters with Israelis while others are not. Cooperation may, for example, result in short-term environmental and economic benefits, but it may also be seen as a ‘normalisation’ of the Israeli occupation of the West bank and Gaza strip. To complicate matters, within the Palestinian Territories, political opponents are often accused of being ‘normalisers’, in order to effectively discredit them. Thus the political costs of cooperation are increased (Abu Sarah 2011).

The contributions to this book make reference to a large number of potential causes of conflicts. These can be grouped under three headings: causes related to the resources themselves, causes having an origin in social tensions, and causes that follow from the failings of institutional frameworks. These categories are not mutually exclusive.

Frerks et al. (Chapter 2) highlight the fierce debate that surrounded the relationship between natural resources and conflict in the 1990s. This debate centred on the question of whether it was the scarcity or rather the abundance of natural resources that was the main origin of strife. The former thesis, ventured by authors such as Homer-Dixon (1999), gained relevance from concerns over environmental degradation as well as population growth. The latter thesis – one that focused entirely on

high-value goods such as oil and minerals – highlighted the workings of ‘honey pots’ (de Soysa 2002) and ‘resource curses’ (cf. Watts 2004).

Connected to the notions of scarcity and abundance are the factors of greed and grievance, as highlighted by Murshed (Chapter 3). The greed argument is closely linked to the abundance-of-resources thesis: different parties may try to gain control over valuable resources for financial gain. The proceeds may be used to finance the conflict that they are involved in, and in this way the conflict may perpetuate itself. In the end, it may be impossible to tell whether the conflict is about political power in order to obtain natural resources, or about natural resources in order to obtain political power.

In short, the grievance argument runs as follows: relative deprivation of countries, regions or groups causes grievance, which in turn fuels intra- or international conflict. Grievance is very likely in so-called “exclusive states” (Smidt et al, Chapter 5), in which certain groups are systematically excluded or marginalised, such as South Africa under the Apartheid regime or the situation in the West Bank and the Gaza strip. More generally, grievance is closely related to power imbalance. Not only does power imbalance often lead to relative deprivation of some countries, regions or groups, it may also be resented for its own sake and stand in the way of conflict resolution because the deprived parties may doubt the possibility of a fair outcome (cf. Gray 1989). In practice, greed and grievance may reinforce each other: conflicts that start with the greed of one group may result in relative deprivation of other groups and in grievance, and grievance may develop into greed.

The next category of conflict origins, to which we have in fact already shifted, lies in the social realm. Frerks et al. (Chapter 2), for example, refer to the workings of ‘identity politics’ (cf. Watts 2004). These can have ramifications for our topic when particular groups claim territories and natural resources as their own, to the exclusion of others. However, ‘identity’ is not necessarily the cause, but can also be the result of political struggles. Ethnic and other differences between groups can be invoked to form and strengthen collective identities. This in turn may serve several political purposes: to claim natural resources for one’s own group; to construct a common enemy and rally support for the ruling elite; to exclude contestants for power with a different ‘ethnic background’; to marginalise more moderate contestants from one’s own group; and to defend against other groups playing the ethnic card (Fearon and Laitin 2000; Caselli and Coleman 2013).

The final category of causes is institutional in nature. Arsel et al. (Chapter 7), focus on nationalisation processes in Bolivia and Ecuador, processes that are interpreted as integral parts of historical trajectories of conflict over extractive industries. The understanding of the dynamics at play requires transcending the issue of ownership to include an analysis of coinciding state transformations. It is argued that in the process of instigating nationalisation and acquiring some form of ownership of natural resources, the state is itself transformed by increasing its remit and powers. Rutten et al. (Chapter 4) further emphasise the importance of institutional and historical origins of conflict. The authors show how multi-layered competing claims can arise from the history of property rights associated with changing administrative boundaries.

Law, taken in a broad, sociological sense (Zaitch et al., Chapter 6), plays an important role in various contributions to the volume. Zaitch et al. explicitly refer to formal environmental law and its repeated transgression. Their perspective is one of green criminology. Other authors make use of a legal pluralism framework, which

recognises the existence of various cognitive and normative orders in a social field (Benda-Beckmann 2002; Tamanaha et al. 2012). De Theije et al. (Chapter 8), for example, discuss the various patterns of law in three Latin American countries, and their roles in the creation and perpetuation of conflict. Bavinck et al. (Chapter 9) carries out a similar exercise, comparing the role of law in fishing conflicts in two parts of the world. The fact that multiple parties refer to different legal systems creates confusion, but also contributes to strife. As industrial fishers and governments do not recognise customary law and the rights it promotes, small-scale fishers in Sri Lanka and South Africa have no alternative than to protest. As De Theije et al. (Chapter 8) point out: legal pluralism is firmly embedded in power relations. This makes the question of which order prevails a very political one.

Having reviewed the history of the debate on conflict over natural resources, Frerks et al. (Chapter 2) plead strongly against mono-causal explanations, noting that, where tensions about access and use of natural resources exist, these generally prove to have multiple sources. Their reading of the contemporary literature is that: “At present, scholarship tends to promote a multi-causal, multi-level and multi-actor perspective in which the role of environmental factors is mediated through or combined with other factors, often of a socio-political nature” (Frerks et al., Chapter 2). The contributors to this volume would probably all agree with this nuanced and cautious perspective, which contrasts starkly with the polarising debate that took place on the topic in the not so distant past.

In this volume, the causes of and mechanisms toward cooperation receive less explicit attention than those of conflict. However, as the two concepts are to some extent mirror images of one another, much of what is said about one also applies to the other. Accordingly, the causes of cooperation can partly be assumed to be the opposite of the causes of conflict.

Embedded in the different literatures are hints that allude to the mechanisms for realising cooperation. Governance literature addresses the need to ‘steer’ society by means of collaboration between parties belonging to state, market and civil society (Kooiman 2003). Torfing et al. (2012: 54) point out that “governance arenas are ridden with political conflicts and power struggles,” and that cooperation between parties is not necessarily forthcoming. Whether governance results in an appropriate and fair use of natural resources is another question altogether – there are enough examples of ‘bad governance’ in the world to demonstrate that this is not an obvious outcome. It is in this context that the concept of ‘good enough governance’ (Grindle 2004) has relevance; good enough, perhaps, to sense the possibility of unwanted conflict, and also to sow the seeds of cooperation. Yet it remains likely that even in this case governance will need to be based on principles and vision for conflict to be avoided (Kooiman and Jentoft 2009). Collaborative governance aims to engage people across divides for “a public purpose that could not otherwise be accomplished” (Emerson et al. 2012: 2).

In her classic work on inter-organisational cooperation, Gray (1989) developed a process model of cooperation, consisting of three phases: 1) problem setting, including the identification of key stakeholders; 2) direction setting, including reaching agreement; and 3) implementation. She emphasised, among others, the importance (and difficulty) of bringing the key stakeholders around the table, of identifying overlapping concerns when setting the agenda, of involving constituencies that have to approve or implement agreements, and of so-called ‘reference organisations’ that may

oversee implementation. According to her, parties may be willing to cooperate if they a) consider the present situation to be unsatisfactory, and b) believe there is a chance of a better outcome that will actually be implemented and is also fair. Other authors on inter-organisational cooperation have identified a number of ‘themes’ to be addressed, such as organising for cooperation (networks, commissions, etc.), the issue of developing trust and goal setting (Huxham and Vangen 2005).

Still other literature that is highly relevant for understanding cooperation include the literature on negotiation and mediation, such as the classic *Getting to Yes* by Fisher and Ury (1981), which emphasises the importance of ‘principled negotiation’ and of exploring more than two options. Other classics include Robert Axelrod’s book, *The Evolution of Cooperation* (Axelrod 1984) and Elinor Ostrom’s work on collective action with regard to common pool resources (Ostrom 1990). Finally, many case studies and meta-analyses have been published in the past three decades on wholly or partly successful cases of cooperation, for instance in the field of transboundary water resources (Mostert 2003). Important lessons from these case studies include the importance of opportunities to interact, for instance in river basin commissions; the role of package deals and issue linkage; and the importance of developing good relations as a basis for mutually profitable exchanges.

### 1.4 TAKING ACTION

Although the projects that comprise the CoCooN programme all possess a strong action component, in this volume we have chosen to highlight their academic perspectives. Whereas many academics aim to further knowledge, policy is about the practical measures needed to address an issue directly.

There are two chapters in this volume, however, that do take a more explicit action perspective. The first is Chapter 10 (Timko, Chapter 10), which, as discussed in the previous section, focuses on the biofuel issue and its impact on livelihoods. The second action-oriented chapter by Kessler et al. (Chapter 11) hones in on the CoCooN programme itself. It describes how this programme, which is innovative in its explicit linking of research and policy goals, was designed and structured. This chapter connects with the discussion that Frerks et al. (Chapter 2) devote to the policy concerning conflict and cooperation over natural resources, both in the Netherlands and abroad, and the manner in which key agents have addressed the nexus between environmental issues and conflict.

Researchers deciding to engage with practice face a number of complications, similar to those of so-called action research (Masters 1995). First of all, there is the choice of what to work for and whom to work with (Mostert and Raadgever 2008). Although these choices follow partly from the topic of study and the possibility of identifying suitable action partners, there clearly is a normative element involved. In the CoCooN programme, more so than in conventional research, researchers collaborate with action partners on work that they consider important from a normative, societal viewpoint. Being interested in the situation of those that are excluded, and therefore marginalised and poor, they strive to contribute to a governance process that provides more equal benefits. As such, researchers become part of the governing process they are studying.



The choice for specific goals and action partners may of course have consequences for the relations of researchers with other parties in the societal field. After all, their research is also a political activity that may be distrusted/opposed by other – more dominant – parties. One of the challenges posed by the CoCooN programme is how to manoeuvre in this potential minefield. Future publications from the programme will hopefully pay attention to how this question is being handled.

Finally, conflict resolution usually takes more time than is available during individual projects, and cannot necessarily be planned in advance. In the case of transboundary water resources, the time to resolve conflicts and develop real cooperation has been estimated to be between ten and a hundred years (Mostert 2003). Contrast this with the duration of a normal research project: four to five years. It may already take one year to make the necessary connections and gain enough trust. Moreover, unforeseen development can always occur, such as revolutions, natural disasters, changing policies and personnel changes. These make it difficult to develop a strict working plan in advance, and then stick to it throughout the project's implementation. Yet, this is what most funders require.

## 1.5 WAYS FORWARD

The picture of conflict and cooperation over natural resources presented in this book is necessarily complex and multi-dimensional. Conflicts prove to involve very different parties located in different parts of the world, at different geographical levels, and with or without a transboundary dimension. They can be open or hidden under the guise of cooperation, and based on greed, grievance or other circumstances, such as identity. Finally, conflicts are to be seen within their broader environmental, social and political contexts: whereas sometimes the environmental dimension predominates, in other cases it is the social or political realm that provides the main drivers. Cooperation has equally diverse forms. Significantly we noted that conflicting interests do not necessarily exclude cooperation.

Given the diversity of conflict and cooperation dynamics and their relation with natural resources, general causal theories are problematic. Rather than aiming for grand explanations, the researchers involved in the CoCooN programme strive to realise what Merton ([1949] 1967) has termed 'middle-range theory'. Their methods are comparative case study research and thick, data-rich analyses. Moving beyond the confines of analytical science into what Aristotle called *phronesis*, they also contribute to society's practical rationality "in elucidating where we are, where we want to go, and what is desirable according to diverse sets of values and interests" (Flyvbjerg 2001: 167).

Overall, given pending questions on the relationships between resource extraction, conflict and cooperation, in combination with the ever-increasing resource demands of the global economy, the issues dealt with in this book will likely remain prominent in academic and policy debates. Progress with regard to both knowledge and practice will depend on the willingness of academics, policy makers, practitioners and communities to engage with each other and make hard choices. The end results will be borne primarily by those who depend on natural resources for a living. Although books generally do not change the world, we hope that this volume will make a contribution

to understanding the processes that lead to the marginalisation of poor, rural people, who are fighting for what they see as their rights over natural resources.

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