

# 10.

## **Community statutes on sustainable rural development**

### **1. GENERAL INFORMATION**

#### *1.1 Title & practice or experience*

Community statutes on sustainable rural development

#### *1.2 Category & practice/experience and brief description*

Responding to the catalytic effect of a project, three communities in Tigray, Northern Ethiopia, have developed their respective community statutes by consensus to govern the activities of each member as well as that of the whole community in order to manage the land under the usufruct right of each member and the community so that the whole environment in which the communities live and its productivity are improved sustainably. English translations of the statutes and some contextualizing comments are given in this review.

#### *1.3 Name & person or institution responsible for the practice or experience*

The communities responsible for the practice are in the following villages:

Village – Adi Nifas; Woreda (District) – Tahtay Mai Chew; Zone – Central; Region – Tigray

Village – Ziban Sas; Woreda (District) – Sa’si’ Tsa’da Imba; Zone – Eastern; Region -Tigray

Village – Gu’mse; Woreda (District) – Sa’si’ Tsa’da Imba; Zone – Eastern; Region – Tigray

#### *1.4 Name and position of key or relevant persons or officials involved*

Adi Nifas – Mr Wolde Michael Gebre Hiwot, Chairman

Ziban Sas – Mr Berhane Hagos, Chairman

Gu’mse – Mr Tekhlai Haile Mariam, Chairman

### *1.5 Details of institution*

These are rural communities without access to any postal or telecommunications systems. It is, therefore, not possible to give their formal addresses. But they can be reached through the Bureau of Agriculture of the National Regional State of Tigray, the address of which is given in 1.7 (ii) below.

### *1.6 Name of person and/or institution conducting the research*

- (i) Institute for Sustainable Development, Addis Ababa, in partnership with
- (ii) Bureau of Agriculture of the National Regional State of Tigray, Mekele

### *1.7 Details of research person/institution*

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## **2. THE PROBLEM OR SITUATION BEING ADDRESSED BY THE PRACTICE/INNOVATIVE EXPERIENCE**

Ethiopia is one of the old centres of agricultural development, and over the millennia, the farming communities created effective systems of land management and agricultural production. The system of governance that existed in Ethiopia for about a millennium preceding the “Scramble for Africa” by European colonizers in the 19th century was feudal, which left land management entirely in the hands of the local communities supervised by the lower elements of the local aristocracy.

These communities had their own statutes, which were, as a rule, orally transmitted and maintained.

In the second half of the 19th century, the state started centralizing all power with the aim of developing its capacity to deal with colonialism. It saw local community organization as incompatible with centralized power, and it

systematically destroyed it. In so doing, it inadvertently dismantled the old systems of land management. Physical soil conservation structures, mostly bunds, ceased to be maintained, and many of them broke down, exacerbating soil erosion. Trees in communal lands were cut down by anybody who wanted the wood. The management of hunting and grazing was discontinued. The environment quickly deteriorated (Environmental Protection Authority, 1997). This situation was made worse by accelerating population growth.

Since the 1960s, the central government has been making some efforts to reverse the situation, but still with a centralized approach. It did not achieve very much that is lasting because the farming communities did not support its programmes. Whenever they could, they pulled up or cut down the trees planted, and destroyed the terraces built, because they identified them with oppression.

After the overthrow of the extremely centralist military dictatorship in 1991, the process of decentralizing power started. Even now, however, not all the farming communities everywhere are fully convinced that it is safe to take the initiative in local organization and local decision-making. But with the sustained reassuring encouragement of organs of local government, many farming communities all over the country are taking initiatives to improve their land management and agricultural production systems. Though the negative impacts are still larger than the positive impacts in many areas, this move is clearly for the better.

In many areas, in fact, they no longer need any encouragement and are taking their own initiatives independently.

Though information passed on from grandparents lives on in the communities, reviving the local community organizations of the past is not always easy. Since the local, national and global social and political scenes have drastically changed, a simple imitation of the community organization of the past is no longer appropriate. There are, therefore, new social experiments going on in many communities (e.g. Tenna Shiterek, 1998) to develop local organization and its functioning norms that are effective for the sustainable use of natural resources and for improved agricultural production.

It is the effort of three village communities in this respect that is reported in this review.

### **3. DESCRIPTION OF THE PRACTICE/INNOVATIVE EXPERIENCE AND ITS MAIN FEATURES**

The development of the community statutes is linked to a project (the Sustainable Rural Development Project) which is coordinated by the Institute for Sustainable Development in partnership with the Bureau of Agriculture of

Tigray state.

The Sustainable Rural Development Project aims to catalyze the action of specific village communities to raise agricultural and renewable-natural-resources production through the use of the current extension package based on chemical and "improved" seed inputs on the one hand, and a change in management and the adoption of additional technologies as seen fit to maximize organic-matter production and its use for soil fertility management on the other.

To achieve this aim, the Project selected four adjacent pairs of village communities, one pair in Southern Tigray, two pairs in Eastern Tigray and one pair in Central Tigray Zones. One of each pair had no special attention paid to it except in the case of gathering socio-economic and production data. It was otherwise left to the attention of the prevalent extension system, which consists of pushing the use of chemical fertilizer, and also of improved seeds in the case of maize, wheat and teff, and of row-planting in the case of maize.

The other village in the pair, through the Project, focused on introducing the art of composting, and improving manuring, green manuring, polyculture, tree planting, closing off areas to grazing and feeding the animals through cutting and carrying of feed, bunding, terracing, gully control, etc. Each village community met up and decided what it wanted to do, with the Project personnel playing catalytic roles only.

Of the four villages where this catalyzing of the improved use and management of organic matter was tried, three have developed their own statutes to govern individual and collective responsibilities, while the fourth community is discussing the possibility of developing such statutes.

The environments of the three villages are very different one from the other. Because of these differences, the focus of each village is also different from the others.

## **ADI NIFAS VILLAGE**

### **Background information**

Adi Nifas is only a little over 10km west of Axum. The average rainfall for Axum is 635.2 mm per year, with 515.6mm falling during the crop-growing months of June to September. Annual fluctuations above and below the mean are small and crop production is, therefore, reliable in most years.

The village is at the foot of a steep but low basaltic mountain range. The farms are in flat, vertisol areas that are prone to gullying. The lower slopes of the mountain, which have better-drained reddish soils but which are easily eroded because of the slope, are also cultivated. The vertisols have a high

cation content and are thus productive, though, because of intensive use, nitrogen content is usually low.

Before the Project started, two gully systems had established themselves and were expanding, destroying the fields of the farmers. They have now been rehabilitated and are now grassy strips.

The slopes had been completely deforested and the vegetation replaced by shrubs (mostly *Euclea schimperi*) of low productivity. The slopes nearest the houses are virtually without vegetation, except where terracing and protection from grazing have been implemented. When thus treated, both the grass and the trees grew back in a few seasons. The whole mountainside adjacent to the village has now been terraced and planted with various tree species.

In comparison to the other two villages in this review, the population density is higher because of the better environment, and agricultural production is also higher.

Because of the intensity of use and the good quality of the environment, the community's attention was not fixed on only one overriding problem, and the complexity of treatment of their statutes reflects this.

#### **Statutes of Adi Nifas Village (translated from Tigrinya)**

*We, the residents of the village of Adi Nifas, who have the usufruct right over the area around Fengele, and are included in the Sustainable Rural Development Project, have committed ourselves to bringing about our own development sustainably.*

*To promote the carrying out of current and future activities aimed at the growth of sustainable agriculture and to overcome constraints and negative tendencies, we have produced and unanimously agreed to the following statutes.*

##### *1. Concerning **Our** Benefits:*

*We reiterate that when the aims of the Research Project on Sustainable Rural Development and the modalities of its implementation were explained to us, we understood the benefits it would give us and, because we were convinced of its merits, we accepted it unanimously without any external pressure pushing us into doing so, and we demarcated our land for its implementation.*

*We shall, on a continuing basis, construct and maintain physical structures to prevent soil erosion in our farmlands and our uncultivated areas and to stop gullying so as to prevent the worsening of land degradation and*

*harm to us. We shall strengthen the physical structures by supplementing them with biological measures.*

*In order to improve the fertility of our soils we shall:*

- (a) cultivate our land using our traditional methods which have proved themselves over generations, but appropriately improved;*
- (b) use the best of our crop genetic resources;*
- (c) make compost from weeds out of crop fields and other plant material during both rainy and dry seasons as availability allows;*
- (d) use modern ways of managing the dung from our domestic animals to improve the availability of animal manure;*
- (e) adopt techniques that are convincingly introduced to us to grow plants for green manure and for other ways of improving soil fertility;*
- (f) grow fodder plants on our farms;*
- (g) plant grass over terraces.*

*We shall grow plants around our homes for meeting our construction, fuel and medicinal needs as well as for shade.*

*We shall rehabilitate the now degraded uncultivable grazing land, which has little vegetation cover, by closing it off to our animals and to the animals of others and by guarding it so that the vegetation cover may re-establish and the land be useful to humans and to animals.*

*We shall physically treat all gullies, be they in cultivated or uncultivable land, and we shall grow plants on them and maintain them. In particular, we shall ensure that the users of adjacent areas manage their land in a manner compatible with rehabilitating the gullies.*

*To this effect, we have hereby established a Committee consisting of 7 of our members representing farmers, the youth and women, as well as [ex-officio] the Tabia' Chairman, Village Chairman and Village agricultural specialist [an elected farmer given some modern training]. This Committee shall regulate our activities, approach on our behalf the appropriate authorities in relation to our problems and help us solve those problems.*

*The Committee shall consist of:*

*Abraha Gebre Michael, Farmer*

*Ambaye Habte Mariam, Farmer*

*Berhane Abraha, Youth*

*Desta Gebre Selasie, Farmer*

*Gebre Mariam Gebre Michael, Farmer*

*Kahsay Gebre Selassie, Village agricultural specialist, and chairing the Committee*

*Kidane Taweke, Youth*

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<sup>†</sup>The Tabia is a unit of local administration consisting of neighbouring villages.

*Reverend Abebe Gebre Mariam, Village Chairman  
Tsige GebreAbzgi, Women's Association  
WoldeMichael Dirar; Tabia Chairman*

*We undertake to do all we can to carry out activities convincingly introduced to us to implement these commitments we have entered into.*

*To help us get new knowledge and make our undertaking effective, we shall meet twice each month, i.e. on the 12th and 29th, convening between 8:00 and 9:00 a.m. at the agricultural extension office of Mai Berazio.*

*2. Action to be Taken Against Anyone Who Rejects His Benefits and is Destructive*

*Anyone who, deliberately or through negligence, grazes his animals in a closed off area, shall pay the penalty of:*

*1 Birr [US \$0.15 for the first offence*

*2 Birr for the second offence*

*Anyone who does not fence off trees and grass that are around his house, his farm, or gullies and does not look after them and care for them is a hindrance to development. He shall be made to stand in front of the community and be criticized. He shall also be liable to indemnifying the government [the Project] for whatever it has spent on him. Anyone who, deliberately or by negligence, allows his animals into somebody else's closed off area shall be penalized:*

*1 Birr for the first offence*

*2 Birr for the second offence*

*He who fails to turn up at meetings, especially on the 12th and 29th of the month, shall be penalized:*

*1 Birr for the first offence*

*2 Birr for the second offence*

*We request the Government to keep supporting us all the way from the village level to all higher bodies technically, materially and in any other appropriate manner to help us implement these undertakings embodied in our statutes. We realize that we are not contributing any money for the implementation of this Project on Sustainable Rural Development, but we have been and are always ready with our labour and the materials we can find locally to implement it to the fullest extent we can. Those who, in order to hinder us from doing so, remove stones from terraces and procrastinate from doing what is their due of work shall be criticized in front of the community and be expelled from participating in this Project. Similarly, they shall be excluded from benefits that they would obtain at the Tabia level. We have all agreed to this unanimously.*

## ZIBAN SAS VILLAGE

### **Background information**

Ziban Sas is located about halfway between Wukro and Adi Grat. The mean annual rainfall of Wukro is 494.5 mm, with 438.1 mm falling in the main crop-growing season of June to September. The mean annual rainfall of Adi Grat is 636.3 mm, with only 388 mm falling in the main crop-growing season of June to September. Annual fluctuations above and below the mean are large for both towns.

Ziban Sas is located on sandstone, which is poorer in plant nutrients than the basalts of Adi Nifas. To make matters worse, the soil is very thin and easily eroded. Gullies have developed but because the soil is thin, they are not deep. Its distant history is unknown, but the village elders say that the land was not cultivated because the soil has always been poor, that it was used only for grazing and that it was shortage of land in this century that forced people to cultivate it. The available land per capita is thus more extensive than in Adi Nifas or Gu'mse, but the fertility is poor and the Ziban Sas community usually needs food aid to supplement their crops. It is for this reason that the village was included in the Sustainable Agriculture Project. The rationale was that if the Project could improve the organic-matter amount and make an impact in this extremely difficult environment, it would be a convincing outcome and would encourage better-endowed villages to follow suit.

The first efforts of the Project were thus aimed at controlling soil erosion through physical structures and biological measures, and increasing biomass both through closing off areas and enriching them with grass as well as through planting trees. One season was sufficient to convince the community that herbaceous biomass can be dramatically increased.

The making of compost was introduced at the end of the first growing season and its impact seen in the second. With the increased biomass and confidence in the Project, a lot of compost is being made in this (its third) season.

The overriding concerns of the Ziban Sas community when they produced their statutes were biomass and soil conservation, and, given the nature of the environment, increasing biomass is still their overriding concern, and their statutes reflect that.

## **Statutes of Ziban Sas Village (translated from Tigrinya)**

### *1. Introduction*

*It is a fact that various development projects are being implemented in various parts of the country based on the country-wide rural- and farmer-centred development strategy.*

*Accordingly, the Sustainable Rural Development Project, which aims to increase production based on the farming community's own knowledge and for the farmers' own benefit, has now been under implementation for 2 years in our Zone [Eastern Zone], Mai Tsa'da Woreda, Wenbero Tabia, Ziban Sas Village.*

*Many agricultural activities have already been carried out and grass and trees planted towards improved land management and better production. Nevertheless, unless adequate monitoring and regulating take place, what have been planted will be in vain.*

*For these reasons, the following have been agreed upon:*

### **2. Aim:**

- (a) To ensure that trees planted establish and grow in the required quantities and at the required times;*
- (b) To ensure that the grasses planted grow as required, and drop their seed on the ground for regeneration;*
- (c) To maintain and strengthen terraces;*
- (d) To maintain and strengthen physical structures for gully rehabilitation.*

### **3. Regulation:**

*The whole community met and, in order to fulfil these aims, discussed the issues involved and unanimously decided upon the following:*

*Anyone whose sheep and/or goat damages trees or tree seedlings shall be penalized:*

*5 Birr [US \$0.70] for a first offence;*

*10 Birr for a second offence;*

*shall be charged in court for a third offence.*

*Anyone who removes any part of a fence shall be penalized:*

*30 Birr for a first offence;*

*50 Birr for a second offence;*

*shall be charged in court for a third offence.*

*Anyone whose head of cattle, goat or sheep grazes on grass that has been planted shall be penalized:*

*5 Birr for a first offence;*

*10 Birr for a second offence;*

*shall be charged in court for a third offence.*

*Anyone who damages terraces or structures for rehabilitating gullies shall be taken to court.*

## **GU'MSE VILLAGE**

### **Background information**

Gu'mse Village is only a few kilometres south of Ziban Sas. The climatic considerations are, therefore, the same for both.

The farms in Gu'mse are on a flat alluvial plain. The soil is very deep and fertile, though it is likely to be poorer in cations than Adi Nifas. The seasonal stream that originally made the alluvial plain has now accelerated its erosive impact, no doubt because of the management problems already described for a whole country (Environmental Protection Authority, 1997), and the plain is threatened with a deep and fast advancing gully. Sand deposition on farms is also a growing problem.

The village of Gu'mse was chosen after one year's experience in Ziban Sas, which showed that the environmental constraints in Ziban Sas would take a long while to ease, and its experience alone could be unrepresentative of Eastern Tigray. Gu'mse was thus included in the Project because its environment, on the one hand, is typical of Eastern Tigray, but on the other, also has challenging constraints.

The community developed its statutes soon after the Project started, and, understandably, its focus is on increased biomass and soil conservation. It is also likely that the communities of both villages interacted, resulting in the similarity of the statutes.

The statutes were submitted by the Gu'mse community to the Agriculture Office, and the whole submission is given as follows:

### **Statutes of Gu'mse (translated from Tigrinya)**

*Date 28/1 1/89 (3 Sept. 1997)*

*Agricultural Development Office,  
Sa 'si' Tsa 'da Imba Woreda,  
Ferawn.*

*The Sustainable Rural Development Project has started being implemented well in our village of Gu'mse, which is found in the Tabia of Gu'agamet. The project aims to bring benefits to the farming community. To make the planting of trees and the terracing of hillsides effective, the 30 farmers included in the Project met, discussed the issues and unanimously agreed on the following statutes:*

*1. Concerning small ruminants (sheep and goats)*

*Whoever allows animals to go into any protected area shall be penalized:*

- 1 Birr per animal for a first offence;*
- 2 Birr per animal for a second offence;*
- shall be charged in court for a third offence.*

*2. Concerning damage by cattle*

*Whoever allows cattle to go into any protected area shall be penalized:*

- 3 Birr per head for a first offence;*
- 5 Birr for a second offence;*
- shall be charged in court for a third offence.*

*3. Whoever is responsible for grazing damage to protected grass or planted trees shall be penalized:*

- 1 Birr for a first offence;*
- 2 Birr for a second offence;*
- shall be charged in court for a third offence.*

*4. Anyone who damages a protective fence or removes fencing material shall be penalized:*

- 20 Birr for a first offence;*
- shall be charged in court for a second offence.*

*5. Whoever damages terraces shall be penalized:*

- 50 to 100 Birr; depending on his condition, for a first offence;*
- shall be charged in court, and the labour and resources that went into the making of the terrace shall be included in the charge against him.*

*6. The community representatives elected to follow up the implementation of these statutes are:*

*Atsbaha Hagos  
Gebre Meskel Wolde Gebriel*

*Kahsu Abraha*  
*Tekhlai Hubte Mariam*

#### **4. DESCRIPTION OF THE INSTITUTION RESPONSIBLE AND ITS ORGANISATIONAL ASPECTS**

The lowest level of administration in Ethiopia is the Peasant Association, or 'tabia' in Tigrinya, which is a unit of 300-500 households that elects its own administrative council. The council members are elected democratically and are accountable to the members of the association. Regular public meetings are held to discuss affairs of common concern. Members can criticize council members at these meetings, called 'gam-gema'.

The administrative levels above 'tabia' are 'woreda', then 'zone' and then 'region'. The region has government bureaus reflecting the structure of the federal government. The administration at zonal and woreda levels includes technical experts for agriculture, education and health.

The Sustainable Rural Development Project works with the Bureau of Agriculture and its representatives in the woredas where the Project is located. The Bureau assigned a senior extension expert to lead the Project and work with the local experts and development agents (DAs). The Project works through a system of public meetings and discussions, including 'gam-gema', where past work is analyzed and new plans discussed thoroughly. 'Gam-gema' discussions are often frank and vigorous, but the chairperson generally tries to avoid direct recriminations. It is this system of discussion which has enabled the communities to develop and implement statutes to control their natural resources.

#### **5. PROBLEMS OR OBSTACLES ENCOUNTERED AND HOW THEY WERE OVERCOME**

The Sustainable Rural Development Project is working with four pairs of villages. Three of these have developed statutes and are implementing them. The fourth village has not developed statutes or implemented as many components of the Project as the other areas. This village is in the Southern Zone, Ofla woreda, Hashengi tabia, in a large valley where Lake Hashengi is situated.

This is the best-endowed area in the Project; some farmers in the area are reported to have more than 100 animals, and breeding of horses, donkeys and mules is an important economic activity in the area. Land holdings are larger than in the other areas and some of the farmers rent out land. There is good

grazing around the lake and woody biomass is available on the surrounding hillsides.

The farmers in the area have adopted compost-making on a communal level, working in groups of ten. They are convinced of the value of compost, but it would appear that they do not feel the need to implement the other measures because the natural resources are still in a relatively good condition when compared to the areas further north. Another complicating factor has been the mixed land holding system.

Serious discussions were held in May 1998 on the need to draw up and implement statutes to control the use of the natural resources of the area. The threat of drought, driving large numbers of farmers and their animals from the adjacent lowlands into the Hashengi valley, has made the farmers realize the need for local control. They thus said they would develop their statutes as soon as possible.

## **6. EFFECTS OF THE PRACTICE/INNOVATIVE EXPERIENCE**

The statutes were jointly developed by the communities themselves and did not follow any prescribed format. This is seen in the differences in the diversity of issues tackled, in style, and in the order in which the communities treated issues in the statutes.

The villages have concentrated on the environmental problems that are the most important for them. Those in the difficult environment of the Eastern Zone focus on overcoming the scarcity in biomass and excessive land degradation. Those in the Central Zone where the environment is better have concentrated on a number of factors that can bring about incremental improvements.

The way these statutes are implemented shows the strong commitment of the communities. For example, there is hardly any unauthorized grazing in the closed off areas in any of the three villages, and the growth and cover of plants bear witness to this. The statutes are being rigorously applied; for example, in the first year, five women went into the enclosure at Ziban Sas and collected grasses for basket-making. They were each fined five birr.

The importance of peace was well demonstrated recently (May 1998) when unauthorized grazing took place in an enclosed area. This was due to a breakdown in normal supervision owing to the fact that nearly all the adults in the village had gone to a meeting to discuss the war with Eritrea. The children herding the animals revealed the name of the farmer concerned. From a discussion with the children, it was clear that they understood the regulations but the need for good grazing had tempted them to graze their animals illegally.

## **7. SUITABILITY AND POSSIBILITY FOR UPSCALING**

The Sustainable Rural Development Project includes both technical and social aspects of implementing development initiatives. This report has concentrated on one of the social aspects.

The value of the statutes as communally developed instruments to improve the management and use of natural resources at the local level is well demonstrated. The Project is convinced that technical developments can only be effective and sustainable if they are supported by appropriate social instruments.

It is not appropriate for the statutes to be upscaled. Their strength lies in their being developed by a community whose members know each other well, and therefore are able to enact legislation in a way that is seen as fair by all the members. Discipline to observe the statutes and punish offenders can be implemented swiftly and effectively.

However, it is appropriate to recommend that all communities who want to have genuine control over their own development should develop this type of legislation and control over their natural resources.

## **8. SIGNIFICANCE FOR (AND IMPACT ON) POLICY-MAKING**

If policy-makers genuinely want local communities to be empowered, they have to make it possible for them to draw up and implement the type of legislation described here. The legal system has also to recognize such statutes as genuine legal instruments that can be supported within the official legal system of the country, from local woreda courts to the high court at federal level.

## **9. POSSIBILITY AND SCOPE OF TRANSFERRING TO OTHER COMMUNITIES OR COUNTRIES**

The experience of developing and implementing grassroots legislation can be shared with any other community and development project interested in empowering local communities to take charge of their own resources.

## **REFERENCES**

1. Environmental Protection Authority, (1997) *The Conservation Strategy of Ethiopia*, Vol. 1, pp. 70-74, Environmental Protection Authority, Addis Ababa.
2. Tena Shitarek, (1998) *The development and piloting of user-rights procedures*

*for farmer-led natural resources management (North Wollo), SOS Sahel, Meket Woreda. [Unpublished Report]*