

**INSTITUTIONS IN NATURAL RESOURCE
MANAGEMENT: A Review of Zimbabwean
Experiences**

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ABSTRACT

The paper discusses processes of natural resources management in Zimbabwe. It reveals that management of natural resources is an activity that communities engage in as part of their daily lives. Natural resource management reflects cultural, demographic and cultural realities. Colonialism and the era of technological modernity it brought changed the capacity of communities to manage resources and destabilized the traditional authority structures which had formed the base for resource conservation and management. The advent of Zimbabwean independence saw government inadvertently continuing the disempowerment and subversion of traditional authorities by creating new structures for communal land administration. In the process, a contested and chaotic institutional framework for communal land administration and implicitly natural resource management came into being.

(**Key words:** natural resource management, review, institutions, Zimbabwe)

Abbreviations: **AGRITEX** - Department of Agricultural Technical and Extension Services; **ACIAR** - Australian Centre for International Agricultural Research; **CBNRM** - Community Based Natural Resource Management; **NRB** - Natural Resources Board; **VIDCO** - Village Development Committee; **WADCO** - Ward Development Committee.

1.0 INTRODUCTION

Our interest in the institutional framework for land and resource use in Zimbabwe emanated from an Australian Centre for International Agricultural Research (ACIAR) funded research project, which sought to examine resource use problems resulting from a unidirectional, top-down land use planning model that has characterised land use planning in communal areas since colonial times. In light of the foregoing, it was felt that a review of literature on land and natural resource use planning for communal areas in Zimbabwe would acquaint us with the whole gamut of the institutional environment, which gave shape to the prevailing land use patterns in communal areas. A consensual, consultative and bottom-up approach to land use planning would only be possible when the prevalent institutional framework has been unmasked.

2.0 INSTITUTIONS IN LAND AND NATURAL RESOURCE MANAGEMENT IN THE PRE-COLONIAL PERIOD

Prior to the advent of colonial rule, what is now Zimbabwe was a constellation of disaggregated polities under various chiefs. The chief's dominion varied from place to place and sometimes, time to time, with some powerful chiefs exerting their influence and authority over others through conquest, marriage or other alliances. The extent of a chief's influence depended on how crafty he was in playing the power game. Land was not owned by anyone in the community. It belonged to the ancestors of the ruling elite. The chief held it in trust for both the present generation and posterity. European colonialists misconstrued this to imply absence of ownership and justified land appropriations.

The chief had below him a council of officials, *dare*, each administering a ward, *dunhu*. This council of officials was instrumental in the day-to-day governing of the chiefdom. Through the *dare*, the chief presided over land allocation. Allocation of land was not the preserve of the local elite but was made as consensual a process as practicable bringing together the *sadunhu* or ward administrator as the chief's representative, elders of the ward and the generality of the male adult population of that ward. In essence, this enhanced the resolution of potential conflicting claims to the land ceded to new settlers or grantees.

A person allocated land had exclusive but inalienable right to his arable and residential plots but these rights reverted to the community through its *sadunhu* when an individual moved away from the ward to settle elsewhere. Grazing land was communally held and access to it was through membership of a *dunhu*. An individual who moved away or relocated his homestead from the ward similarly forfeited the right to graze his livestock in the *dunhu*'s grazing lands. Residential and arable land was held under traditional freehold while grazing, forests and other natural resources were held under communal tenure (Land Tenure Commission,

1995). A distinction was made between grazing, *ufuro*, and ploughing area, *urime*, in that cattle had to be grazed at a safe distance from the cultivated area (Holleman, 1952). The traditional tenure system was composite with clear freehold rights for arable and residential land as well as group rights for pastures, forests, mountain areas, waterways, sacred areas and so on (Boesen and Rukuni, 2000).

Chiefs and their council of officials formulated and enforced the observation of regulations on sustainable natural resource utilisation. These ranged from the prohibition of cutting down trees from places set aside for graveyards, prohibition of catching immature fish and fishing in pools believed to harbour ancestral spirits, prohibition of inappropriate harvesting of wild fruits, and prohibition of bathing or fetching water from ancestral pools. In Shona society spiritual worship and religion were manifested in sustainable natural resource utilisation and management through the observance of sacred grooves or woodlands, *rambatema*, and wetlands, *dambakurimwa* (Mukamuri, 1995). In essence, traditional resource allocation and control constituted a sustainable land use planning system evolved over generations through experience and exposure (Mugabe, 1998).

3.0 NATURAL RESOURCE MANAGEMENT INSTITUTIONS UNDER COLONIAL RULE

During colonial rule a process of dethronement and disempowerment of chiefs occurred all over the areas falling under what is now Zimbabwe. Those chiefs who had participated in the war of resistance against British occupation and expropriations were demoted from their roles. The process favoured those that had collaborated with the imperial forces of domination through reaffirmation of their authority.

At the conquest of traditional African authorities, colonial administrations all across the African continent faced the challenge of stabilising alien rule and at the same time deal with the native question (Mamdani, 1996; Ntsebeza, 1999). The question that beset the colonialists was how to enable a small and foreign minority to rule over an indigenous majority (Mamdani, 1996:18) The answer to this lay in the combination of direct and indirect rule. Indirect rule was preserved for the rural areas and was all about incorporating natives into a state enforced customary order (*Ibid.*). This was done through the forging of specifically native institutions through which to rule subjects. The institutions so defined and enforced were not racial as much as ethnic, not native as much as tribal (Mamdani, 1996:22).

In most of colonial Africa, where the traditional institutions were used in rural administration, colonialists' claims to continuity with tradition and custom were misplaced because the chieftainships that they created were built on an administrative variant not the traditional (Mamdani, 1996). Most far-reaching inventions of tradition in colonial Africa took place when the Europeans believed themselves to be respecting age-old African custom (Ranger, 1983:250). What were called customary law, customary land rights, customary political structure and so on were in fact all invented by colonial codification (*Ibid.*). The chiefs were liberated from all institutionalised constraint of peers or people and this laid the basis of "decentralised despotism" (Mamdani, 1996:43).

In Zimbabwe, the British South African Company (BSAC) embarked on a process of land alienation and declared all land company land. The colonialists enacted legislation that sought to promote their appropriating interests. The Matebeleland Order in Council of 1894 demarcated areas in which the vanquished indigenous populations were to live, henceforth known as Native Reserves and the first to be set aside were Shangani and Gwai (Mutizwa-Mangiza, 1991). Indigenous populations were forcibly removed from fertile and well-watered parts of the country to create room for large-scale white commercial farms.

The Land Apportionment Act of 1930 further entrenched the inequitable and racially segregated land distribution. The act served a dualistic role of dispossessing the natives and squashing them on marginal lands with low agricultural potential, creating a standing labour reserve for mining centres, urban establishments and white-owned commercial farms. The labour market was used to subsidise low agricultural incomes or vice versa.

4.0 COMPARTMENTALISATION OF GOVERNMENT IN COLONIAL ZIMBABWE

Two systems of local government subsequently evolved in colonial Zimbabwe (then Rhodesia), one designed for white settler communities and another for the indigenous population in the reserves (Mutizwa-Mangiza, 1991). Areas where indigenous populations lived were under the administrative control of Native Councils, which merely performed limited functions of advising the government on African aspirations (Mutizwa-Mangiza, 1985, 1991). Native Councils were instituted to replace Native Boards, which were constituted by chiefs and headmen and an equal number of literate Africans who represented interests of the Natives (Mutizwa-Mangiza, 1991).

The Native Councils Act of 1937 brought with it the creation of formal councils consisting of chiefs, headmen and other Africans appointed from nominations made by local communities. A further amendment of the Act in 1957 gave African Councils as they were then called, authority to collect rates in addition to taxes, to make by-laws and, in general, to exercise powers comparable to a town council (Mutizwa-Mangiza, 1991:54). Every chief was a vice-president and every headman an ex-officio member of any council in whose area he held office. Office members were democratically elected. The inclusion of both traditional leaders and elected members was intended to facilitate the smooth transition from a patriarchal to a bureaucratic system of local government (Mutizwa-Mangiza, 1991).

The colonial Department of Conservation and Extension through the Native Agricultural Demonstrators was responsible for demarcating model rural villages, which propagated a notion of land centralisation with separate grazing and arable land.

5.0 COLONIAL LEGISLATION

Legislation passed on land and natural resource use was intended to resolve problems encountered in operationalising resource use in native reserves. The legislation enacted had its roots in the assumed ignorance of the natives and an underestimation of the depth of their evolved practices and institutions. Not many years after the demarcation of native reserves, it was clearly evident that they were eminently overpopulated and cultivation practices of peasant farmers resulted in substantial land degradation.

The most profound pieces of legislation passed by the colonial regime were the Natural Resources Act of 1942 and the Native Land Husbandry Act of 1951. They were all a dismal failure in terms of effectiveness owing to the absence of local consultation in their promulgation. The Natural Resources Act of 1942 made provisions for the creation of a Natural Resources Board (NRB) to hold the country's resources in trust for the people. The NRB was mandated to raise awareness in resource management and conservation. Natural Resource Officers appointed under the NRB assumed dual roles of planner and decision-makers on conservation issues in the reserves. The Natural Resources Act has been amended more than twenty times but it still represents the most extensive and flagrant form of state intervention in natural resource management anywhere in Africa (Nhira and Fortmann, 1993).

The Native Land Husbandry Act of 1951 was enacted in response to submissions of the Danzinger Commission, which noted prevalent, rampant degradation, and a severe shortage of land in the reserves. The indigenous population had soared from an estimated 400,000 in 1900 to about 940,000 in 1926. Land pressure began to be felt in the reserves as initial signs of environmental degradation became apparent (Dore, undated). An attempt was made to introduce private land ownership in the reserves, in practice, replacing traditional land tenure. The Land Husbandry Act provided for mandatory enforcement of cropping and conservation practices. The colonial government introduced centralised villages in a bid to improve agricultural production through use of organic fertilisers and confined crop cultivation to large carefully selected and consolidated blocks of arable land (Dore, undated: 4). The planning and implementation capacity of colonial local government was very weak and the system essentially "prefectorial" with a very strong presence of central government through the person of the District Commissioner (Mutizwa-Mangiza, 1991:55). The prevailing mood within ranks of the government revolved around a more disciplinarian approach

to conservation (Dore, undated: 5). Chiefs, headmen and *sabhukus* largely became unpopular with the people for their roles in complementing efforts of the colonial administrative personnel in ensuring a strict compliance with prescriptive land and natural resource use regulations.

6.0 POST INDEPENDENCE RESOURCE MANAGEMENT INSTITUTIONS

It is surprising that the post-independence government of Zimbabwe launched a policy similar to the one the colonial regime had embarked on and attracted widespread and hostile reactions from the inhabitants of rural areas (Brand, 1994). One of the enduring ironies of Zimbabwean history is that Native Reserves and other institutions created by the colonial administration, but virulently attacked by its most ardent critics, were largely preserved by the nationalist forces that came to power at independence in 1980 (Dore, undated). Colonial antecedents have largely informed the Zimbabwean government's Communal Lands Reorganisation Programme (Brand, 1994). This may have been due to perceptions in the new government that colonial approaches to conservation and natural resource management were based on sound principles.

The most significant change after independence was the passing of the District Councils Act in 1980 (Mutizwa-Mangiza, 1991). The Act was intended to consolidate the hitherto disparately fragmented "African Councils" and "European Rural Councils". Consequently, 55 new District Councils were formed to replace them. The District Councils Act, through warrants to individual councils, transferred land allocation powers from chiefs and headmen to District Councils (Mutizwa-Mangiza, 1991:56). Members of the District Councils were elected on the basis of one councillor per ward, with chiefs and headmen remaining ex-officio members although this time not as office bearers.

The directive of the then Prime Minister promulgated formation of representative bodies below the district level that is Village Development Committees (VIDCOs) and Ward Development Committees (WADCOs). These were supposed to work alongside central government extension workers based at the sub-district level. The Department of Rural Development was tasked with responsibility for overall communal lands reorganisation (Brand, 1994). Other line ministries were mandated to support the initiative. For example, the Ministry of Lands, Agriculture and Rural Resettlement through its department of Agricultural Technical and Extension Services (AGRITEX), was mandated to produce technical land use plans while the Ministry of Local Government's Department of Physical Planning assisted with village layouts and aspects of infrastructural siting (Brand, 1994:62). Other government ministries and departments were supposed to be involved in developing particular services and facilities such as water provision, housing, afforestation and the like (Brand, 1994). The VIDCOs and WADCOs were perceived by the new government as the appropriate context and structures through which implementation of plans could happen. These local level organisations were intended to articulate the wider aspirations and demands of ordinary villagers.

Chiefs and headmen were completely sidelined in the new dispensation and their role in land and resource allocation and management was assigned to political frameworks. The "modernising" thrust adopted by the new government emanated from its perception of traditional leadership as a stumbling block to the evolution, nurturing and exercise of local democracy, hence the need for the creation of new structures to replace traditional authorities (Mamimine and Mandivengerei, 2001).

The entry of a new actor in communal lands administration did not, however, bring respite to the problem of natural resource management. Instead, incessant territorial fights for control of communal lands between the new actor (modern institutions) and the old (traditional authorities) have generally compromised the efficiency of community based natural resource management (CBNRM) (Mamimine and Mandivengerei, 2001:1).

7.0 HARMONISING COMMUNAL NATURAL RESOURCE GOVERNANCE IN THE POST INDEPENDENCE ERA

The government sought to address the ensuing contest for authority and power over land and resource allocation in the communal lands, which invariably culminated in resource degradation, by passing the Traditional Leaders Act of 2000. The Act made provision for the formation of Village Assemblies in every village consisting of six elected members chaired by the village head, *sabhuku*. The coming of Village Assemblies was intended to resolve contested roles and power over land allocation between *sabhukus* and headmen on the one hand and VIDCOs and WADCOs on the other. Under the new dispensation, *sabhukus* were supposed to work with the ward councillor in land allocation. The councillors were in turn supposed to consult with the headmen and chiefs over all land and natural resource issues in the area under their jurisdiction. Under the new Act, chiefs were mandated to protect the environment against degradation, oversee the allocation of land and prevent the unauthorised settlement on, or use of, communal land. In essence, the powers and authority that the chiefs, headmen and *sabhukus* had lost under successive regimes were at least, partially restored. This may have been due to the government's realisation that previous legislations sidelining traditional authorities in land and natural resources did not achieve intended goals of sustainable use and conservation of resources, and indigenous populations still held their traditional leaders in high esteem. Management frameworks that sought to sideline and subvert traditional authorities not only compounded natural resource management problems but put in place a regulatory framework that was alien to communal area residents' notion of "authority". Such an institutional framework was, therefore, susceptible to failure.

8.0 CONCLUSION

Traditional resource management practices and institutions evolved over time in Zimbabwe ensured sustainable resource management regimes. It is noteworthy that institutions that evolved in communities scattered over the areas now constituting present day Zimbabwe had resource conservation subsumed in them, as were other religious and cultural practices. The effectiveness of traditional land and resource utilisation, management practices and institutions in conservation prior to colonial rule was ostensibly linked to low population densities, community cohesion and respect for traditional authority.

The advent of colonial rule and subsequent emasculation of traditional institutions, which has continued to some extent in post independence Zimbabwe, posed a threat to the sustainability of natural resources. Colonial land and resource use regulations, premised on the notion of assumed inherent weakness and limitations of indigenous knowledge and institutions, alienated communities from the resources and institutions entrusted to manage the resources sustainably. This scenario, which has characterised colonial and post-independence communal area natural resource management, made it very difficult for rural communities to identify the resources in their midst and the leadership as their own. In consequence, resources were exploited as "degraded resources". The process of disenfranchisement and continuous disempowerment was confusing to communal residents.

The persistence of a dualistic system of authority in communal lands after the attainment of independence gave rise to institutional chaos. Contest and competition for responsibility over land allocation between chiefs, headmen on the one hand and VIDCOs and WADCOs on the other engendered an institutional framework where "anything goes", thereby abetting resource degradation. The refusal to relinquish power over land allocation and associated responsibilities by traditional leaders and the continued support they received from their constituencies demonstrated that traditional authorities were indispensable in any well-meaning endeavour at constituting "societally" acceptable and environmentally sustainable land and resource use planning.

The passing of the Traditional Leaders Act in 2000 intended to resolve problems associated with the dualistic authority structures in the communal areas was a welcome move. If implemented to the letter, this amended legislation is capable of putting to rest the indistinctiveness of roles between the chief, headmen and *sabhukus* on the one hand and VIDCOs and WADCOs on the other regarding land and resource use

planning.

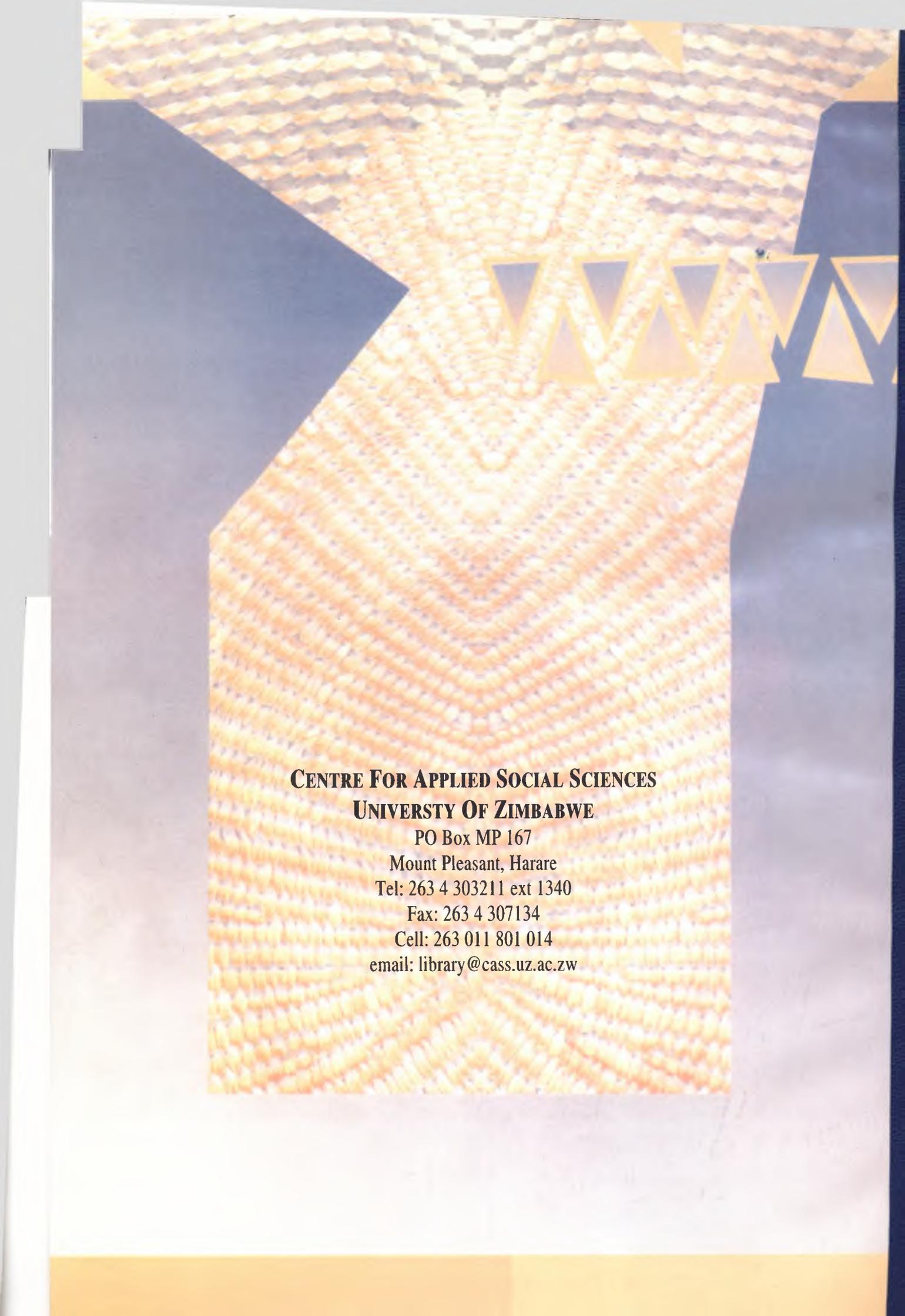
Finally, the resolution of conflicting claims to authority over land and resource allocation on communal areas is central to sustainable land use. Conservationist concerns about communal land have to factor in local concerns, which can only be fully embodied by traditional leaders. Our review has revealed the resilience of traditional authorities amid government attempts to sideline them. There is, therefore, need for traditional authorities to be further incorporated into communal area land administration and natural resource governance without attempting to transform them, if they are to remain acceptable in their communities, and hence able to enforce resource use regulations.

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