

**Community forest management:
Lessons from Zimbabwe**

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This paper was commissioned under the Scandinavian Seminar College's Africa Project, which aimed at studying positive experiences of policies and practices supporting sustainable development in Sub-Saharan Africa. More papers and information can be found at www.cdr.dk/sscafrica.

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INTRODUCTION

The Forestry Commission is the state agency responsible for regulating forest utilisation in Zimbabwe under the Forest Act (1954) (for gazetted forests) and the Communal Land Forest Produce Act (1987) (for communal areas). In privately-owned areas the Forestry Commission is involved in setting and monitoring the quotas but the farmer decides on the management and marketing. In communal areas, concession agreements are drawn up by Rural District Councils on the advice of the Forestry Commission, which then supervises them (Katerere, Moyo and Mujakachi, 1993). However, the local communities are seldom involved, receive only limited benefits and have no control over the allocation or management of these concessions. In all the farming sectors clearing of woodland for agricultural production is unregulated.

This encourages the conversion of forest land to crop land, particularly in communal and resettlement areas.

Zimbabwe's forest and woodland resources are under increasing threat from the expansion of agriculture, urbanisation and local use for construction and fuelwood. Despite their importance, the current tenure systems and incentives do not encourage investment in forests and woodlands. The country's response to this state threat to its indigenous forest resources has been to promote eucalyptus woodlots.

The management of forests and woodlands is characterised by contradictions between traditional rules and practice and on the one hand and the general law on the other. This has a major bearing on the issue of policing and monitoring of resource use at the local level. In terms of the Communal Land Forest Produce Act (chapter 19.04), inhabitants of the communal areas have the right to exploit any forest produce for their own use. The occupants may exploit any forest produce including reserved trees, on any land which they are permitted to use for residential or agricultural purposes in the course of clearing such land for development. According to Lue Mbizvo and Mohamed (1993), because the circumstances under which exploitation is allowed are so wide, it is difficult to establish, for legal purposes, what falls outside the exceptions. Since the law permits harvesting of forest produce for own use, it is almost possible for the police to prosecute persons violating local regulations.

The other acts governing the utilisation of trees are the Rural District Council (1988), and the Natural Resources (1941) Acts. The Forest Act vests power in other agencies in terms of management and creation of institutions. The regulation of trade in forest produce is vested in the Forestry Commission. The Rural District Councils Act also vests power in the District Council to issue licenses for the exploitation of timber resources. On the other hand the Natural Resources Board (in terms of S10 of the Natural Resources Act) has the authority to supervise the use of natural resources. The powers vested in the above formal bodies undermines the authority of traditional leadership structures as well as measures initiated by local communities.

In total there are currently 12 major acts dealing with natural resource management in Zimbabwe resulting in two problems: a multiplicity of legal instruments dealing with natural resource management and the lack of definition between the relationships of the Acts.

In addition there is no overriding or umbrella act to serve as a framework for natural resource management. The government is currently developing an environmental act that will seek to address some of these concerns. It is thus important to understand the impact that past and present legislation and planning approaches have had on community level forest and woodland management. In examining such impact, it is necessary to distil the experience and lessons they offer for improving policy formulation, and forest and woodland management under a variety of conditions.

In Zimbabwe the tenure regime in the communal areas is described as common property although in practice communal resources are managed under state property rules. Where there has been meaningful devolution to suitable and effective local level institutions, common property regimes can enforce exclusion. A viable common property regime has a built in structure of economic and non-economic incentives that encourage compliance with existing conventions and institutions (Bromley and Cernea, 1989). However, this system of sanctions and incentives may become ineffective, either because of circumstances beyond the control of the group or due to internal processes associated with group dynamics that challenge the integrity of the group. In this situation the management system, as embodied in the common property management regime, breaks down, and basically the common property degenerates into open access. Given this situation, if investment is made in an asset, such as a woodland with high utilisation potential, the lack of effective

administrative systems and policies as characterising open access systems ensures that use rates will eventually deplete the resource.

Communal forest and woodland management in Zimbabwe and many other countries in the Southern Africa region cannot be understood in terms of classical and scientific forest management principles alone. Farmers manage trees as part of the farming system. As such communal farmers have always been engaged in some form of forest and woodland management. The separation of forest management from other farming activities led to the creation of separate tenure regimes for forests and land thereby fuelling competition between different land uses.

This paper is a summary of a case study by Katerere and Guveya (1998). The case study was undertaken following observations that despite a lack of incentives, and in the absence of clearly defined rights over forest and forest products of Zimbabwe, some communities in the communal areas are engaged in the management of woodland and forest resources and value the diverse and varied functions of the forests. Chihota and Seke Communal Areas were selected as case study areas based on the involvement of local communities in forest management practices. The community forest and woodland management initiatives were observed to be internally driven and occurred in the absence of formal devolution of authority to local level institutions.

FINDINGS

Community managed indigenous and exotic woodlands

The communities in the study area manage and control one exotic woodlot and one indigenous woodland area. The interest in managing forest resources is related to the fact that most of the households that were interviewed believe that the forest resources in the area are insufficient to meet both community and household requirements.

The indigenous woodland area is under the control of four *kraal* heads¹. Indigenous woodland management practices and rules are inherited from their forefathers. Respondents reported that since the 1950s² people have not been

¹ *Kraal* heads are village heads. A village has between 60 to 100 households.

² The study area is close to Harare and its tree resources have been under pressure for much longer than most communities in Zimbabwe.

allowed to fell trees but only to cut branches so as to ensure continuity of supply. Whole trees are harvested only to rebuild or construct new cattle pens or when there are unexpected events such as funerals which demand major expenditure. Anyone wishing to cut wood, has to obtain permission from the *kraal* head. The harvesting of fruit trees has always been prohibited. The harvesting of other trees is dispersed to avoid creating openings in the forest.

In the study villages there is also a community owned eucalyptus woodlot, which is managed by the Rural District Council. This woodlot was planted by communities from two wards in the District but is managed and monitored by a guard employed by the District Council. Tree products from this woodlot are sold to members of the community with all the proceeds going to the District Council. The rules of access, however, are not clear with respect to people from outside and opportunities for rent occur. The community, however, feels that the council has not succeeded in controlling tree cutting in this woodlot as evidenced by continued deforestation. However, from the same discussions people report that there are no problems of tree poaching without permission in this woodlot. The problem appears to be one of unsustainable harvesting rates with too many permits issued by the Rural District Council.

Rules related to utilisation of indigenous woodlands

Within the study area the three dominant players in rule making are the local community, central government and to a lesser extent the Rural District Council (RDC). The RDC is viewed as an extension of central government, disseminating government directives and with no mandate to influence local level forest management practices. This in essence means there are a number of authorities competing for legitimacy with respect to woodland resource management, conflicts are inevitable and there is confusion around rules, permits and sanctions. If this scenario is to be avoided there has to be clear delineation of institutional roles and transparent processes for determining access, control and allocation of costs and benefits.

The survey established that rules on community based forest management exist. There is high awareness of the existence of these rules in the study communities. The rules cited by the households such as “no felling of live trees, harvesting of branches and collection of dead wood for fuelwood” generally promote sound forest management. The rule requiring resident households to seek permission from the *kraal* head to utilise forest products is

the most frequently cited. This clearly indicates a high level of community consciousness on the need to monitor the state of the community forest resources. This example is a compelling argument for devolution of authority to community level structures to manage local resources.

In general each community can identify the physical boundaries of community forests and woodlands and distinguish them from those belonging to neighbouring communities. However, in the study area there is a particular piece of forested land over which four different communities claim exclusive use rights as explained by two of the study communities namely Machangara and Gombera. This claim by households from these four villages is based on a long history of use and their investment in its management. However, communities from other villages also adjacent to the same woodland are said to be using the same forest resources without the express permission of the four villages. The competing claims over the forest resources is a consequence of poorly defined ownership rights and the difficulty of exclusion under the state property regime. Insecurity arising from this inability to exclude, undermines local incentives to manage resources in the commons. In the absence of strong leadership and functioning traditional systems, the forest resources under dispute can rapidly degenerate into open access. Hence it is important to create legal systems that support collaborative woodland management so that benefits accrue to those prepared to invest in forest management. Encouragingly, the majority of the households in the study area report that boundary rules exist and that they cannot utilise wood resources belonging to neighbouring communities. Outsiders are also forced to observe boundary rules through the various mechanisms of monitoring that have been put in place by the community. Despite these mechanisms boundary rules are still broken as evidenced by the high incidence of illegal harvesting. There is great difficulty in excluding “outsiders” from deriving benefits from the woodland management efforts of some. Generally, most communal area residents are not satisfied with the sanctions they can exert against offenders.

Besides boundary rules, in all the communities, the households report that there are specific rules about the utilisation of trees (live and dead). In one study community, Mayambara village, there is a rule which requires households to seek and be granted a permit by the *kraal* head that specifies the day, the purpose and the amount of trees to be cut. The survey did not establish how it is decided how much to cut. This permit is granted for specific uses such as building stacking structures for agriculture produce during the harvesting season, and timber for constructing dwellings by the Village Development

Committee (VIDCO) chairperson at his or her discretion. There is no charge for this permit. Households are not allowed to cut live trees for fuelwood and must restrict themselves to dead trees and branches. Where permission to cut live trees is granted, then only mature ones can be cut and where possible only the branches and not the main trunks are cut. This rule is enforced intensively and according to the VIDCO chairman it is proving to be a very effective tool in the conservation of forests and woodlands. Brick making is a major commercial activity in the study area. In Mayambara village these entrepreneurs are restricted to coal for brick curing.

All the above mentioned rules also apply to those households who have fenced in tracks of forest immediately surrounding their homesteads. These farmers also require a permit to cut trees on these “privatised” woodlands. Households are not permitted to cut trees that occur in cultivated lands. In the event that such trees hinder cropping activities, then they can be pruned accordingly. The number of trees on arable land are known and mapped on the Agricultural Extension Services (Agritex) map of fields.

Monitoring

Monitoring and policing of forests and woodlands is the responsibility of the *kraal* heads, a representative of the local chief and community members. Respondents reported that everyone in the community is involved in monitoring the harvesting of forest products by both residents and outsiders. Individuals or households find it easy and convenient to police forest resources close to their homesteads. Problems associated with poor enforcement are creating perceptions of a rapidly declining resource and impending resource shortages. The households are responding to the situation by fencing in the common property forests immediately surrounding their homesteads, thereby excluding the rest of the community from utilising that resource. As a result, the total area of common forest is decreasing as more and more people fence in a piece of forest for private use. There are currently no local rules that stop people from fencing in the forest areas immediately around their own homesteads. However, in the case of their “privatised” indigenous woodlands, the owner is still subject to all existing rules that govern access to forest resources in the commons. While respondents acknowledge the advantages of privatisation, they also feel that such a trend could lead to gross inequities in terms of access and thereby exacerbate community conflicts.

Illegal cutting of trees is mostly in the commons away from homesteads and tends to happen at night or when the “strong” *kraal* heads are away from their communities. Illegal cutting is mostly by those from neighbouring communities to the study villages, although some residents are also involved in illegal harvesting of fuelwood for sale to urban residents. Those caught illegally harvesting and selling fuelwood are handed over to the village heads, while their tools and harvest are both confiscated before they are handed over to the police. The respondents do not know how offenders are treated by the police, but many non-residents handed over to the police subsequently return to continue their illegal activities with impunity. As a result, some residents expressed a strong preference for community-based mechanisms to address illegal harvesting rather than police action.

While respondents felt that the police were not doing their job, the real problem lies with the fact that the Communal Lands Forest Produce Act allows communal residents to harvest forest produce for “own use” without a permit. “Own use” is not defined and may include commercial sale. The difficulty of excluding “outsiders” remains a major challenge for the communities managing forests. The harvesting by neighbouring communities of forest products without consent and without contributing to their management is seen as the greatest threat to sustainable forest management.

In the case of eucalyptus woodlots managed by RDC, offenders who are apprehended pay a fine to the council and not the Zimbabwe Republic Police. According to the Village Development Committee (VIDCO) Chairman all those who violate the by-law in Mayambara are charged a fine of Z\$200³ per tree cut. This is a local by-law that is being observed. The fine accrues to the *kraal* head, and the survey did not establish what happens to the money.

Options for woodland management

Respondents felt that the monitoring aspect of resource management would be more effective if done by people from outside their community, since people from within that community were failing to report each other for fear of reprisal by offenders, or simply because they could be closely related. Some of the respondents advocated tougher government laws and monitoring by hired personnel recruited from outside the community to avoid corruption and inter-community conflicts. As such, the majority of the respondents are in favour of

³ An equivalent of about US \$6.

establishing a structure or organisation that would control the cutting and use of timber from community managed forests or woodlands. Such an organisation would be expected to closely monitor the collection of timber and to punish those violating the rules.

Regarding the management of such a community forest organisation, the respondents considered several options and ranked them. The community expressed the preference that such an organisation be composed of individuals from the government, as they felt that the government would be in a position to introduce tougher laws against tree cutting and also effectively monitor the forests. Community participation in the organisation was the second most preferred option. By contrast, the respondents did not favour the Rural District Council being the lead institution. It should come as no surprise that the District Council officials are the least preferred because they are already accused by the community of failing to manage the community owned eucalyptus woodlot sustainably.

It is surprising however, to hear of the community's wish to have greater government involvement in the study area. The reasons given included:

- The community does not view the police department, an arm of the government, to be effective in sanctioning rule violators and they would prefer local community sanctioning. However, they would like the responsibility and financing of the control system to be assumed by the government and for control to be enforced by the police. The explanation for this contradiction may be that a) the community is aware of the role the police should play in controlling tree resource use, though at present they are not effective, b) the community is not prepared to bear the costs of woodland management. They would rather the government incur these costs by having the police to enforce by-laws.
- The government is already represented in the area by the Forestry Commission and the Department of Natural Resources, yet neither of these were mentioned. The role of government is seen mainly as that of providing enforcement; as people tend to fear government appointed officers, government has more resources to police. The forests and those policing the forests will be paid by the government.

These sentiments are a reflection of a long history of state control over the resource management activities of local farmers, hence local farmers believe this is the appropriate role of the state.

CONCLUSION

Despite lack of legal tenure over woodlands, communities in the study area are engaged in actively managing these resources using local rules and sanctions where feasible. It is interesting to ask how widespread this practice would be if communal area farmers had legal tenure over forest and woodland resources. This case study provides an argument for the need to address the problems the lack of legal tenure over local resources.

Sustainable forestry utilisation is based on the creation of boundary and authority rules determining who can use resources, and under what conditions. Boundary and authority rules exist in the communities under discussion but are not always respected, due to the inherent limitations in authority that characterise the rules themselves. One solution would be for locally derived rules to be formalised into law, and communities given full legal and administrative authority over the forest resources.

Respect for the rules by a majority of households showed that communities have the basis for resolving internal conflicts. On the other hand, there appear to be greater difficulties regarding monitoring and sanctioning between communities and between communities and the state. There is an absence of mechanisms to deal with natural resource-based conflicts at either local or national levels. Government and civil society should investigate and devise appropriate responses that can support local level conflict management capacity.

The case study shows clearly that it is not always possible for respondents under a common property regime to enforce the exclusion of outsiders. The issue of exclusion is closely related to the absence of devolution regarding planning, decision making, resource mobilisation and administration to local institutions. Communities cannot negotiate the right to benefits arising from resources under communal tenure clarity, the exclusiveness or ability to exclude

others, the divisibility or the transferability of the tenure arrangement should circumstances change. If farmers lack security of tenure then they have few incentives to invest in the management of resources such as forests. Despite such uncertainties, the communities studied are investing to some extent in common property management.

The inability to enforce the rights of communal residents over their resources is contributing to a new form of tenure. In the study area farmers have resorted to “privatising” forest resources by fencing in closest to their homesteads. This practice enables farmers to monitor the resource more closely and guarantees supply. Thus, in the absence of delegated authority and rights, communities are devising local strategies that give them territorial authority and the ability to exclude “outsiders”. The government needs to recognise and understand such trends and reflect them in policy and regulations.

The study also revealed the absence of any local territorial authority that can sanction decisions affecting communities such as state regulations, plans and land allocation. Effectively, the community does not have the right to question the legitimacy of state interventions, nor can local people challenge certain contradictions between local practice and rules on the one hand and state policies, laws and practices on the other. The situation is further exacerbated by a confusion of roles between central government, local government agencies and traditional community structures. The government needs to develop and strengthen strong governance systems in communal areas as a condition for more effective local resource management.

The results of the case study suggest that monitoring of local forest resources has not been effective despite the interest of the community, and in some instances, the employment of forest rangers (both voluntary and paid). The communities expressed the view that monitoring who should also have responsibility for meeting the costs of monitoring. The government could usefully support a change in attitude to encourage accountability at a local level and for local people to both bear the costs and obtain the benefits.

The issue of rights over resources that communities manage and use remains unresolved. While there are strong arguments for devolution, this does not mean that the government has no role or that traditional institutions are the panacea to all issues of resource management. Rather, the right balance needs to be established between local level systems to use and manage the resource, and state administrative systems to regulate and provide technical services.

This of necessity implies that traditional institutions themselves need to be strengthened and modernised so that they can be more responsive to changing conditions. In addition, governance systems at the local level need to be supported so that they can bring together a variety of actors involved in forest and woodland management, with government institutions providing a broader enabling environment.

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