

2018-09-25

# Evaluation of the Customary Pastoral Land Tenure Practices and Its Implication to Pastoral Land Tenure Reform:in Borena Zone, Oromia Regional State, Ethiopia

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**BAHIR DAR UNIVERSITY  
INSTITUTE OF LAND  
ADMINISTRATION**



**LAND ADMINISTRATION AND SURVEYING DEPARTMENT**

**EVALUATION OF THE CUSTOMARY PASTORAL LAND TENURE  
PRACTICES AND ITS IMPLICATION TO PASTORAL LAND TENURE  
REFORM:IN**

**BORENA ZONE, OROMIA REGIONAL STATE, ETHIOPIA**

**BY**

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A THESIS SUBMITTED TO THE DEPARTMENT OF LAND ADMINISTRATION AND  
SURVEYING, INSTITUTE OF LAND ADMINISTRATION, BAHIRDAR UNIVERSITY

IN PARTIAL FULFILLMNT OF THE REQUIREMENT FOR THE DEGREE OF  
MASTERS SCIENCE IN SPECIALIZE LAND INFORMATION AND MANAGEMENT  
SYSTEM

**ADVISOR: TADASSE AMSALU (PhD)**

June, 2018

**BAHIR DAR, ETHIOPIA**

**BAHIR DAR UNIVERSITY**

**INSTITUTE OF LAND ADMINISTRATION (ILA)**

**MSC, PROGRAM IN LAND ADMINISTRATION AND SURVEYING**

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## ACKNOWLEDGEMENT

First of all, I would like to thank ‘Almighty God’ who made it possible, to begin and Complete of this work. I do not have adequate words to express my feeling to my advisor Dr Tadasse Amsalu whose benevolent guidance has been helpful to me up to complete the final thesis work successfully. His constant encouragement made me strong to face every ups and down with confidence until the completion of the Thesis. I am grateful to Wise man (Hayyu Borena) Honorable, Dr. Borbor Bule, who gave me precious information and I am also grateful to the pastoral communities of *Abba Gada*, *Abba Dheda*, *Abba reera* and community of Borena Zone for providing the necessary information for this research work. I am thankful to Oromia Rural Land and Use Bureau for the financial support during my study leave. I would also like to express my gratitude to my friends for their advice support and usual cooperation. I also appreciate the staff of Rural Land Administration and Rural pastoral development office of Borena Zone for their support. Finally, my greatest gratitude goes to my parents and siblings.

## **ABBREVIATIONS AND ACRONYMS**

BZDPPD - Borena Zone Disaster Prevention and Preparedness Desk.

CPA-Communal Property Association.

DA - Development Agents

ECA - Economic Commission of Africa

EEA-Ethiopia Economic Commission

FAO - Food and Agricultural Organization

FDRE-Federal Democratic Republic of Ethiopia

FGD - Focus Group Discussion

NGO - Non-Governmental Organization

ORLUB - Oromia Rural Land Administration and Use Bureau.

PA - Peasant association

PDO - Pastoral Development Office

RLAUO - Rural Land Administration and Use office

SNNP-Southern Nation Nationalities of Peoples

SORDU - Southern Oromia Range Land Development Unit

UNDP - United Nation Development Program

USAID - United Regional Agency for International Development

ZPDO - Zonal Pastoralist Development office

## ABSTRACT

*This study was carried out in pastoral areas Borena zone, Oromia Region of Ethiopia, are pure pastoralist the livelihood depends on livestock husbandry, with the main objective of investigating the customary pastoral land tenure practices effect on pasture land resource and livelihoods of the pastoral community and its implication to the need for pastoral land tenure reform. To address the stated objectives both primary and secondary data were collected from 291 sample size by using systematic random sampling methods, rural households living in five customarily defined pastureland designations lying in 5 Districts using questionnaire, focus group discussion, Key Informants and field observations. Analysis of the customary pasture land tenure and management in the study area revealed that the age old customary pasture land use practices are gradually eroded and equity of access is impaired due to the influence of economically strong pastoralists, and traditional management practices are being broken. Ranking of the major challenges in the pastoral areas indicated that recurrent drought stands first followed by land tenure insecurity, pasture land deterioration, and shortage of water. The study also revealed that the conflicts encountered in the pasture land use are mainly related to shortage of water and lack of grazing land. The problem is further exacerbated by attempts to enclose and privately use communal pasture and land alienation in the name of agricultural investment. About 75% of the respondents stated that conflicts are largely resolved by customary institutions. The decline in the productivity of the pasture land, and malpractices by the rich pastoralists, the declining authority of customary leaders and institutions as well as, the need for creating a well-defined boundary of the traditionally administered pasture territory and also the dire need for giving recognition of ownership of the pasture land to defined groups of pastoral communities seems triggering factors for introducing customary land tenure in the study area. It was also noted that the institutional arrangement to handle the customary land tenure did not take into account the value of the age old pasture land management. The findings of the study lead to conclude that customary pasture land tenure system is gradually eroded and attempts to introduce reforms in the land tenure are not supported by institutional arrangements that blend the customary leadership with more advanced systems. The distinctive livelihood feature of the pastoral community and its traditional attachment to customary land tenure demands to carry out a multidimensional and thorough investigations so that, stakeholders could*

*develop a more inclusive and equitable land tenure reform to ensure sustainable economic and ecological development.*

Key words: Pasture land, range land, customary land tenure, land tenure reform, Dheda

## CHAPTER ONE: INTRODUCTION

### 1.1 Background

Over half of the world's land area is grazed in various ways: in mixed farming system, ranching, by wildlife and through pastoralism. Pastoralism is practiced mainly on the grass lands that cover about quarter of the world surface (Fulet and Reed, 2010). In African pastoralism is characterized by high reliance as a source of economic and social wellbeing, and various types of strategic mobility to access water and grazing resources in areas of high rainfall variability. Pastoral areas in Ethiopia which covers about 0.7 million square kilometers are generally known as the range lands. These areas support about 9.8 million people (12% of total population of the country of which 56% are pastoralist, 32% are agro-pastoral and remaining 22% are urban dwellers (ECA and Mulat, 1998).

In Eastern Ethiopia, Borena Zone, in the *Gada* system, rules and practices governing pasture and water management, as well as, herder mobility are revisited in eight-year cycles, creating opportunities for change while, simultaneously maintaining stability and continuity. In Borena pastoral system, livelihood stability in the face of extreme climate variability is made possible by important social-support institutions, especially, those oriented toward restocking cattle to household that have lost them through the effect of drought. The Buusa-gonnofa is a key social support system in Borena culture, where, people who have lost their cattle (by drought or conflicts) can be given cattle (usually milk cows) by more-successful clan members to restock their herds and maintain at least a bare-minimum from the milk (Tache,2008; Kassim and Lalise, 2006).

Borena pastoral groups call their territorial unit *Dheda*, which is a large land scape measuring as large as over large as over a million ha. *Dheda* is sub divided into smaller unit called reera, to facilitate management of pasture resources. *Dheda* may have 10 *Reras*. Councils of elders are responsible for the management of *Dheda* and reeras. The head of *Dheda* is called *Abba Dheda* (Father of *Dheda*) and the head of *Rera* council is called *Abba rera*. Decisions are made by these institutions on rules and regulations of natural resources use, i.e., when should the grazing areas are to be opened and closed, the location of communal pasture resources (kalos) and their use,

development of dry season water sources etc. Deep dry water wells called Ela's have managers called Abbaherega, who determine the sequence of watering of livestock and arrange for lifting of water to the ground and maintenance of the wells (Beyene, *et al.*, 2016)

Despite the traditional or customary practices that have continued over the years' resource depletion, population growth and other social factors are triggering changes in resource use and this is being attempted through tenure reform. A manifestation of this is observed in Borena zone where pasture land tenure reforms are being tried with the involvement of local institutions in pastoral areas of Borena zone. In pastoral areas land registration programs are thought to help transform customary rights in to legally recognized rights with a view to improving efficiency by enhancing tenure security and land transfer (EEA, 2004). In the Ethiopian Constitution Article 40 (5) states that "Ethiopian pastoralists have the right to free land for grazing and cultivation as well as, the right not to be displaced from their own lands, the implementation shall be specified by law" (Federal Democratic Republic of Ethiopia,1994). Likewise, Article 6 (6) opened a window for communal land holding. According to this article a land for grazing, forests, social services and such other communal use shall be carried out in accordance with the particular conditions of locality and through communal participation

Taking note of this in consultation with the local community currently there are attempts to divide and enclose pasture/range lands and allocate it defined groups. These interventions are however being not without problems. For example, Beyene (2010) indicate that enclosing communal rangelands may lead to social conflicts and cause range degradation rather than contributing to rehabilitation. He also stressed that the establishment of enclosures may result in allocation of poor pasture to some groups and better pasture to others, creating in equality and social tension.

The Borena range lands was formerly known to be the finest grazing land in east Africa, however; currently Borena Zone pasture land is exposed to over exploitation driven by poverty, rapid population growth and drought. This is further aggravated by private kalo enclosure, increasing number of livestock, dependency on natural resources for livelihoods and poor land use poor traditional natural resources management, bush encroachment and termite infestation (Lasage *et al.*,2010). In large areas of Borena Zone, over exploitation of water has led to

dropping ground water levels and dry wells. Land degradation and deforestation have resulted in loss of agricultural productivity.

The increasing loss of suitable pasture has significantly decreased the milk production in each pastoralist household in the pastoral areas of Borena Zone. Hence, understanding the social dynamic behind management of common resource pool is vital for sustainable management of communal pasture land resources. This research therefore focuses on evaluating the customary pastoral land tenure practices and its implication to pastoral land tenure reform in Borena Zone.



## 1.2. Statement of Problem

Borena zone is part of Oromia Regional state of Ethiopia where a large number people in the zone are leading pastoral and agro pastoral livelihoods. Land holding in Borena area is predominantly guided by customary land tenure system where the pastoral community uses the pasture land based on the land use and management strategy adopted by clan leaders. As time goes on human population growth, recurrent drought induced by climate change and absence of effective pasture land management has triggered poor productivity of the grazing resource and frequent incidence of pasture land use conflict. This has affected the livelihood of the community and many people have become liable to food insecurity.

The pasture land in the study area is identified as *Dheda*, *Malbe*, *Golbo*, *Dirre*, *Wayyama* and *Gomole*, each having customary leaders. The boundary of each grazing cluster has traditionally recognizable boundary. Each *Dheda* had its own grazing rules and pasture and water management plans. Grazing land is used and managed differently during rainy, dry and drought seasons.

Apart from traditional recognition of the boundaries of each *Dheda* there is no any formal certification containing the customary owners and indicating the boundary and given to each *Dheda/cluster* until the recent past. Traditionally the pastoralists move from one grazing type (*Dheda*) to the other with no restrictions and this has been damaging the productivity of the grazing land. There was no any management intervention to improve the grazing/pasture land productivity. Moreover, due to lack of registration and certification of each *dheda*, the customary owners do not have right to claim any compensation if development interventions are introduced in the pasture land. The current pasture land tenure does not guarantee proper management and tenure security. As a result, in Borena Zone declining of the size of communal grazing land due to expansion of crop cultivation, bush encroachment, land degradation and conversion for other purpose such as, settlements have become key challenges (Solomon *et al.*,2007; Desalegn *et al.*, 2015). The customary institutions in Borena zone have been playing pivotal role in managing pasture land other natural resources (Angassa and Beyene, 2003). However, the real power of these institutions was gradually challenged by the different regimes of Ethiopia including the present. There are indications that the formally established kebele administrations are taking over much of the responsibility of the customary institutions.

This arrangement is indeed having implication on securing the land rights of the pastoral community and also on the productivity of the pasture land. Hence, it is felt necessary to investigate the views of the pastoral community and leaders of customary institutions as well as, government experts working on pasture land management on how they should proceed in handling pasture land management and tenure issues.

Recognizing the management tenure problems on pasture lands the Oromia regional rural Land Administration and Use Proclamation No.56/2002 attempts to address pastoral lands tenure security and protection of the rangelands and natural resources by strengthening the customary governance systems. In line with this objective, the proclamations make important legal provisions to recognize pastoralists' rights over their grazing lands and strengthen the customary natural resource governance systems. However, there is no clear information to what extent this stipulation could enhance the customary pasture land tenure and also to what extent it could initiate pasture land reform in the region or in the study area and how the pastoral communities perceive the importance of pasture land tenure reform is unclear. The central research question of this research therefore revolves on issues affecting pasture land tenure security and management, investigating how customary intuitions facilitate or ensure tenure security and how the formally enacted rural land law addresses land tenure questions and to what extent the current problem on pasture land tenure trigger pasture land tenure reform. Based on these assertions the central hypothesis of this research is stated.

### 1.3. Objective of the study

#### 1.3.1. General Objective

The general objective of the study is to evaluate of the customary pastoral land tenure practice effect on pasture land resource and livelihoods of the pastoral community and its implication to the need for pastoral land tenure reform.

#### 1.3.2. Specific Objective

- ❖ To assess the customary pasture land tenure and management practices in the study area.
- ❖ To identify the major challenges in the pasture land tenure and management of pasture land in the study area.
- ❖ To assess conflicts encountered in the pasture land use by the community and how conflicts are resolved.
- ❖ To assesses the perception of the pasture community on initiatives to introduce reform in the customary pasture land tenure.
- ❖ To identify institutional arrangements required to handle pasture land tenure reform and management.

#### 1.3.3. Research Questions

1. What are the customary land tenure arrangements and Management in the study area?
2. What are the major challenges of pasture land tenure use in order of importance?
3. What are main causes of pasture land conflicts in the area?
4. How the pasture land tenure conflicts are encountered and resolved them in the area?
5. Do you need traditional pasture land tenure reform?

#### **1.4. Significance of the study**

Borena customary pastoral land tenure covers 13 districts (five known Dheda clusters) and currently, their interventions to enhance pastoral land tenure security by introducing tenure reforms through demarcation, registration and new forms of management.

As this initiative on tenure reform in communal areas relates not only to social and economic development but also to eradicate poverty reduction through effective management of the pasture land the outcome of this study will add knowledge to the existing literature and also serve as an important input to make policy revisions on pasture land tenure and management.

#### **1.5. Scope of the study**

This study tried to evaluate customary land tenure and its implication of land tenure reform in the case of Borena Zone. It covers 13 Districts clustered based on range land management or *Dheda* member representatives; this Dheda clustered in to five (5) 1. *Gomole* (under Arero and Yabelo), 2. *Dheda Malbe* (Taltalle, Yabello) 3. *Dheda Dire* (Dire, Dhas), 4. *Dheda Wayyama* (Moyle, Dhas, Miyo) 5. *Dheda Golbo* (Ana Dillo, Miyo, Moyale) were included. The analysis was largely on evaluation of the views of the pastoral community and institutions involved in pasture land management.

#### **1.6. Limitation of the study**

The pastoral land considered in this study covers vast area distributed across Districts. Time and financial and other resources could not allow the researcher to reach all the wordas. However, considering the similarity of the attributes of customary land tenure across the Districts, clusters were made and a representative sample was selected for the study.

#### **1.7. Organization of the Thesis**

The paper consists of five chapters. The first chapter –Introduction –focused on the background and statement of the problem, the objective of the research, the significance of the study, scope and limitations of the study. Chapter two dealt with the review of the theoretical and related literature. Chapter three and chapter four deal with the methodology and findings of the study respectively. The last chapter presents the conclusion and recommendation of the research.

### **1.8. Operational Definitions**

- **Dheda-** is a local authority responsible for monitoring and allocating grazing areas to different users and seasons at a lower level. The head of the Dheda council is called Abba Dheda
- **Madda** –is essentially an area of grazing which is defined in terms of right of access and responsibility for the upkeep of particular wells. Madda makes decisions regarding resource management in general.
- **Rera-** is a local authority to facilitate Management of the range resource, the head of the Rera council is called Abba Reera.
- **Olla-** The Borena Pastoralists live in settlements known as ollas; head of these settlements, called Abba ollas, for the orderly management and security of the Olla settlements.
- **Deep dry season Water Wells** called Ela’s have managers called Abba Heregas, who determine the sequence of watering of livestock and arrange for lifting of water to the ground and maintenance of the wells
- **Aburtu-** are responsible authorities who travel to various parts of the Dheda and collect information on the state of grazing and water resources
- **Customary tenure-** is a set of rules and norms that govern community allocation, use, access, and transfer of land and other natural resources. The term” customary tenure” invokes the idea of “traditional” rights to land and other natural resources. The tenure is usually associated with indigenous communities and administered in accordance with their custom.

## **CHAPTER TWO: LITERATURE REVIEW**

The literature review addresses issues that are pertinent to the stated objectives of the research. The first part of the review deals with customary land tenure system in Ethiopian pastoralism, mobility of pastoralists and management of pasture land in Borena zone, followed conflict management in pasture land use and institutional arrangements to handle pasture land tenure and assessment of experience of reforms of pastoralist land use and tenure in other countries having pastoral community

### **2.1. Experience of Reforms of Pastoralist Land Use and Tenure in Morocco**

The customary rights of Moroccan pastoral communities were recognized in 1912 as tribal collective rights. In the 1990s, the government introduced various legal reforms to enhance tenure security of members through delimitation and registration and introduced new forms of management to promote better management such as pastoral perimeters and tribal cooperatives. Customary pastoral management is the prevailing system, and tribal institutions determine access and use of these collective resources (IFAD, 2008). Tribal cooperatives were implemented in the oriented region. Tribal systems were organized into cooperatives and other production and management packages were incentives to members for more collective action and sustainable management of pastoral production system and livelihood strategies. The cooperatives were responsible for the management of their grazing resources. The project introduced various innovations among rights holders such as cooperative marketable membership shares, grazing reserves, and subsidized feeds. Encouraging results have been obtained from tribal cooperatives, and government is fostering the promotion of this option to improve the management of pastoral collectives (IFAD 2008; 2001)

## **2.2. Communal Land Registration in Namibia**

Namibia is the most arid country in sub-Saharan Africa, because of this, its land and ecosystems are very fragile (USAID, 2010). More than two-thirds of Namibians live in communal areas, which compose 36% of Namibia's land mass (Kasita, 2011). A colonial legacy of enforced racial segregation, later resettlement, and subsequent natural resource management practices (such as the fencing of communal land and miss allocation of grazing land) have resulted in overgrazing and severe land degradation, putting rural people's livelihoods at risk (Devereux,1996; McCabe, 2012). In 2002 the government of Namibia enacted the communal land reform Act, in an effort to distribute land rights more equally and redress extensive enclosure of communal land. Enclosure of communal land by local elites and other actors had led to diminishing access to grazing, disruption of traditional patterns of transhumance, confinement of seasonal grazing, and overuse of sensitive ecosystems (Odendaal, 2011). The Act grants most Namibians rights to communal land. Communal land is held in trust by the state so that local communities cannot sell the land. Local traditional authorities and land boards are authorized to administer the land (USAID, 2010). The Act also established communal land registration to "bring about tenure security and promote investment in land."

## **2.3. Communal Property of Land Tenure Reforms of Kenya**

Group ranches in Kenya are a government-driven land intervention created to reduce environmental degradation due to over stocking of livestock, provide incentives for investment in and management of land and natural resources, increase productivity and improve earning capacity of pastoralists, and strengthen tenure security for local land users. Group ranches represent a significant transition from what was previously a form of Common ownership of range lands (Mwangi,2006; FOLA,2011; Mwangi,2005).

Kenyan range lands make up 82% of the country's land area and support a population of approximately six million people. Prior to colonization, these natural pastures were used by local pastoralists for grazing livestock, and livelihood systems included season movement of people and animals. Pasturelands were managed communally, and individuals owned animals.

Pastoralists' livelihoods and natural resource management practices were adapted to the ecological context. (Kibugi, 2009; FOLA, 2011).

#### **2.4. Customary Land Tenure System In Ethiopian Pastoralism Context**

Ethiopia is situated in north east Africa (the so called" Horn of Africa) with total area of 1,109,800 square kilometers. Its population is now above 80 mill. UNDP (2003) with an estimated mean density of 58 people per square kilometers. It is the second most populous of country in sub-Saharan Africa and has a highly diverse ethnic society. Pastoralism is extensively practiced in the low lands of Ethiopia. Transhumance way of life of pastoralists is the mode of production best suited to the unsuitable and harsh environments. Pastoralism enables the pastoralists to strategically exploit seasonally available pastures and water resources. Pastoralism is thus, one of many socio-economic strategies based on herding domestic livestock on grazing lands commonly owned and used by the communities and their means of livelihood from raising domestic livestock in conditions and systems where most livestock feed comes from forage on communally possessed land. The pastoralists in Ethiopia are also tribal communities with a structure of tribes, clans and sub-clans. They are minorities representing more than 20 different ethnic groups belonging to Cushitic and Nilotic speakers.

The major pastoral ethnic groups in Ethiopia are the Somali in eastern and southern and southeastern Ethiopia and the Borena –Oromia in southern Ethiopia. There are also other ethnic groups who are pastoralists, such as karayu in Oromia and Harar and Baakko in the state of southern Nationalities and peoples (SNNP). Clan land in Afar includes grazing areas, water points, communal grave yards, settlement areas (metaro) and ritual sites managed by village councils consisting of a clan leader, elders (thefeima) and local wise-men and where individual members have rights to use the land subject to the rules of the collective management system of their clan. Another important features of Afar's resource management rights-a kind of right to access-by each clan to the land of another clan and based on the long-term reciprocity.

The Borena pastoralists of southeastern Ethiopia are also known for exceptionally land resource management. In fact, scarcity of water was, according to Helland (2002), one of the key



variables that determined the activity of pastures, “which is considered the best rangelands in eastern Africa. Moreover, their distinct indigenous institutions enable the Borena pastoralists.

There is a need to match the needs of livestock with the management of available grazing and water resources during times of plenty as well as scarcity. From the perspective of formal administration, Ethiopia has nine constituent states in its more or less ethnic-based federal system adopted by the 1995 FDRE constitution. Among the nine states, pastoralists are living in the Somali, Afar, and Borena Zones (provinces) of southern nations Nationalities and peoples, the state of Benishangul-Gumuz, and the state of Gambella.

The Horn of Africa was said to be home to the largest remaining aggregation of traditional livestock producers in the world (Helland, 2002). In fact, pastoralists occupy substantial parts of sub-Saharan Africa, including Ethiopia.

## **2.5. Customary Pasture Land Tenure, Pastoralist Mobility And Management Of Pastoral Area In Borena Zone**

Customary resource management rules in the Borena area is based on the Borena people’s local knowledge of their environments, including the scarcity of rain and unfeasibility of agriculture. Therefore, every eight years, the Gada assembly reiterates its commitment to pastoralism and hence, the maintenance of traditional range land management rules. Gada officials try to stop the expansion of agriculture in their region, but Peasant Association (PA) prevented the effectiveness of the traditional rules. The Borena have had one of the best rangelands in east Africa until a few decades ago (Waston, 2001). Range land resources were enhanced by the Borena customary system of resource management, which includes seasonal mobility, herd splitting, and rules of common grazing areas and water sources. Both mobility and herd splitting reduce the number of animal deaths caused by droughts and other site-specific risks. Dobie (2003) states that “for millennia, pastoralist have recognized the importance of transhumance (moving great distances with their herds) in maximizing the use of scarce pasture. This allows the best employment of the available pasture, reduces the tendency to over-use pasture and helps to avoid seasonal disease-carrying insects.” The Borena practice all these strategies to enhance efficient use of scarce resources.

Social and territorial organization of the Borena, such as olla, Dheda, and madda, facilitate orderly utilization of range land and water resources. These institutions emerged around hand-dug wells, ponds, range lands, and Borena tulla (deep well) complexes. Access to these resources is highly regulated. The emergence of private enclosures and, in some cases the sale of rights to water sources have, however, led to poor institutional development and little regulation (Desalegn *et al.*, 2007). Private enclosures particularly threaten the traditional range land use systems.

The weakening of elders' authority in the face of officially supported PA administration has also compromised the effectiveness of customary rules. The Derg regime, which ruled the country from 1974 to 1991, expanded the PAs structure at local levels and weakened the functioning of Gada system, especially the range land management system. For example, as noted, bushfire was banned, causing unwanted bushes to take over rangeland. Today, even though the current government allows bush burning, it is impossible to do so because, there is undergrowth to get a bushfire started. As a result, range lands can no longer be used by cattle, but continue to be used by goats and camels.

Climate variability was another factor that plays a significant role for the deteriorating range land conditions. Locals report that herds used to be small and that there was relatively enough rain and plenty of pastures, but now they believe rainfall is decreasing. One of the solutions proposed by the government to address climate change and variability is to promote irrigation farming in dry areas. Another, to group its scattered semi-nomadic peoples into permanent settlements, largely ending their mobile lifestyle that has sustained people for centuries (Meldrum, 2011)

In addition, the Borena frequently encounter major risks, including shortages of pasture and water, conflict; bush encroachment, and loss of territory to neighboring groups. But the single most important environmental factor that causes fluctuations in cattle population in their zone is drought (Oba, 2001). The five clusters of Dhedas Unit are self-sufficient in water and grazing resources during normal rainfall conditions. The water resources particularly, permanent or year-round water sources, are not evenly distributed within the Dhedas. Pastoralists have to move

their livestock freely between the five sections in order to find feed and water during the dry and wet seasons. The Abba *Dheda* and his Abba Reera councilors manage the whole *Dheda* as one ecological grazing unit and decide when livestock should move from one section of the *Dheda* to other sections on the basis of information provided by their range scouts (*Aburtu*) who travel to various parts of the *Dheda* and collect information on the state of grazing and water resources. Once the decision is made which parts of the *Dheda* are open and which are closed for grazing, the Abba reeras inform the abba ollas of the decision that has been made and enforce the rules concerning opening and closing of grazing areas. Thus, the *dheda* is managed as one ecological grazing unit of *Dheda* and groups of pastoralists using the *Dirre Dheda* do not negotiate with anyone within their *Dheda* to access dry and wet season grazing areas and salt and mineral licks

At the wider level, natural resource management rules and other laws are enacted and managed at the general *Gada* Assembly known as, *Gumi Gayo*. It is within the customary governance that the rules and regulations of range land resources are used (Ayana ,2007) within and across grazing units. Fines are imposed on those who violate the customary rules and regulations of range resources use or decisions of the *Dheda* or *Rera* Councils. The Borena Communal range land system is a web of social codes, norms and practices that constitute a hierarchical social system (Swallow and Boromly, 1995, Waston, 2003). At the helm of the *Gada* system is the *Abba Gada* who is elected every eight years in an assembly that is open to all Borena men. The *Abba Gada* and councilors comprise the main decision making body of the Borena common property system. Each governing body formulates and inforce general laws. The *Aadaa sera*, which is a governing body revises existing tenure arrangement and range land management in Borena and it is a male dominated governing councilors headed by elders (Megrsa,1993)

The *Gada* system with its governance of landholdings based on the *Dheda* grazing unit level, its leaders have positively contributed to governments' efforts in maintaining harmony and keeping peace and security among their societies and with different ethnic communities. Insistence of the local administration officials on this issue is to keep the door open for continuation of rent seeking behavior in alienating pastoral lands without the consent of pastoralists. The interference of formal government administration in the activities of customary land governance institutions has been increasing, and it is effectively undermining the relevance of customary authority,

knowledge and practices. There is mismatch between the boundaries of grazing units and administrative units has added to the confusion of who is in charge of managing the rangeland resources Beyene (2016).

## **2.6. State Development Intervention and Institutional Degradation Among Borena zone**

Consistent with the fate of pastoral societies elsewhere in Africa, In Ethiopia Borena Zone have been marginalized as result of misconstrued land tenure policies and modernization programs (Swallow and Bromley,1995; Watson, 2003).The impact of state policies and development interventions on the livelihood of Borena can be presented in three phases of policy changes corresponding to three distinct eras in Ethiopia's contemporary political history: pre-Derg (before 1974), Derg (1974-1991) and post-Derg (1991-present). Each era saw the replacement of one regime with another and corresponding changes in tenure policies and governance that have impacted the Borena in many important ways. The least interventionist of the three phases is probably the pre-derg feudal period when the Ethiopian monarchy paid relatively little attention to pastoral areas. But, undoubtedly this political identity, and the establishment of a precarious feudal tenure system whereby access to land depend on heredity and political affiliation (Angassa and Beyene, 2005).

## **2.7. The Major Challenges faced Pasture Land Management in The Study Area**

One of the main factors of the decreased availability of good fodder is bush encroachment. woody vegetation competes with grasses on available soil and water. The increment of woody species therefore reduces grass availability (Richter *et al.*, 2001). Another related effect perceived by the Borena is the unpalatable species (Solomon, *et al.*, 2007). These species compete again with favorable palatable species.

Insecurity of Tenure: -Residents of communal areas suffer insecure land rights due to variety of issues. First there is conflicting conceptual understanding and legal interpretations of interchangeably used concepts concerning land ownership and land rights. Second land rights

held under various conflicting local land administration institutions including, Trust, communal property Association (CPAs) and traditional leadership structures are often weak due to undemocratic land governance and lack of clarity and disputes surrounding such rights.

In case of Borena, range lands that are used by pastoralists for many generations successively are now partly fragmented and degraded (Flintan *et al.*, 2011). Causes of this downgrading are for example, population growth, mismanagement, and increased privatization for grazing and cultivation. Other causes which are mentioned are changing climate, environmental degradation, political interference, geopolitics, conflict, and aid agency failures (Hogg 1992; Catley *et al.*, 2012). An important factor of the degree of vulnerability to risks in this changing context is the communal nature of traditional pastoral system. Most of traditional systems were based on any type of communal land ownership and use. Now a day, these lands are often communal land owned by the state (Lengoiboni *et al.*, 2010). Pastoralists do only have the right of enjoyment which means that they could use the lands as long as the government does not exclude them. Because the government is owner, they can sell, rent or transfer land to other parties.

Now a day, in Borena Zone the frequent challenges faced in pasture land include shrinkage of pasture land, massive deterioration of common pool natural resource, high over grazing land (shortage of pasture), bush encroachment, termite invention, acute rain falls, soil erosion, land degradation, drought has been increasing time to time. The cumulative effect leads to high food security. Pastoralists rely on livestock mobility and communal land for their livelihood; the land tenure arrangement is the main challenge pastoralist face and it has come as one of the root causes of many conflicts.

## **2.8. Conflicts Encountered In The Pasture Community And How They Resolve Them**

The main reason for conflict over land is in times when there is a shortage of good pastures. In combination with the increasing human and animal populations conflicts became a problem within the Borena ethnicity and between the Borena and Other ethnic groups (Mengistu, 1998). Ethnic conflicts have caused that the Borena were displaced from their traditional grazing land (Oba and Kotile, 2001). Along the Ethiopia-Kenya boarder access to pasture is restricted by conflict (Brocklesby *et al.*, 2010).

Insecurity and the entanglement of pastoralists in regional conflicts: Conflict over resources is a risk in climatically unstable rangeland environments where people and their animals are routinely moving in search of water, forage, and markets. However, since the late 1990s, especially in Africa, it has become clear that the security situation in many pastoral areas is in fact, deteriorating. An upsurge in violence caused by conflict over increasing scarce land and water resources has been exacerbated by the availability of automatic weapons, often coming from politically unstable areas like Somalia, northern Uganda, and parts of the Sahel. The root causes of increasing resource scarcity, demographic pressure, the conversion of rangeland to other uses, and enclosures resource, means that less land is available for pastoralist groups. The result is a continuing spiral of increasing resource scarcity, as conflict further diminishes resource availability by creating no go areas, buffer zones between armed groups where resource might go unused for years and degrade as a result of neglect (McCabe, 2004).

### 2.8.1 Privatization and Enclosure

Western nations of individualization land tenure are frequently blamed for destroying traditional, communal system of pastoral land ownership but, this is an oversimplification. Two characteristic features of modern life commercialization and centralized state administration have also promoted the long term decline and fragmentation of collective system of rangeland use (Behanke, 2008). When pastoral societies lie outside government control, individual pastoralists cannot own land in the sense of holding legal titles. In these stateless/self-governing environments, individuals secure land use rights through their membership in groups that appropriate land jointly in competition with other groups (Lesorogol, 2005). The sovereignty and survival of these groups substitute for written titles, and possession is established through culturally sanctioned entitlements, political skill, or military Powers rather than administrative and legal authority. The situation changes when central government authority becomes effective. If administrative control was accompanied by the growth of markets and trade, the increasing view land not as part of a livelihood system but as a valuable economic commodity that they can now buy, sell, and convert to other uses. Pressures to privatize or enclose range lands, therefore, may accompany expanding markets and government control (Lesorogol,2005; Behanke, 2008).

### 2.8.2. Population pressure and Land Security

Although increasing urbanization, demographic pressure, and economic opportunities are depopulating some rural areas of Africa, demand for rural land in semi-arid regions of Africa is increasing, forcing both farmers and herders to adjust to a transition from a land –abundant to a land –scarce rural economy (Mortimore, 2003). This process has tended to undermine pastoral land rights. The expansion of cultivated area has encroached on livestock trek routes, pastures, and around western points, exacerbating herder-farmer conflicts. Similarly, in East Africa, population growth in the highlands has contributed to agricultural encroachment into pastoral areas as farmers expand farming on the margins of pastoral lands. Even if herders lose none of their grazing land, the value that they can extract from their common property rights will diminish as user numbers expand. This process may be occurring in some parts of East Africa with growing pastoral human populations and declining in some parts of East Africa with growing pastoral human population and declining per capita livestock wealth (Sandford, 2006). Heavily stocked range lands and small, individual herd sizes also leave pastoralists increasingly exposed to climatic shocks, with ever-smaller fluctuations in rainfall or temperature capable of causing hardship and further impoverishment. In such a situation, the risk of an economically significant drought or blizzard increases even if meteorological conditions remain unchanged (Moritz *et al.*, 2009).

## 2.9. The Social Institution Arrangement of Borena Pastoral Community

The Borena communal range land system is a web of social codes, norms and practices that constitute a hierarchical social system known as the gada system (Swallow and Bromley, 1995; Waston, 2003). At the helm of the gada system, the Abba gada is elected every eight years in an assembly that is open to Borena men. The *Abba Gada* and his male councilors, the *yea*, comprise the main decision-making body of the Borena common property system. Each governing body serves for eight years.

The governing body formulates and enforces general laws—the *aada seera*—that govern access to and use of communal water and forage. Each newly elected governing body revises tenure

arrangements. In rangeland management the rangeland was stratified into territorial units of differing sizes, households (smallest), settlements, encampments and grazing associations. Each range land unit has either an individual or a group of males responsible for enforcing and interpreting the aada seera and mediating disputes over water and grazing land. Since water is a crucial resource in the communal range land system of Borena, grazing settlements are established near water well(s) known as madda where a senior male descendent of the man who originally excavated the well(s), the abba madda, holds primary watering rights. Being the decedents of the pioneer of the well, the abba madda and his councilors can deny or allow outsiders, non-clan users, access to the well(s). Maddas are made up of smaller grazing areas called arda. An arda is a collection of encamp called ollas.

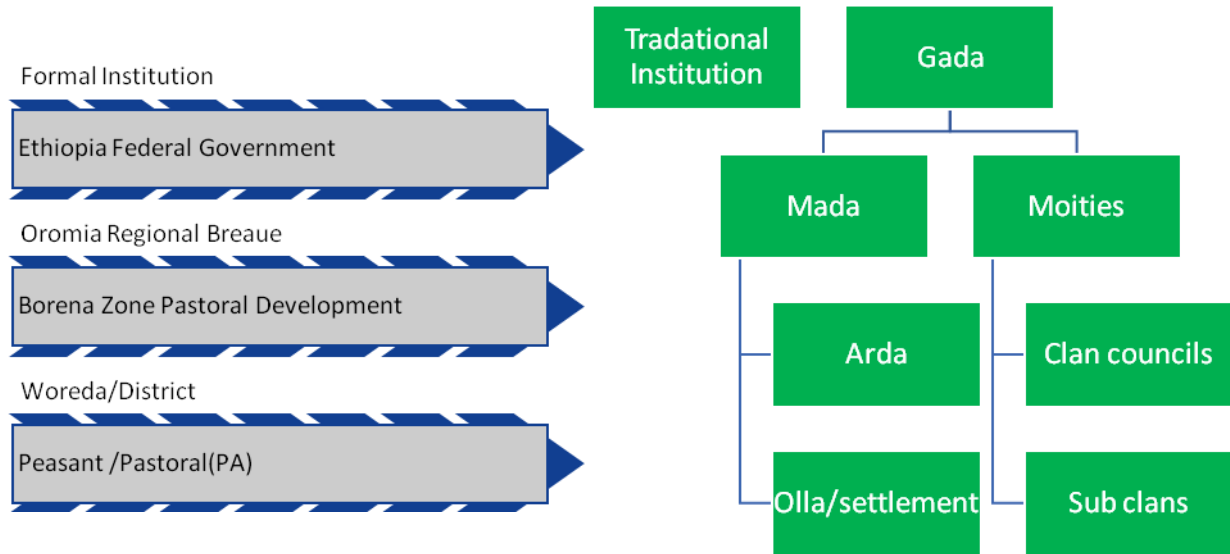
An olla is the smallest level of settlement consisting of 30 to 100 warras. The head of ollas is called the aba olla ('father of the olla') who is usually the founder of the olla or the senior descendant of the person who is usually the founder of the olla or the senior descendant of the person who founded the olla. The abba olla determines, in consultation with the men in his olla, the seasonal location of the household. Like, the abba madda, the abba olla also makes the final decision regarding whether to grant an outsider access or user right. A group of ollas and ardas make up a wider unit of grazing area known as dheda (Angassa and Beyene,2005).

## **2.10. Institutional arrangement of Government Structure to handle pasture land tenure Management.**

The pastoral development office focuses on rangeland development, agricultural activities appropriate for arid land, water well construction, extension programs, and capacity building. During droughts, the office makes emergency interventions by conducting food assessments and submitting requests to the regional government for humanitarian needs. Then regional and federal governments do their assessments and approve the requests. However, no standard emergency arrangement exists. In addition, NGOs, and representatives of the pastoral development Office (PDO), Basic Development Office (formerly known as SORDU), and



Development Agents (DAs) are stakeholders who are playing active role in averting the challenges facing pastoralists (Borena Zone Rural Pastoral Development Agency, 2003). The Traditional Institutional setting played important role in land management, because grazing and watering was depending on the institutional setting. Kamera (2004) has clearly schematized the current Institutional settings as shown in Figure 2.1.



Source: - Kamera (2004)

Figure 2.1. Traditional and Formal Institutional Arrangements for pasture land management

The Borena pastoralists are often not able to use the traditional institutional settings for current issues such as land allocation and development and resettlement policies (Bassi and Tache, 2008). Traditional institutions have been seriously affected by the administrative and institutional change, because the young PAs have no experience concerning range land management resources

## **CHAPTER THREE: DESCRIPTION OF STUDY AREA**

### **3.1. Location**

Borena Zone is one of the 20 administrative zones in Oromia Regional states. Borena is named after a tribe of the Oromo people. Geographically, the Borena are situated between 3<sup>0</sup> 36' 38" north latitude and 3<sup>0</sup>39'30" East longitude in the southern part of Ethiopia. Borena Zone is bordered on the south by Kenya, on the west by the southern Nations, Nationalities and people's region on the north by west Guji and on the East Somali Region. The total land area currently, occupied by the Borena is 45,620 square kilometers sub divided 13 Districts and 275 rural Keble (Figure 3.1). Yabello is the capital town of Borena Zone and lies 570 km south of Addis Ababa. In the Zone there are 19 urban centers, and 10 town Administration. Borena zone consists of 14 percent dry grasslands, 70 percent sparsely wooded grasslands, and 12 percent regularly or recently cultivated agricultural, horticultural, and domestic habitats in Borena Zone (Bassi and Tache, 2007).

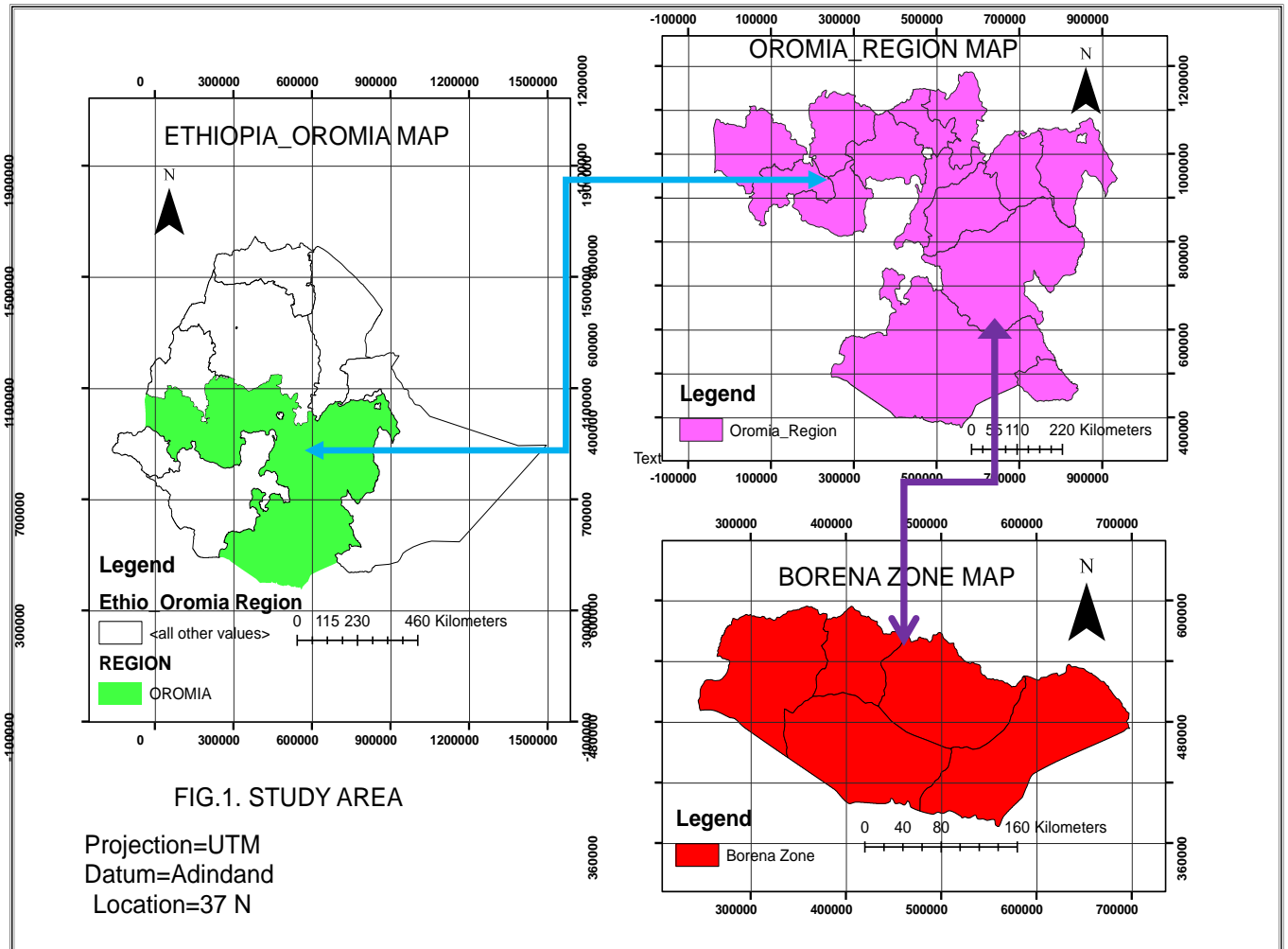


Figure 3.1. Location of the Study area

### 3.1.2. Demography

Total population of the Borena zone is approximately 1.1 million. The major ethnic groups are Borena Oromo and Guji, Oromos, and. Most of the inhabitants are followers of “Wokefta” religion. The people have a dynamic and territorial palatal system called Gada system. The system regulates social, economic, and political conditions of the people (Borena Zone Water Resource Office, 2003).

### 3.1.3. Hydrology

The ephemeral drainage system of Borena is located within Genale\_ Dawa River Basin. Ground water levels are generally deep (>10m). To extract ground water levels, the population of Borena are using traditional deep wells whose water retention potential varies with rainfall, the so-called singing wells; these deep wells of Borena, have existed for over 600 years and today they still serve as crucial resource of the Borena pastoralist production system. Some reach to depths of over 30 m below ground level. Providing water under pastoral circumstances is difficult, primarily, because of low population densities, nomadic culture and harsh environmental characteristics (Borena Zone Water Resource Office Report, 2009).

### 3.1.4 Climate

Drought is a common phenomenon in many parts of Borena; the low land parts are severally affected by recurrent droughts. The rainfall pattern was highly erratic, according to the people living in the area, the rains often do not occur at the expected time. Sometimes the intensity of rain fall is above normal and sometimes it is far below normal. Currently mean annual temperature lay around 19<sup>0</sup>C and mean annual rainfall 300 mm to 900 mm in the Borena zone. (Christensen *et al.*, 2007) (Figure 3.2).

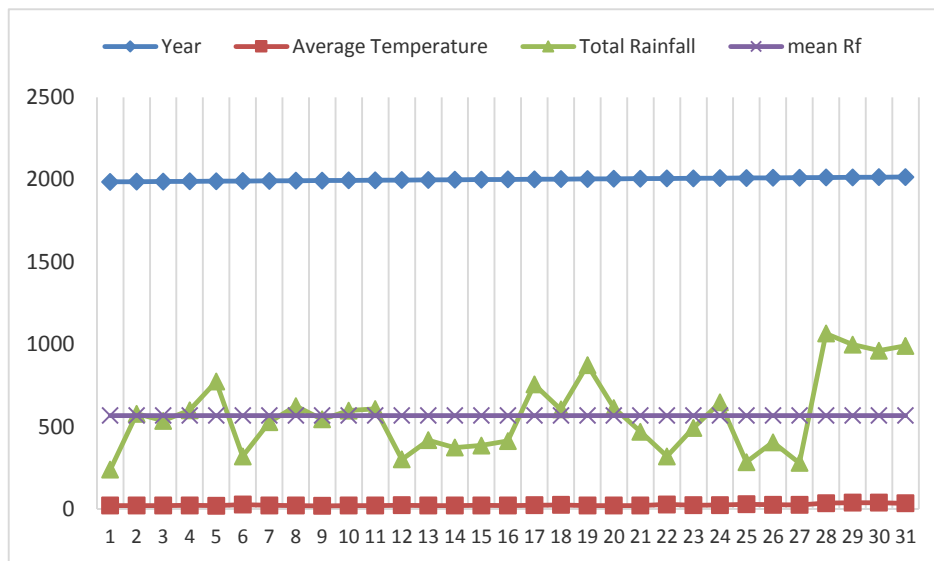


Figure 3.2 Rainfall and temperature of the study area (Source: Ethiopia Metrological Agency)

### **3.1.5 Agro-Ecology and Topography.**

About 10% of the total area is classified as cold (dega), 20% as mid highlands (woina dega) and 70 % as semi-arid low lands (kola). All ecological areas frequently exposed to rainfall variability and drought. The altitude of the zone ranges between 1,000 m and 1,500m above sea level. The semi-arid low lands are predominantly flat, covered with bushes and shrubs (Borena Zonal Administration, 2013). The Zone has a semi-arid savannah landscape, marked by gentle sloping low lands and flood plains vegetated predominantly with grass and bush land, (Borena, pastoral Development Office, 2003).

### **3.1.6. Land use and Economic Activities**

The Borena pastoralists keep livestock as major economic activity based on traditional pastoral land use systems. The pastoralist grows some crops for own use in the valleys. This activity is stressed by factors like drought, pests, diseases, access to improved crops and livestock varieties, market access etc. (BZDPPD, 2003). The Borena pastoral production is considered as one of the few remaining productive pastoral system in the East Africa until the early 1980s. Since then, there has been evidence that the system is experiencing a decline in productivity, associated with periodic losses in the cattle production. Changes in land use and suppression of fire, which has been restricted since 1980s by national policy have resulted in the proliferation of bush encroachment and a general decline in fodder production. The creation of regional administrative boundaries has greatly reduced access to communal resources (Angassa and Oba, 2008).

### **3.1.7 Description of The Pastureland Management System in The study Area**

The word dheda literally means grazing so, the word is sometimes taken as grazing land limited to specific unit. The Borena land has two major grazing zones Liban and Dirre, grazing Zones. (Dheda) is further divided in to two Golba and Gubbaa, While Dirre is blends Gomole Malbe, Golbo, Dirre (Tula wells, grazing Zones, and Wayyama grazing Zones).

The five *Dheda* cluster groups of Borena are defined territorial units for use and management of communal land and grazing pasture land resources, which are dependent on ecological consideration. Each grazing unit has dry season and wet season forage covering various niches of grazing and browsing plants for the different species of livestock the pastoralists raise. i.e. cattle, sheep, goats, camels, and equines. All the pastoral groups have established land governance structure of customary institutions and leaders as well as, rules and regulations that are crucial to insure the natural resources are well managed and equitable access is given to all pastoralists using the resources. The Borena pastoral groups call their territorial Unit *Dheda* which is large landscape measuring as large as over a million ha. (Angassa and Beyene 2005).

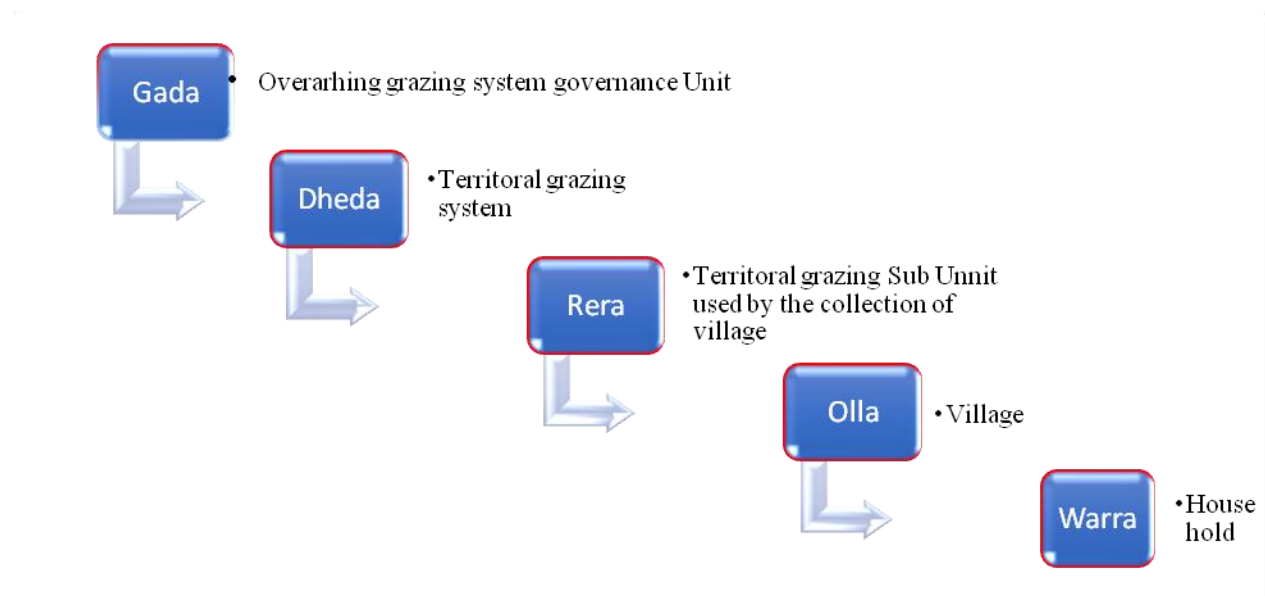
The *Dheda* is subdivided in to the smaller units called Reras to facilitate management of the range resources. Dheda may have up to 10 reras. The councils of elders are responsible for the management of the *dheda* and reras. The head of *Dheda* council called abba *Dheda*, (father of the Dheda) and the head of rera council is called Abba rera. The abba rera make up the council of elders of the dheda. Decisions on rules and regulations of natural resources use such as when the dry and wet season grazing areas are opened and closed

The location of communal pasture resources (Kalos) and decisions on the season to open or close the pasture and development of dry season water resources etc. are made at the *Dheda* council and transmitted to all pastoralists of the *Dheda* via the abba reras, who enforce the decisions. Deep dry season water walles called Ela's have managers known as (abba hergas), who determine the sequence of watering of livestock and arrange for lifting of water to the ground and maintenance of the wells.

The Borena pastoralists live in the settlements called ollas and the head of these settlements called abba Ollas are responsible for the orderly management and security of the olla settlement. They receive directions on resource use and Management from the abba reras and transmit them to residents of their respective ollas.

At the wider level, natural resource management rules and other laws are enacted and managed at the general *Gada* Assembly known as, Gumi Gayo (Ayana, 2007). Fines are imposed on those who violate the customary rules and regulations of range resources use or decisions of the *Dheda* or Rera Councils. The Borena communal range land system is a web of social codes, norms and

practices that constitute a hierarchical social system (Swallow and Boromly,1995; Waston, 2003). At the helm of the *Gada* system, the *Abba Gada* who is elected every eight years in an assembly that is open to all Borena men. The *Abba Gada* and councilors comprises the main decision making body of the Borena common property system. Each governing body formulates and enforces general laws the Pasture land management in Borena is a social and political affair that primarily involves male dominated governing councilors headed by elders (Megrsa,1993).



Source: Hog (1992)

Figure 4:1. Borena Customary Territorial organization

## **3.2 RESEARCH METHODOLOGY**

### **3.2.1 Research Design**

This study aims to investigate the customary pastoral land tenure and land management challenges, perception of pastoral communities on existing land tenure practices and initiatives for pastoral land tenure reform, institutional arrangements to handle land tenure and land management issues in the study area, from local community and government staff perspective and ultimately indicate strategies that should be followed to make the pasture land resource more proactive and sustainable from land tenure perspective. To this effect the research generated primary data through information gathering from a wide sector involving pastoral households, the Kebele leaderships, clan leaders /customary institutions leaders, and government staff working at Districts and kebele levels. Secondary data was also collected from relevant literature and government and non-government reports.

As this research examined the perceptions and attitude of households, community groups and government institutions a cross-sectional research design/survey design was used to generate appropriate information. A cross-sectional design requires the collection of data on many cases and at a single point in time in order to gather a body of quantitative data in connection with two or more variables, which are then examined to find out patterns or associations (Bryman, 2001).

Generating reliable data for analysis demands identifying techniques for data generation and collection. Taking note of this and considering the nature of this research, broad based information was required to address the stated research objectives. Thus, in this study, both qualitative and quantitative research methods were used as a research approach. Qualitative research method was used to collect data on the perception of farmers and government staff on pasture land tenure, pasture land management, livelihood condition of the pastoral community, etc. Likewise, quantitative research method was applied to investigate variables related to household variables, livestock and land assets etc. To realize the above the process of primary data collection multiple sources of evidence such as survey questionnaire, semi- structured interviews (group discussions and in-depth interviews with clan leaders/customary institution



leaders, government land administration and agricultural staff) were used. A survey of government reports was also conducted for organizing secondary data.

The data acquired in the study were strengthened through triangulation or the combination of methodologies including qualitative and quantitative approaches. According to Patton (1990) triangulation helps to avoid the problem of relying too much on any single data source or method that tends to undermine the validity and credibility of findings due to the weakness of any single method. Similar issues that have great value for the study were treated across data generation methods (*i.e.* semi structured interviews and group discussions) to validate data coming from different sources and also to cross check differences and similarity of ideas reflected by different discussion groups. The overall data collection method and procedure practiced is indicated in the following sections.

### **3.2.2 Field work**

The field work for this study was carried out from March to April 2018. The initial field activity was a reconnaissance survey of the study area to establish background information on agro ecological condition, topography, settlement patterns, livelihood activities, land use systems, natural resource base, natural resources development activities being implemented in the study areas. Interactions were carried out with land administration and agricultural development institutions working in the district and at kebele level and selected individuals having knowledge of their localities to enrich the reconnaissance survey. The overall activity in the initial field work is intended to enable the researcher to establish a good picture of the study areas and to make sure that relevant questions are incorporated in each data collection tool such as questionnaire and interview guide for group discussion

### **3.2.3 Selection of the Study Area**

The Borena Zone is one of the 20 Oromia Zones where the pastoral livelihood is dominant. This study zone was purposely selected by considering that it is one of the major sites where a large number of people are practicing pastoral economic activities and the grazing resource is degrading due to anthropogenic and natural causes. Moreover, the investigator's familiarity with

the Zone's culture and language as well his work experience in land administration practices in the study are taken in to account as an additional asset.

In Borena Zone, there are 13 Districts where pastoral livelihoods are widely practiced. The pastoral grazing territory resources are divided in different clusters. These include, *Dheda Malbe, Dheda Golbo, Dheda Dirre, Dheda Wayyama, and Dheda Gomole*. As mentions in the above section each Dheda has 6 to 10 *Reras*. Although one cluster type can be found in more than one Districts one type of cluster was selected purposely lying in Moyale, Dirre, Yabelo, Dillo and Arero. This was followed by identifying the number of *Reras* in each cluster. The study subjects /households were taken from the *Reras*. Each *Rera* accommodates about 50 to 150 households. To get adequate number of samples in each *Dheda* households living in 2 *Reras* were used as sampling frame. The two *Reras* were selected purposely as many of them have similar socioeconomic characteristics. Then the list of household in each cluster was documented and used to pick sample household heads used for data collection on socio-economic, land tenure and livelihood issues.

#### **3.2.4 Sample Size Determination**

For this study both probabilistic and non-probabilistic sampling techniques were used. In the case of probabilistic sampling, the systematic random sampling technique was used to select sample households of each *Dheda* representative.

Each of household members of Dhedas has a chance of being selected when random sampling technique was employed. The researcher used probability sampling to keep sampling error to a low minimum. In the case of non-probabilistic sampling, the purposive sampling was deliberately used to select the study area (*Dheda and the Reras*).

Therefore, to the sample interval from each Dheda dividing the total household of five *Dhedas* by the sample size i.e.  $\text{population/sample} = N/n = k^{\text{th}}$  element was carried out for each respective *Dheda clusters*. Then every household in each *Rera* list was arranged in numerical order and the first number of the sample was randomly selected from the first  $k^{\text{th}}$  ( $N/n = k^{\text{th}}$ ) number on the list and after that, every element was selected based on the above procedure until the required number of the sample were obtained.

The Sample size for collecting quantitative data for this research was determined using Cochran's (1977) Formula as indicated in Bartlett and Higgins (2001). The formula used to calculate the sample size is as follows:

$$n = \frac{N}{1+N(e^2)} \quad \text{Where:}$$

n = designates the sample size

N = designates total number of households in Five dheda

e= designates maximum variability or margin of error 5% (.05)

1= designates the probability of the event occurring.

The sampling frame used for the study is the list of households in each cluster Rera category. Accordingly, the sampling frame in *Dheda Malbe* contains 220 households, *Gomole*, 240; *Wayama*,140; *Dirre* 220, and *Golbo* has 250 households making the total households in the sampling frame **1070** households.

Therefore, the total sample size is calculated as follows:

$$n = \frac{N}{1+N(e^2)} = \frac{1070}{1+1070(0.05)^2} = 291$$

The sample size for each cluster group was again calculated proportionally to the number of households in each sampling frame. Hence:

1. Sample size of *Dheda Malbe* -  $\frac{220*291}{1070} = 60$
2. Sample size of *Dheda Gomole*-  $\frac{240*291}{1070} = 65$
3. Sample Size *Dheda Wayyama*-  $\frac{140*291}{1070} = 38$
4. Sample size of *Dheda Golbo*-  $\frac{250*291}{1070} = 68$
5. Sample size *Dheda of Dirre*-  $\frac{220*291}{1070} = 60$

### **3.2.5. Data Collection Techniques**

As indicated in the previous sections the research aimed to generate both quantitative and qualitative data. To generate appropriate data collection tools such as Questionnaire, Focus group discussions, Key Informant Interview, Field Observation were used. The description of each data collection tool is indicated below.

#### **3.2.5.1. Questionnaire**

The household questionnaire was designed in line with stated objectives and research questions, and it contained diverse issues that could provide an understanding of the socio economic attributes of the study households and the perceptions on customary and statutory land tenure, how the land tenure arrangements affected the livelihood of the pastoral community (Appendix I). After setting the questionnaire a pilot test was carried out on households having the same socioeconomic background to check the ease with which respondent households could answer the questions, and to make sure that the questions are meaningful.

The questionnaire has parts. Part I of the questionnaire deals with demographic and socioeconomic characteristics of the respondent households largely addressing household variables such as age, marital status, family size, literacy, livestock holding, livelihood activities that are deemed important in the analysis on perception on land tenure and livelihood improvements. Part II contains questions on characterizing pasture land ownership and land use practices in the study area. Part III addresses questions to assess customary/traditional pastoral land management system; and Part IV deals with assessment perception of pastoralists on the pastoral land law and land ownership rights. And the remaining part of the questionnaire addresses institutional issues on land tenure and pasture land management.

### **3.2.5.2. Focus Group Discussion with Rural Pastoral Development and Land Administration Experts**

According to Denscombe (2007) conducting group discussion using semi structured questions helps researchers to look more deeply into issues and develop new lines of inquiry that arise during interviews. It is also stated by Grunger (1994) that group discussions compared with formal questionnaire interviews allow sensitive issues to be more freely discussed in groups when individual are reluctant to discuss them alone with a stranger. Ideally group members should contain six to eight people but can be as high as 12 and if more is required needs to be supported with good reasons (Denscombe, 2007; Walker, 1985). Taking note of the above theoretical foundations semi structured interviews was conducted with land administration and agricultural and livestock development experts at Districts and kebele level to complement and compare information that was generated in the household questionnaire.

Key informant interviews involve interviewing of knowledgeable individuals who were likely to provide the required information, ideas and insights on a particular subject (Kumar, 1987). In this study 5 key informants from different *Abba Gada*, *Hayyu*, *Abba Dheda*, and *Rera* were involved. The key informants were those who lived long in the study areas. Interviews were conducted at the study areas using a check list of open ended questions (Appendix II).

### **3.2.5.3 Focus Group Discussions (FGD) With Pastoral Groups And Customary Institution Leaders**

Pastoral community members in the study kebeles who are deemed having better knowledge of their community and their environment were selected with the help of local development agents and discussions were held using the checklist of prepared for the FGD (Appendix III).

One FGDs were carried out in each study Kebele (Pasture land cluster, like *Dheda* members, with Pastoral community) by involving (10 -12) participants of whom 4 were women household heads in each group.

In both groups perceptions on pasture land rights, local/customary institutions role in protecting land rights, knowledge of the new pasture land law, livelihood activities, etc. were addressed. In

the whole exercise the researcher was supported by an assistant note taker while the researcher performed as major facilitator of the discussion.

#### **3.2.5.4. Data Summarizing And Analyzing Methods**

In this research a mixture of qualitative and quantitative data was collected; hence, a combination of data analysis methods was employed. The qualitative data gathered from group discussions was summarized the same day the discussion was held with the assistant note taker. Due emphasis was given to screen key issues that were repeatedly raised during the discussion. Similarly, the views of experts were processed immediately and vital issues requiring more reflections were identified and further discussed in the group discussions held after the first one. The analysis of data was carried out using descriptive statistics. This involves computation of percentages of single variables, the median and average outcomes. SPSS version 20 statistical software was used for analysis. Prominent views of households on particular issues gained from semi-structured interviews were used to confirm the findings in the descriptive statistics.

## CHAPTER FOUR: RESULTS AND DISCUSSION

This chapter brings comprises a systematic analysis and presentation of data gathered from the field. These are the result of respondents' idea, focuses group discussion, key informant interview, relevant works of scholars and voice of informant relating to the issues under investigation and discussion such as sex, age, religious and ethnic compositions of the sampled house hold and status of informants in key informant, interview and focuses group discussion.

### 4.1. Household Characteristics

Respondent households were characterized in terms of sex, age, education, family size, religion, livelihood activities. Of the total respondents (291) about 90.03% were male headed households and 10 % were female headed households. The details in each cluster type are indicated in (Table 4.1.)

Table 4.1 Sex Composition of respondent household

Sex	Dheda Dirre	Gomole	Malbe	Golbo	Wayyama	Total	%
Male	52	61	58	59	32	162	90.03
Female	8	4	2	9	6	29	9.95
Total	60	65	60	68	38	291	100

Source: Questionnaire Survey (2018)

Considering the less number of female headed households' due lack of attention was given to women. The presence of less number women headed households in the study area was a big

question for the researcher and it was found out that this has happened due culturally in Borena Zone females not administered and member of committee in the pasture and water use management because, culturally the community they perceive females are not strong and not administer large pasture land resources as such of Male and the only serve in house, prefer cooking. And The female respondents imply that we are not benefited from the pasture and water resources currently, only the rich pastoralists drink milk.

#### 4.2 Age Of Respondent Household

Data on respondents age indicated that about more than half of the respondents are below 50 years old (Table 4.2).

Table 4.2: Age of the respondents in the study area

Age	Dirre	Gomole	Malbe	Golbo	Wayyama	Total	%
<b>20-30</b>	5	16	15	21	9	66	22.68
<b>30-50</b>	23	33	28	28	15	127	43.64
<b>50-60</b>	18	14	15	18	12	77	26.46
<b>&gt;65</b>	14	2	2	1	2	21	7.21
<b>Total</b>	60	65	60	68	38	291	100

Questionnaire Survey, (2018)

The age distribution implies that large numbers of the respondents are in reproductive age and having adequate labor force that could be used to protect the pasture land. On the other hand, the presence high number of households in reproductive age leads to over population and stress on resource use.



### 4.3 Marital Status of Respondents

Out of the total interviewed household (82.5%) were married, about 7.9 % were single/unmarried and about 7.9 % were divorced and 1.7 % widowed are respectively. The presence of large number of married households indicated the existence stable community which may be useful in the management and use of pastoral land. It indicated the number of divorced less in number because, culturally, in Borena community, divorced or separated Women were ignored/not accepted in front of the community.

### 4.4. Family Size Respondents

Family size of respondent households was grouped into four categories as indicated in Table 4:3. The details of each cluster showed that about 70% of the respondents have family size of 7 and above. The average family size is calculated at (Table: 4.3). It can be asserted that as family sizes becomes high in number, the demand of pasture land also become high. This implies the need for controlling the population through family planning interventions.

Table 4:3. Family size of the respondents

Family Size	Dheda Gomole	Dheda Malbe	Dheda Golbo	Dheda Wayyama	Dheda Dirre	Total	%
1-3	15	6	21	2	4	48	16.45
4-6	10	3	10	9	5	37	12.71
7-9	24	18	13	14	10	79	27.15
>10	16	33	24	13	41	127	43.64
Total	65	60	68	38	60	291	100

Source: Questionnaire Survey, (2018)

#### 4.5. Education Status Of Respondents

As one of the important socio-demographic variable is the literacy status of the households in five Dheda pasture land clusters was studied. The data showed that the majority (56.7%) are illiterate and the rest at different level of education (Table 4.5)

Table 4.5 Educational levels of the respondent households

who can't read and write	Gomole	Malbe	Golbo	Wayyama	Dirre	Total	%
	39	33	24	17	52	165	56.70
Read and Write	7	10	17	2	1	37	12.71
1-8	5	12	10	6	5	38	13.06
9-10	6	3	9	11	1	30	10.4
11-12	3	2	5	2	1	13	4.47
Certificated and above	0	0	3	0	0	3	1.03
Total	65	60	68	38	60	291	100

The presence of large number of illiterate people in the community may hinder technology adoption and lack capacity to engage in productive economic activities. As pastoralists are leading mobile livelihood and their settlement is dispersed providing regular education may be difficult. Hence, strategic interventions should be designed on how to enable pastoral households have access to formal and informal education arrangements.

#### 4.6. Religion Respondent Households

The majority of the respondents (55.32%) in the five Dheda clusters are Wokefeta, about (18.9%) are Muslim and 25.66 % are Christians (Table 4.6).

Table 4.6. Religion of respondent households

Religion	Dheda Dire	Dheda Wayyama	Dheda Gomole	Dheda Golbo	Dheda Malbe		%
Orthodox	0	12	5	3	2	22	7.56
Muslim	13	4	6	16	16	55	18.9
Wokefeta	40	9	45	35	32	161	55.32
Protestant	7	13	9	14	10	53	18.21
Total	60	38	65	68	60	291	100

Source: Questionnaire Survey, (2018)

Assessment of household's perception on the influence of religion in the management of pastoral lands and involvement in the local institutions using FHGD participant's views indicated that there is good harmony amongst the religion and no visible problems are encountered. This signals the presence of cohesive community that could easily mobilized for development work and other social obligations.

#### 4.7. Livestock Ownership Of Respondents

The respondent's livelihood is largely dependent on Livestock husbandry. The data on livestock ownership indicated that about 32.65% own less than 10 heads of cattle, 40.55% own 10-50 heads and very few (6.9%) own more than 100 cattle (Table 4.5)

Edu-Level	Dheda Gomole	Dheda Malbe	Dheda Golbo	Dheda Wayyama	Dheda Dirre		%
0-10	29	18	26	9	13	95	32.64
10-50	23	29	29	4	33	118	40.55
50-100	9	8	11	18	12	58	19.93
100-200	4	5	2	7	2	20	6.87
Total	65	60	68	38	60	291	100

Source: Questionnaire Survey, (2018)

The livestock composition showed that almost 99% are cattle. Assessment of FGD participant's perception on number of cattle ownership per household indicated that livestock ownership holding is decreasing from time to time due to feed shortage, drought and population increment. They also stressed that the declining number of livestock ownership is damaging their livelihoods. Another issue considered was involvement of households with different livestock ownership in the management of the pastureland. The FGD participants stressed that those households with more livestock are more interested in pasture land affairs and involved in many of the development activities.

#### **4.8. Livelihood Activities of The Respondent**

As indicated in Table 4.6 respondents practice different livelihood options. Accordingly, about (46%) are pure pastoralists and (45.7%) are semi pastoralist and few (1.7%) practice mixed and the other 6.5% are were Agrarian (Table 4.7).

Table 4.8. Livelihood Activities of the Respondent Household

Family Size	Gomole	Malbe	Golbo	Wayyama	Dirre	Total	%
Pure pastoralist	34	41	37	19	3	134	46.05
Semi pastoralist	25	17	23	14	54	133	45.70
Agrarian	0	1	0	1	0	2	0.69
Mixed	6	1	8	4	3	22	7.56
Total	65	60	68	38	60	291	100

Source: Questionnaire Survey, (2018)

The presence of large number of pure pastoralists in the study area demands strong pasture land management. Likewise, the existence of substantial number of households practicing semi pastoralist activity even implies more efforts to be made to promote agricultural productivity and efficient livestock husbandry complemented by effective pasture land or grazing land management.

#### 4.8.1. Traditional Pasture Land Tenure Management in the Study Area

Assessment of perception of respondents and FGD participants indicated that the Abba Dheda was selected by the community and the criteria are largely focusing on the performance of the person. Accordingly, those individuals who are economically strong enough and willing to serve pastoralists in faire way and having the ability to enhance sustainable use of the grazing pasture land and its management and the capability to administer all pastoral community are elected from all Borena's clans.

Communication amongst customary institution: This research has found out that the customary institutions communicate among themselves whenever necessary and they involve pastoral community in discussion regarding pasture and water use. This perception is supported by about 96.2 % of the respondents. The study also showed that the institutions meet twice a year and in these meetings all pastoral community members are participating in the meetings. The meetings

deliberate on issues related to protection of water and pasture land management, how to rehabilitate livestock during the dry season, and about mobility from dheda to dheda or Reras, as well as, cross boarder mobility

Likewise, the majority of the respondents (94.5%) stated that pastoral community was involved on discussion regarding pasture land and water use. Specific issues discussed include how to manage the pasture land and water use and bush, demarcation of communal pasture land areas that should be opened and closed during the dry and wet seasons, FGD participants disclosed that the customary leaders working on pasture land management, are providing free service to the community; there is no any incentive arrangement. Regarding respect and trust given to customary leaders the majority (98.3%) stated that customary leaders are respected the pastoral community.

Strength of customary land tenure: From the key informant interview and FGDs conducted in the five dheda clusters of Borena community, customary land tenure gives a fundamental land use right that enable the pastoral community use the available resource in a sustainable manner. According to informants' better resource management has been achieved because the pastoralist community have developed indigenou knowledge on how to prevent loss of livestock during drought, and also due to their knowledge to identify the grazing pasture lands that are suited for the dry season and wet season.

Customary institution leaders participate the community on discussion regarding pasture and water management. FGD participants have disclosed that all the pastoral community participate in bush clearing and pasture and water management as well as in enclosing the communal kalos.

Key informants and FGD participants appreciated the age old tradition of helping each other when households lost their livestock during drought years and social conflicts. During these incidents the customary leaders facilitate contribution of livestock to the disadvantaged group so that they could revive their livelihoods. Customary institutions also play active role in setting aside pastoralist enclosures, called Seera Yabbi (protected grazing for calves) that cover 10 hectare or less and used to conserve pasture for milking cows, calves and sick animals during dry season.

Challenges faced by customary institutions in managing pasture land Assessment of the views of the respondents, Key informants and FGD participants indicated that currently, the customary pasture land use and management is gradually becoming weakened because of the Districts and kebele administration interventions. Some of the rules invented by the pastoral communities are being eroded. For example, If the pastoral community break the rule and regulations of pasture land and water use management the clan leaders charge five cows. This arrangement is however, not appreciated by the government agencies and it is giving loophole for free riders.

In another instance, respondent also claimed that lack of any incentive for customary leaders is weakening the monitoring and evaluation of pasture land and water management by such leaders. This has induced the expansion of private kalos from time to time and the rich are taking this advantage and the poor are losing their customary pastoral land use rights. The tendency of the rich pastoralists to create connection with government officials is making the situation worse.

#### **4.8.2. Perception on Ownership of The Pastoral Land**

The perception of the respondents on who owns the pasture land is mixed. About 23.2 % claimed that ownership rests on the community, about 22.7 the government, over half (51.5%) stated both the government and the community, and about 25.8 % asserted it is open access. The survey result suggests that the land administration office is in short of carrying out awareness creation on land rights of the community. Lack of awareness on land rights is likely to expose the weak and the vulnerable group to lose their constitutional rights.

### 4.8.3. Challenges Observed in The Pasture Land Tenure in The Study Area

Both the field observation and information gathered from respondents and Key Informants and FGD participants indicated that there is a dramatic increase both in number and size of kalos enclosed for the individual use. This is, in essence, land grabbing by the elite and the politically connected and privatization of the common resource.

The picture in Figure 4.10 depicts a pasture landscape enclosed for private use. This has resulted in diminishing of grazing resources in the face of increasing human and livestock populations. Some customary leaders have attempted to dismantle individual kalos although the success rate is limited.



Figure :4. 2. Private Kalo Enclosure in Dirre Districts: Source: Field Survey, (2018)

Another critical problem expressed by respondents and others was felling of trees which was strictly forbidden by tradition. Cutting of trees to make charcoal has proliferated in many areas and fines imposed by customary authorities are openly ignored by the local administrators who do not up hold and enforce decision of the customary leaders (Beyene, *et al.*,2016). The authority



of customary leaders has diminished and the Districtss, and kebeles lack the capacity to effectively administer and manage range land resource.

The cumulative effect of the weakening of the customary institutions and failure the formal government authorities to support proper manage pasture lands is leading to the deterioration of the range lands and declining of livestock productivity and severely threatening of the livelihood security of pastoralist.

As expressed by the majority of the respondents (97.6%) pasture land is not producing adequate forage for the livestock. The mismatch between the livestock population and the carrying capacity of the pasture land and absence of management intervention of pasture land has induced overgrazing and deterioration of pasture land. The problem is further worsened due to frequent of draught and bush encroachment in the study area (Figure 10.2).



Figure 4.3. Picture showing degraded pasture land Source: Field Survey Haro Bake, (2018)

A disaggregated data on major challenges faced in the pasture land of the different clusters is indicated in (Table 4.8)

Table 4.8: Major Challenges of Pasture Land Tenure

Pasture land factors	Dirre	Malbe	Golbo	Gomole	Wayyama	Total	%
Overgrazing	20	21	19	20	20	89	30.58
Recurrent draught affecting grass growth	22	22	24	21	21	99	34
Invasion of pasture land by unpalatable forage	10	11	14	13	13	59	20.27
Shrinkage of the pasture land	8	6	11	9	9	42	14.43
Ground total	60	60	68	65	38	291	100

Source: Questionnaire Survey, (2018)

The data in Table 4.8 shows that recurrent drought followed by over grazing followed by other problems as severe threats to pasture lands. As the pastoral communities' traditional livelihood has great attachment to livestock husbandry it seems of utmost importance to give due attention on how to sustain the pastoral and semi pastoral livelihoods. The expansion of invasive plant species is a problem that should not be given time.

#### 4.8.4. Perception on Pasture Land Alienation.

Land Alienation of Borena Pastoralists have lost about 33,000 ha of grazing land for development of private and groups ranches (Elias E. and Abdi F.,2010). Stated that, land was appropriated for private Investors with the approval of local administration without any compensation paid to the affected communities. Such large scale alienation of land has been devastating to the livelihood of pastoralist of pastoralists by severely diminishing their access to dry season grazing and consequent bush encroachment and degradation of range land resource. This study shows that there was lack of appropriate legislation for formalization of pastoral land rights, reluctance of local administrators to cede use and control of land to pastoralists, and unwillingness to empower customary institution to Administer and manage pastoral land holdings.

The study revealed that in the five Dheda clusters there were pasture land alienation by the government and this was stated by 67.4% of the respondents. About 23.4 % indicated it was given to the landless and 3.8 % claimed that land part of the pasture land was given to the investors and the majority (76.6%) stated that pasture land was given both to the landless people and Investors

#### **4.8.5. Livelihood Strategies of Pastoral Communities**

The pastoralists have adopted arrange of strategies to cope with loss of livestock, including sale of animals, livestock migration, reduction of household expenditure, paid labor and traditional social support and the Borena also enclose range land to overcome some effects of drought.( Traditionally pastoralist enclosures, called (Seera Yabbi) (protected grazing for calves), cover 10 hectare or less and are used to conserve pasture or set a side section of range land for milking cows, calves and sick animals during dry season.

Majority of the respondents suggested that (99.3 %) was repeated drought incidence and the rest (7%) of the respondents no repeated drought in the area. The study shows that, Majority of people in the zone is pastoralists and agro pastoralists, and have high livestock resources, But the livestock resources in the area have been affected by recurrent draught scarcity of water shortage of animal feed.



Source: Filed Survey (2018)

Figure:4.4. People taking water for domestic use and drinking from the open surface ponds.

#### 4.9. Name Of Wet And Dry Seasons Throughout The Year In The Borena Zone

Months	J	F	M	A	M	J	J	A	S	O	N	D
<b>Borena</b>	<b>Bona Hagaya</b> <b>(Long dry Season)</b>			<b>Ganna</b> <b>(Long Rainy Season)</b>			<b>Adoleessa</b> <b>(Short dry Season)</b>			<b>Hagaya</b> <b>(Short Rainy Season)</b>		

Source: Riche (2009)

It indicates that Borena Zone get rain fall yearly, classified in to 4 seasons, Bona Hagaya (long dry season) Months of July, February, March and Ganna (Long Rainy Season) April, March, and July and Short dry season (Adoleessa), Janury, April, Septumber and Hagayya (short Rainy Season) months of (october, November, and December)

The respondents stated draught damaged loss of livestock, loss of human life and livestock disease incidence, and pasture land use conflicts and poor production of livestock ,Migration Over grazing ,range land degradation, low animal productivity, starvation and poverty ,low prices of livestock, livestock disease and shortage of rain fall, Bush encroachment and it leads to food security, during the draught they were survive the livestock death buying forage for livestock (55.7%) and Driving of livestock to water points (35.7) and selling livestock (5.8 %) and the rest (2.7%) replayed all exercised.

#### 4.8.6. Major Challenges Faced in Pasture Land Use in Order Of Importance

Analysis of data on the major pasture land use challenges faced put in order of importance indicated that drought (28.5%) ranks first followed by lack of land tenure security (27.2%), shortage of water (11%), deterioration of pasture land (12.4%), pasture land use conflicts (9.3%), livestock diseases, (6.9%), and livestock market (4.8%) (see the details in Table 4.7).

Table:4.10. Major challenges faced in pasture land use in order of importance

Major pasture challenge to use Problem	Dirre	Wayyama	Gomole	Golbo	Malbe	Total	%	Rank
<b>Draught</b>	12	8	22	25	16	83	28.52	1
<b>Shortage of water</b>	11	4	5	2	10	32	10.99	4
<b>Deterioration of pasture land</b>	10	5	3	8	10	36	12.37	3
<b>Pasture land use conflict</b>	6	6	6	3	6	27	9.28	5
<b>Livestock diseases</b>	3	2	7	4	4	20	6.87	6
<b>Livestock Market</b>	3	3	1	5	2	14	4.81	7
<b>Lack of land tenure Security</b>	15	10	22	22	10	79	27.15	2
<b>Grand Total</b>	60	38	65	68	60	291	100	

Source: Questionnaire Survey, (2018)

Other researchers namely Richter, (2001) and Solomon (2007) have also reported bush encroachment and proliferation of unpalatable plant species are among the major factors of the decreased availability of good fodder. It is evident that encroaching woody vegetation competes with grasses on available soil water and soil nutrients and reduces grass availability. The

fundamental issue that should be raised is identifying how land tenure security could help to bring better management of the pasture land.

#### **4.8.7. Pasture Land Use Conflicts As Perceived By Respondents And Conflict Resolution Mechanisms**

The main reason for conflict over land, stated by respondents is in times when there is a shortage of good pastures. In combination with the increasing human and animal populations conflicts became a problem within the Borena ethnicity and also between the Borena and Other ethnic groups (Mengistu,1998). Ethnic conflicts in Borena have forced the Borena to be displaced from traditional grazing land (Oba and Kotile, 2001). Also along the Ethiopia-Kenya boarder access to pasture is restricted by conflict (Brocklesby, 2010). This indicates that Pasture land conflicts are mainly resource use or ownership related. Resource competition arises in connection to access to land and its resource one of the key issues concerning of tribal boundaries and land tenure, which are still unresolved and the basis of many conflicts. Pasture land use conflicts are recurrent and have been major problems in the area.

However, currently, the clan leaders said that “Conflicts split in to two internal and external, the internal is ethnic to ethnic conflicts, today we haven’t as such conflicts, the major conflicts of Borena today about the Ownership of the land, we conflict each other on the land found on the border with Somali and Kenya and SNNP”Almost all respondents (99%) in the five Dheda replied that conflicts are observed in the pasture land use due to competition for grazing, water points, blocking of movement from one place to the other and defrosting wood lands. It was also pointed out by FGD participants and clan leaders that conflict on pasture land use are experienced between Borena and Kenya, Borena and the Southern regional state and also Borena and Somali Region. This indicates that Pasture land conflicts are mainly resource use or ownership related. Resource competition arises in connection to access to land and its resource one of the key issues concerning of tribal boundaries and land tenure, which are still un resolved and the basis of many conflicts.

Response of households on how conflict on pasture land use indicated that about 94.5% feel that the problem is commonly resolved by clan leaders. It was also pointed out that the elderly, livestock experts, land administration experts and Religious institutions play vital role in solving different kinds of conflicts. The actions taken to resolve the conflicts include issuing of pastoral communal land holding certification and strengthening the customary land tenure and preventing private kalos in the area. The competition of water was resolved by digging out variety of ponds and Ela's in all ollas.

#### **4.8.8. Perception On Pasture Land Boundary And Importance Of Pasture Land Certification**

Response of households on the existence of defined boundary in the study area showed that the majority (97.6%) expressed absence of defined boundary. During the FGDs participants stated that there is only traditional information that is told to the community about the area of the pasture land. Regarding pasture land certification about 75.6% have awareness on the government efforts to issue pasture land certification. The study also showed that about 84.5% of the respondents support the joint pasture land certification.

FGs participants and Key informants stressed that communal land certification will be more effective if managed by customary law. This approach is believed to reduces ethnic to ethnic conflicts and respect the boundary of the pastureland. They even stressed that the certification enables to claim compensation for land that will be given to other users for private or public purpose.

#### **4.8.9. The Perception Of The Pasture Community On Initiatives To Introduce Reform In The Customary Pasture Land Tenure**

Customary Pasture land tenure reform refers to introducing new forms land rights on the communal pasture land. These include defining the boundary of the pasture land of each pastoral community, changing livelihoods from pure pastoral livelihoods to semi pastoral livelihoods, defining the legitimate users of a given pasture land, claiming compensation for pasture land alienation and asking permission to move from one dheda to another dheda and enclosing pasture

lands. In this regard assessment of the perception of households in the five dheda about the need for introducing reform on the customary land tenure indicated that the majority (68.4%) expressed their support for tenure reform and the minority (31.6%) are against the reform.

The overall analysis suggests that the majority of the pastoral community did not adequately benefit from the current pasture land tenure. FGD participants argued that the current pasture land is ineffective because it gives more opportunity for the rich pastoral households to benefit more as they have more livestock and also due to their position in the society. Hence, pastoralists need to see reform in the customary pasture land tenure. Response of households on who benefits from the current customary land tenure the majority (67%) of the respondents were of the opinion that the rich pastoralist has benefited more while 23% argued that the poor are equally benefitting from customary land tenure and the remaining 10% asserted that no one was a loser.

The study revealed about 80.7% did not recognize the introduction of any reforms in the customary land reform in the study area. And the rest (19.6%) disclose that customary reforms are introduced in the study area. The respondents suggest that good sides of the pasture land tenure reform they reflects, in the future it recognized the customary or indigenous people, communal certificates that secure the rights to use or manage resources and secure enough reduced conflicts and Investment better management and it brings positive incentives to conserve protect and maintain security (prevent conflicts) and enhance food security, address global climate change security and empower the Vulnerable groups (Woman and poor pastoral community) in the study area. The respondents indicated that they reflect the tenure reform future may challenge by the Semi pastoralist which is depend on the both agrarian and breeding livestock when land is commonly certified, and government intervention may be break customary law of the pastoralists and communal certification at the Dheda territory level may be challenge to administer and monitoring pasture resource use and water management. Although, promoting sedentary framing is one intervention that could lead to land tenure reform the majority (70.4%) did not appreciate the idea of sedentary farming and 29.6% showed positive reaction towards sedentary framing. During FGDs participants suggested promoting semi pastoralism is a better option to bring land tenure reforms.



#### **4.8.9.1. Institutional Arrangements Required To Handle Pasture Land Tenure Management In The Study Area**

FGDs involving pastoral households and government staff indicated that the pastoral development office focuses on rangeland/pasture land development. The effort by government demands active pastoral community participation, practicing agricultural activities appropriate for arid land, water well construction, extension programs, and capacity building. During droughts, the office makes emergency interventions by conducting food assessments and submitting requests to the regional government for humanitarian need

As pointed out by respondent's pasture land management in the form of communal enclosures are made accessible to all members of the communities when feed resources are depleted during the long dry season. Communal enclosures are controlled by Abboti Dheda (the elderly who is elected to manage grazing land) and these grazing lands are often unfenced.

Majority of the respondents (95.5%) expressed that pasture land management was not effective. And about 84.2% of clan leaders were criticized for not giving fair service for the pastoral community. The tendency of the rich pastoral households to grab pasture land and enclosing them as private pasture land has still remained active. The clan leaders could not abolish it.

Response of sample households on their interaction with community leaders about pasture land use and management the majority (81.1%) stated that they participate in the meetings that are carried out twice a year. The respondents indicated that the livestock development agency provides assistance in managing the pasture land, gives training, resolves conflicts and introduces technology that improve the pasture land.

Regarding bylaws that should be strictly followed by the pastoral community the majority of the respondents (88.3%) stated that there is no clearly defined bylaw on the communal pasture land while about 11.7% asserted the existence of clearly defined by the law. This scenario suggests that efforts to make pastoralists aware of the existing customary is minimal or the pastoralists are reluctant to know what has been agreed by the local community.

#### **4.8.9.2. Views of Pastoral Community Leaders on Pasture Land Tenure And Management**

The leaders of the pastoral communities advanced the following arguments for the appropriateness of registering and certifying pastoral land holdings on the basis of the customary grazing Units such as the Dheda. First, pastoral livestock production requires mobility over a large area of grazing land to accommodate the dry season and wet season grazing and salt and mineral lick requirements of their livestock. No area smaller than customary grazing units can provide these resources on the sufficient scale to make their livestock production and their livelihoods viable. They also feel that registration and certification the dhedas would allow them to continue their current arrangement for sharing and managing grazing resources and ensure their peaceful co-existence. Moreover, the existence of some pastoral areas that are heavily infested by ticks at certain period will force them to avoid such areas until the tick population dies down hence they need other areas for grazing. This can be arranged in consultation with Dheda leaders. Furthermore, the deep knowledge of pastoral community leaders on the ecology and natural resources of the customary grazing units was expressed as an asset to properly manage the pasture land. The above assertions complemented by the well-structured hierarchy of the grazing land management units with specialized leaders (Dheda- Rera, etc.) helps to run the pasture land management in accordance with rules and regulations developed and refined over a long period of time.

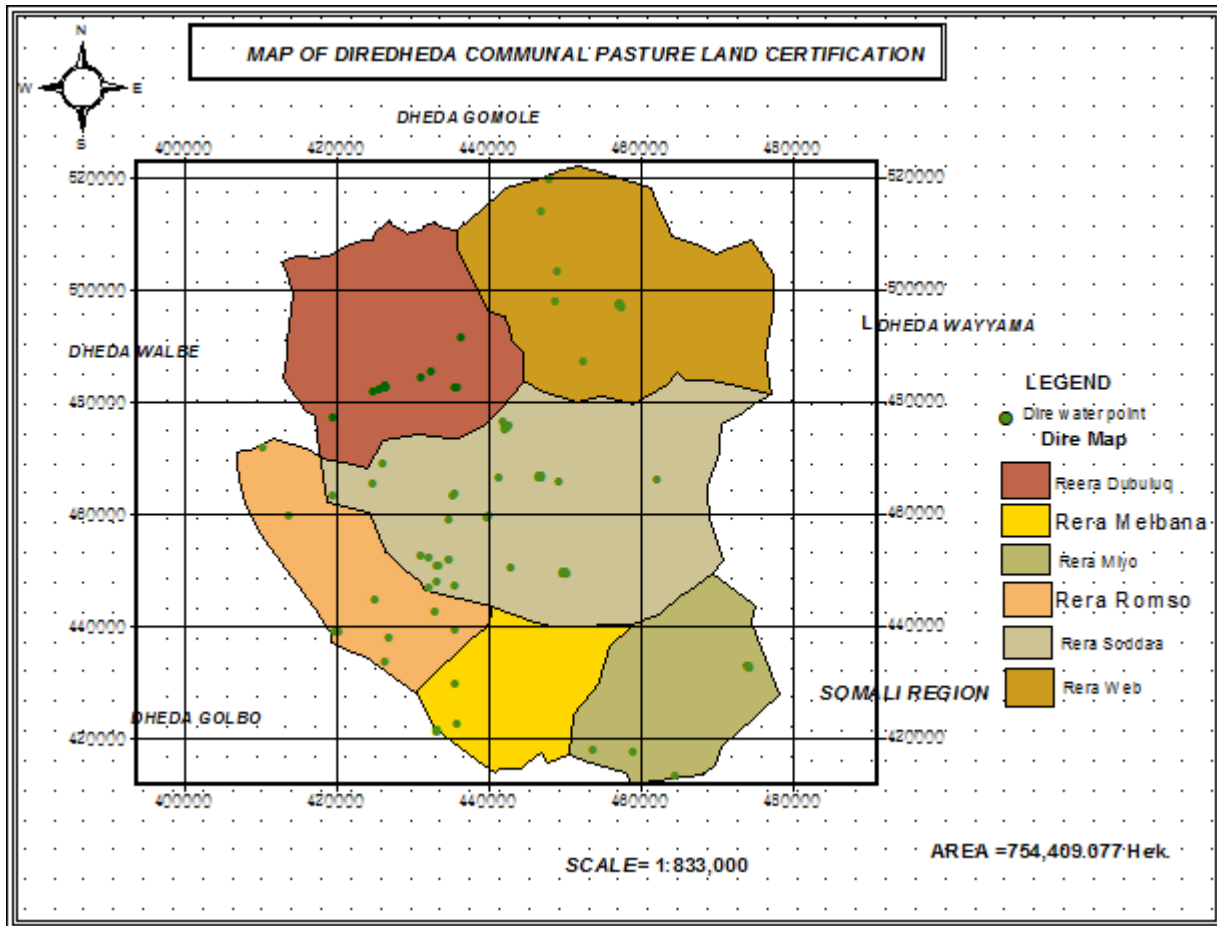


Fig 4.5. Map of Dirre Dheda Pasture Land Communal Land practices

The customary leaders and the elderly and key informants and the Abba Rera in Dirre Dheda underlined that certifying land use rights and strengthening of customary leadership is fundamentally important not only for proper administration of the grazing/pasture land but also to make other development interventions in the study areas sustainable.

The certification could also be applied in other Dhedas such as Dheda Gomole communal Pasture Land which covers **1,204,821. Ha** divided in **10 Reras** (Figure 4.7)

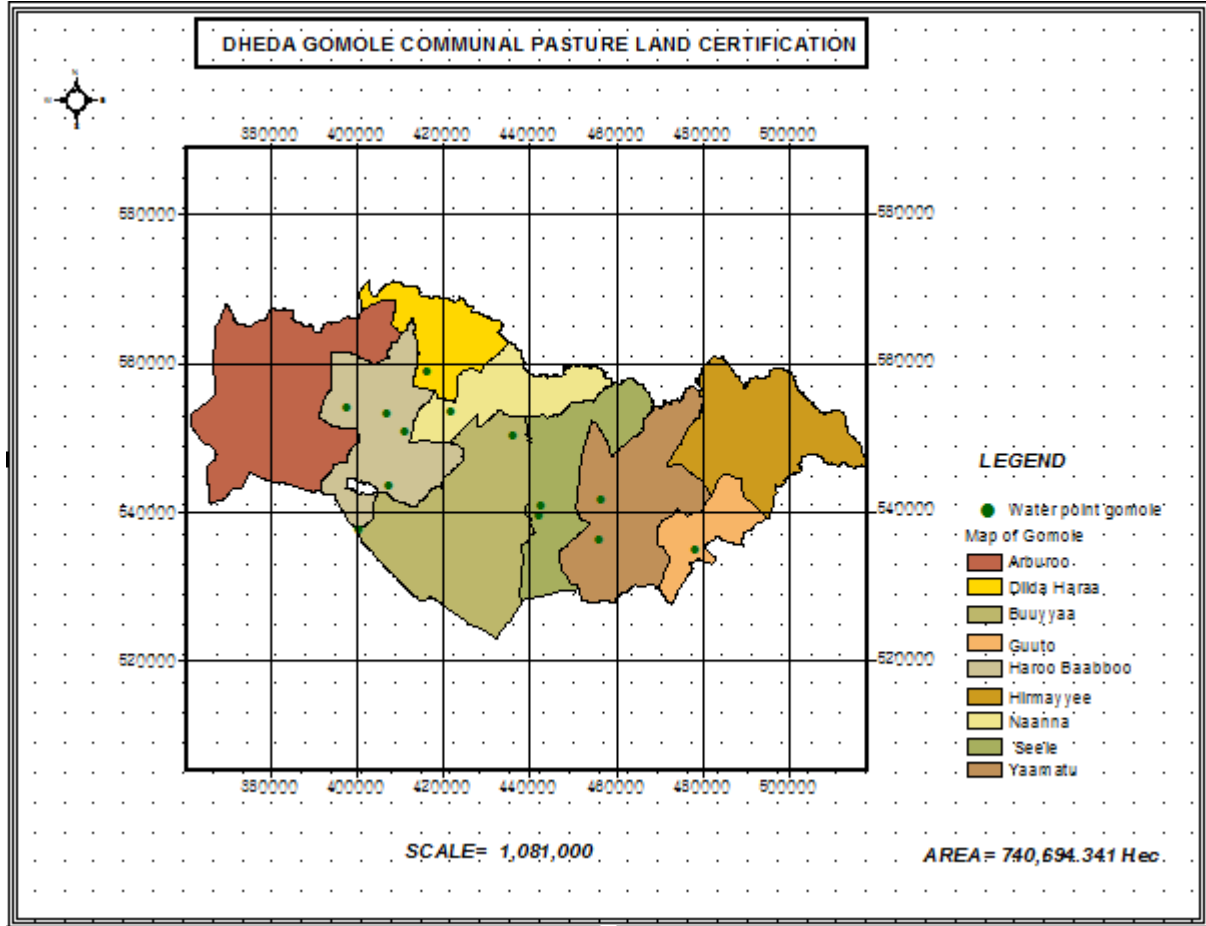


Figure 4.6. Map of Dheda Gomole communal Pasture Land Certification Practices

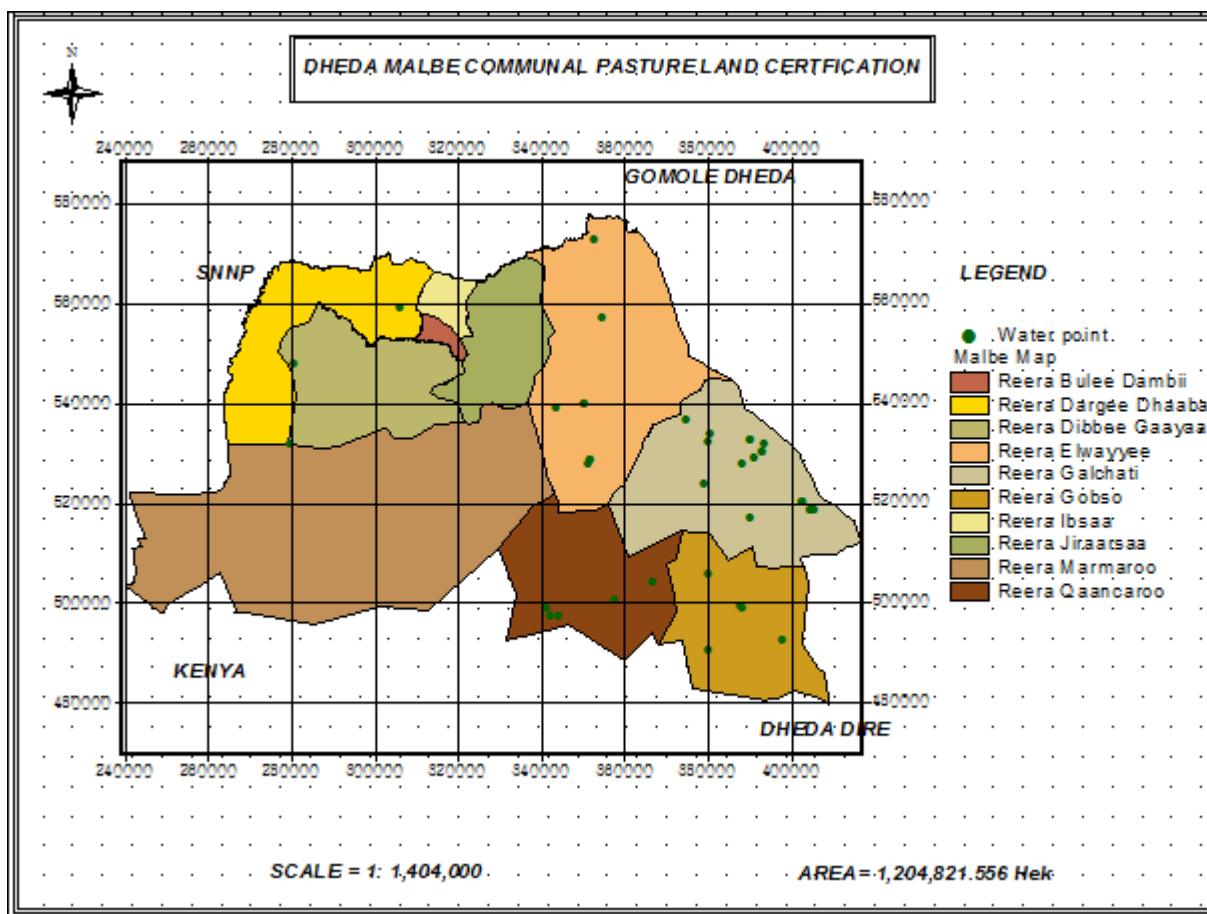


Figure 4.7. Map of Dheda Malbe pasture land Communal Land Certification.

The Key informant, the Malbe Abba Dheda Customary Leader Said *“The Borena community depends on their Dheda and Rera grazing system for range land management. This system and the customary institutional leaders have been neglected by the formal administration, and this negligence has caused numerous range land problems. Government intervention is weakening the customary institutional leadership, so government should stop unnecessary interference that hinders the age old and effective customary practices. Conflicting decisions by the customary leaders and the government authorities to solve one problem leads to unnecessary conflicts”*

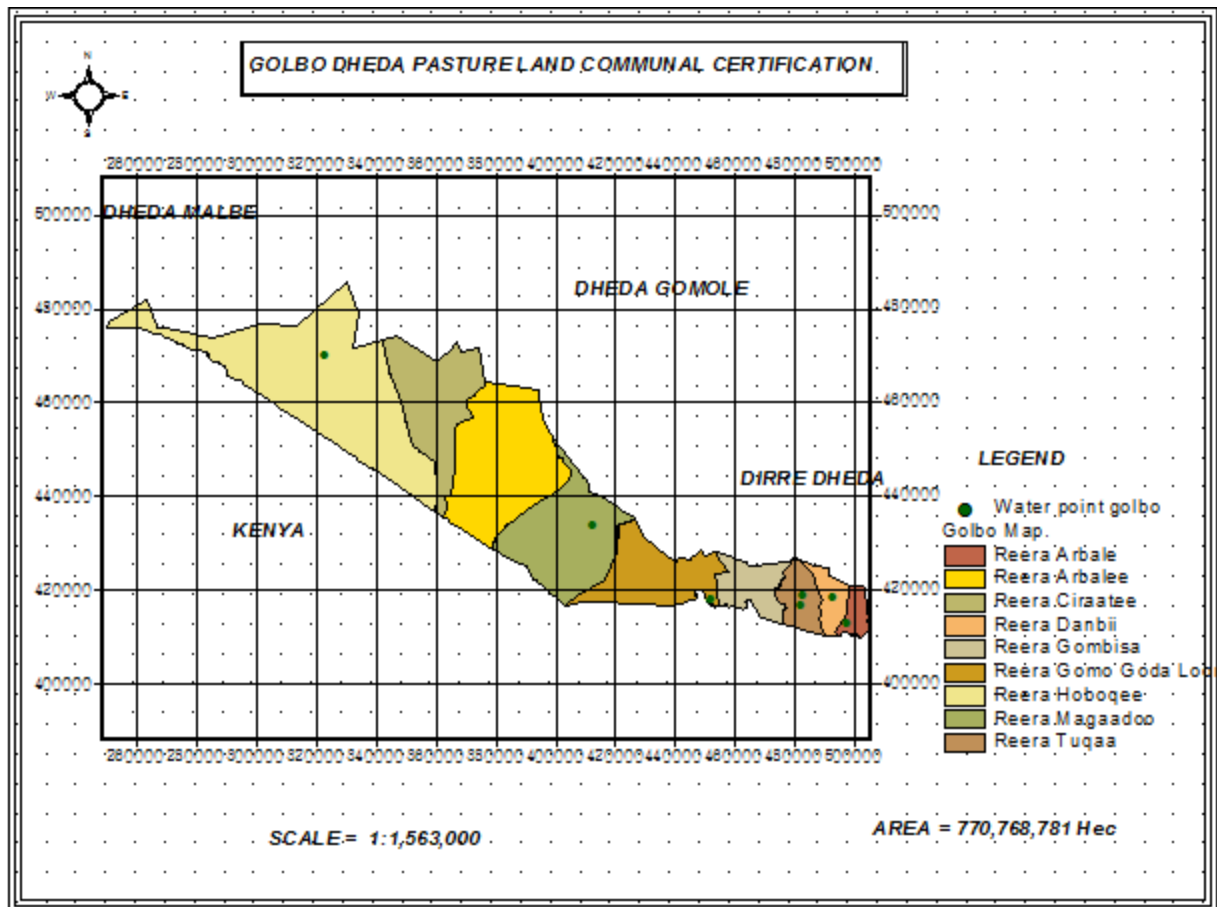
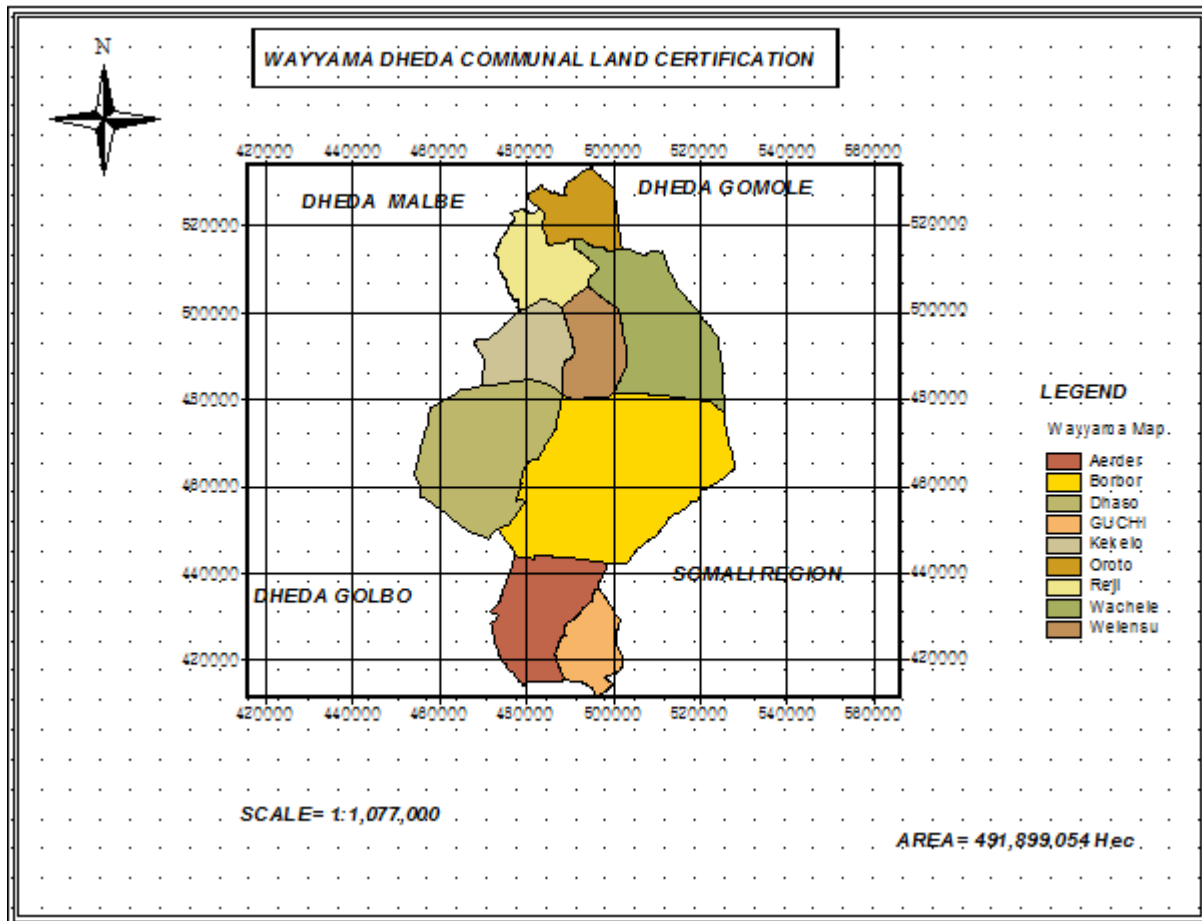


Figure 4.8. Map of Dheda Golbo Communal Pasture Land



#### 4.9. Map Of Dheda Wayyama Communal Pasture Land

During field observation it was noted that the potential of the different Dhedas differs in terms of grazing quality, woody vegetation cover, availability of water and rain fall. Hence, although the certification has to be carried out the pasture land use has to be planned taking into account the grazing needs of the community and each Dheda has to be recognized as owner of the specific pasture land and transparent and regular communication has to be established amongst the customary leaders to enhance peaceful and harmonized resource use and also to mobilize the community for joint development activities.





## **CHAPTER FIVE: CONCLUSION AND RECOMMENDATION**

### **5.1. Conclusions**

This study has attempted to evaluate of the customary pastoral land tenure practice effect on pasture land resource use and livelihoods of the pastoral community and its implication to the need for pastoral land tenure reform in Borena zone. The study has clearly demonstrated that customary pasture land tenure has been practiced with credible sense of leadership by customary leaders over the years. The existence of different hierarchies in the pasture land management can be taken as a strong social value and can become more effective if supported by training and provision of resources. However, the customary leadership has been progressively weakened by government interventions and some of the leadership assets are eroded severely. Attempts by the government to introduce new form of leadership has hardly succeeded, hence; it can be asserted that unless the customary leadership style is blended or integrated with the newly introduced approach the customary pasture land management will not succeed. Population growth and the associated problem of overgrazing, recurrent drought and failure to capitalize on local social values can be taken as serous draw backs to promote development in the pastoral areas.

Conflicts in pasture land use are associated with access to water points and also nobilities triggered by shortage of pasture due to drought or over grazing. The study has indicated that there are deep rooted ways of conflict resolution mechanisms. These opportunities however seem overlooked and failure to recognize local solutions is likely to endanger social integrity and proper use of the resources.

The study has indicated that there is severe degradation of the pasture land. The problem is further aggravated by the recurrent drought and over grazing. In addition, the tendency of the well to do members of the pastoral community to establish a private kalo and handing over part of the pasture land for investors is denying the land rights of the poor. Unless such pasture land alienations are stopped, chances for land use conflict will be high. Cognizant of these problems the majority of the pastoral communities seem to appreciate any attempt to introduce land tenure reform provided that it accommodates the traditional values appreciated by the community.

Pasture land management in pastoral areas indeed demands active involvement of the local community, the local leadership and strong support from government side. As the study has

indicated the Dhedas cover large areas that are subdivided in Reras. In efforts to introduce pasture land tenure reform in the study area can tremendously benefit from these arrangements as they have their own rules and regulations on how to access and use the resource. Failure to use the existing customary arrangement by the government is likely to hamper initiatives to introduce land tenure reform that may be useful to the majority of the pastoral community.

In Borena Zone conflicts are observed in the pasture land due to competitions for grazing, competition for water points, blocking of internal movements (i.e. from Dheda to Dheda, Rera to Rera and Olla to Olla) and cross border mobility. The study has revealed that conflicts over water could be handled by the local leadership. However, the issue of undefined pasture land ownership was stressed as a serious challenge. This signals to conclude that efforts to introduce pasture land certification in the context of the livelihood activities and customary land use is still lagging behind.

## 5.2 Recommendations

- ☞ To sustain pastoral livelihoods, it is of utmost importance to maintain the productivity of the pasture land. Apart from recognizing the values of customary pasture land management there is an urgent need to develop appropriate technologies that could improve the pasture and water resources in the study area.
- ☞ Government and non-governmental institution should participate in the development strategies and their implementation in the pastoral areas and in this interventions efforts should be made to make the local community effectively participate, use its indigenous knowledge and own the development program.
- ☞ Currently, the customary pasture land use is not effective because of government intervention overtook the responsibility of the customary leaders, and this undermines the relevance of customary authority, knowledge and practices. Hence; the government should consider the customary governance system, and customary institution should be strengthening and customary clan leaders should be get incentives to effectively administer the pastoral community.
- ☞ The problems encountered in the current pasture land tenure really demand introducing land tenure reform in the study area. To apply the communal land tenure certification, the customary institution should be strengthening and the customary laws should be integrated in the formal or statutory law.
- ☞ The certification of large territory of Dheda unit level is seems appropriate strategy because it allows legal pastoralists mobility from one Dheda to another Dheda and from one Rera to another Rera in search of pasture and water sources. Hence, the certification program should create awareness amongst the Dhedas and Reras so that the pastoral community knows its land rights and also recognizes the joint rights that could be exercised by the pastoral community in different territories.

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## APPENDIX

### BAHIRDAR UNIVERSITY, INSTITUTE OF LAND ADMINISTRATION AND MANAGEMENT

Questionnaire Developed to Evaluate of the customary pastoral land tenure and its implication to pastoral land Tenure Reform. This Principal Objective of this Questionnaire is to gather all the relevant Information (data) for partial fulfillment of MSC in Land Information and Management System studies. The data will Utilized only for academic purpose. That is to conduct Master Thesis Research on the Evaluation of the customary pastoral land tenure practices and its implication of tenure reform of Ethiopia with special reference to Oromia, Borena Zone.

**Dear Respond!** Your Information is very much Valuable to achieve the desired goal of study. Thus, you are kindly requested to give answer freely and openly. Any information you give is to be kept confidential.

Thank you for Your Cooperation!



APPENDEX.I

1.3.1. GENERAL OBJECTIVE

THE GENERAL OBJECTIVE OF THE STUDY IS TO EVALUATE OF THE CUSTOMARY PASTORAL LAND TENURE AND ITS IMPLICATION TO PASTORAL LAND TENURE REFORM

Part I: Household Information

Age, education, marital status, family size, livestock holding, major livelihood activities,

1.3.2. Specific Objective

- ❖ To Assess the Traditional pasture land tenure in the study area
  1. What are the customary land tenure arrangements in the study area?.....
  2. What are the customary institutions working on land?.....
  3. How are the customary institution leaders elected by the community?.....
  4. Do the customary institutions communicate amongst themselves? YES/No
  5. If yes what issues are discussed by customary leaders?.....
  6. Do they involve the pastoral community in discussions regarding pasture land use? YES/No
  7. What incentives are given to the customary leaders working on pasture land management?.....
  8. Do the pastoral communities respect decisions by the customary leaders? YES/No
  9. What are the strengths of the customary land tenure?.....
  10. What are weaknesses observed in the customary land tenure arrangement?.....
  11. Do the leaders of the customary institutions communicate with government staff Working on pasture land and livestock management? .....
  12. Who is controlling ownership of pasture land?
    1. The Community
    2. The government
    3. Both the community and the government
    4. Open access

❖ **To identify the major challenges in pasture lands of the study area**

1. Does the available pasture land provide adequate forage for livestock?
  1. Yes 2. No
2. If no, what are the reasons? .....
  - a. Over grazing 2. Recurrent drought affecting grass growth 3. Invasion of pasture land by unpalatable forage 4. Shrinking of the pasture land 5. Other .....
3. Are there incidents of pasture land alienation by the government? 1. Yes 2. No
4. If Yes for whom the land was given? 1. Investors 2. Landless people 3. Other
5. Is there repeated drought incidence in the study area? 1. Yes 2. No
6. If Yes what are the damages caused by the drought?
  1. Loss of livestock b. Loss of human life 3. Poor livestock production
  4. Livestock disease incidence 5. Pasture land use conflict 6. other
7. During drought season how do you try to save the livestock death?
  1. Selling of livestock 2. Driving livestock to water points 3. Other
8. What are the major challenges faced in pasture land use in order of importance?

S/N	Problems faced	Rank (1 <sup>st</sup> , 2 <sup>nd</sup> , 3 <sup>rd</sup> , etc)
1	Drought	
2	Shortage of water	
3	Deterioration of pasture land	
4	Pasture land use conflict	
5	Livestock disease	
6	Livestock market access	
7	Lack of land tenure security	
8	Other	

❖ **To assess conflicts encountered in the pastureland use and how they resolve them.**

1. What types of conflicts are observed in the pasture land use?

S/N	Type of conflict	Yes	No
1	Competition for grazing		
2	Competition for watering points		
3	Blocking of movement of livestock from one place to another		
4	Cutting/deforesting woodlands		
5	Other		

2. Who is involved in solving the different kinds of conflicts?

S/N	Actors involved in solving the conflicts	Yes	No
1	Clan leaders		
2	Elected Elderly		
3	Livestock experts		
4	Land administration experts		
5	Religious institutions		

3. How are conflicts in pasture land use resolved?.....

4. How are competition for water use resolved?.....

5. How are cutting of shrubs stopped/reduced?.....

6. What are the damages caused due to the above Conflicts?.....

7. What should be done to avoid pasture land use conflicts?.....

8. Is there defined boundary of pasture land for each community? YES/No

9. Is there any attempt by the government to provide pasture land certification to the community? Yes/No

10. Do you agree that giving joint pasture land and woodland certificate can reduce land use conflicts? 1.Yes 2. No

11. If Yes, how? .....

12. Who is more involved in the destruction of woodlands? 1. Landless Youth  
2. Poor segment of the pastoral community 3. Other

❖ **To assesses the perception of the pasture community on initiatives to introduce reform in the traditional pasture land tenure.**

1. Do you support the continuation of the current customary land tenure?  
1. Yes 2. No
2. If Yes, reason: .....
3. If No: reason: .....
4. Who gains and losses in the current pasture land tenure?  
1. The rich pastoralists: Yes/No  
2. The poor pastoralists: Yes/No  
3. No one is loser: Yes/No
5. What are the strengths of the customary pasture land tenure? .....
6. What are the weaknesses of the customary land tenure? .....
7. Does the customary land tenure give equal opportunity to all pastoralists to use the pasture? 1. Yes 2. No
8. Do you support the introduction of a reform on the current customary land tenure?  
1. Yes 2. No
9. If yes what kind of reform on the customary land tenure? .....
10. Are there any kind of customary land tenure reforms introduced in the study area?  
1. Yes 2. No
11. If yes what are they?.....
11. What are the strengths (good sides) of the pasture land tenure reform?  
.....
12. What are the challenges perceived in the new land tenure reform? .....

- 13. Do you appreciate the idea of sedentary farming? YES? NO
- 14. Are there agro pastoralists in the study area? YES? NO
- 15. If yes do you think it is a good idea to promote agro pastoralism? YES/No
- 16. If yes reason? .....
- 17. If no, reason? .....

❖ **To identify institutional arrangements required to handle pasture land tenure management**

- 1. What kind of management is practiced on the pasture land?
  - a.....
  - b. ....
  - c. ....
- 2. Who is involved in putting in practice the management of the pasture land?
  - A. Clan leaders: Yes/No
  - B. Elderly community members: Yes/No
  - C. The whole pastoral community: Yes/No
  - D. The livestock development agency: Yes/No
  - E. Others.....
- 3. Is the pasture land management effective: Yes/No
- 4. If management practices are effective, what are the indicators? .....
- 5. Do the clan leaders/elderly involved in pasture land management provide faire service to all pastoral community? Yes/No
- 6. Do you carry out community meetings to discuss about pasture land management? Yes/No
- 7. If you carry out the meetings what issues did you discuss about pasture land management? .....
- 8. Do customary leaders in different clans arrange a meeting about the use and management of the pasture land? Yes/No
- 9. If yes what are the most important issues they discuss? .....
- 10. What is the role of the livestock development agency in managing the pasture land?

- A: Provide training: Yes/No
- B. Resolve conflicts: Yes/No
- C. Introduce technologies that improve the pasture land: Yes/No
- D. Other tasks they do? .....

11. Do the pastoral communities have tenure rights clearly defined by law on them communal pasture land? Yes? No

12. If Yes what are the rights?

- A: The right to exclude others clans from their territory: Yes/No
- B: The right to claim compensation in time of expropriation: Yes/No
- C: The right to have access/use pasture land when reached age 18 or above
- D: Other.....

13. What kind of tenure arrangement/reform do you think will be effective for pasture lands access, use and management?

.....

14. What should be the role of the government in pasture land tenure and management?

.....

15. What do you suggest to find long lasting solutions to pasture land tenure and management?

## APPENDIX. II.

**Based on the above** questions a check list of few Questions for Focus group discussions with the pastoral community:

1. How do you describe the area and the productivity of the pasture land during the past years and today? What major changes you observe in the status of the pasture land?
2. Who is in charge of managing the use of the pasture land?
3. How do clan leaders and the elderly communicate about the pasture land use rights?
4. Is the boundary of pasture land used by pastoral communities well defined? If not could it be a source of conflict?
5. What are the major challenges faced in pasture land use land management? And how are the different challenges resolved?
6. Who do you think is the owner of the pasture land?
7. What kind of pasture land tenure you suggest to improve tenure security and productivity of the pasture land?
8. What do you suggest to bring long lasting solutions to pasture land tenure and management?

### **APPENDIX. III.**

Based on the above questions a check list of few Questions for Focus group discussions with government staff:

- 1) How do you evaluate the current institutional arrangements in the management of pasture land and also in securing pasture land security?
- 2) What should be the role of the government in pasture land tenure and management?
- 3) What kind of tenure arrangement/reform do you think will be effective for pasture lands access, use and management?
- 4) Who is in charge of managing the use of the pasture land?
- 5) What are the major challenges faced in pasture land use land management? And how are the different challenges resolved?
- 6) What assistance are you provided by the government to improve pasture land tenure and productivity of the pasture land?
- 7) What do you suggest to bring long lasting solutions to pasture land tenure management?
8. How is the pastoral land registration is done?