

**A Study of Patterns of Productive Resource Control
among the Tsamako of Southwest Ethiopia**

**A Thesis Submitted to the University of Manchester for the Degree of
Doctor of Philosophy in the Faculty of Economic and Social Studies**

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Abstract

The thesis explores the complex interrelationships between social actors and the institutions which they create and manipulate, in order to secure access and control over productive resources in two territorial sections among the Tsamako of south-west Ethiopia.

Following the long-standing anthropological approach which sees 'property' as a 'bundle of rights' and 'property relations' as 'social relations', the thesis attempts to decipher how productive resources (namely, livestock, bridewealth, labour, land, water, trees and other savannah woodlands), rights of access and control are established and enforced without the intervention of a specialised third party institution. The use of the common-property regimes described are mediated through social and economic exclusion, recognised sanctions and, as in pastoral societies, facilitated by public democratic decision-making. By juxtaposing diverse case studies, I endeavour to depict possible discrepancies between those stated norms that govern the reallocation of productive resource rights and the actual rights of access on a day-to-day basis.

The gist of the research question that the thesis attempts to address questions, and argues against, the conventional wisdom about the management of the commons which perceives them as 'open access' resources (non-property regimes). As opposed to this perception of the commons, it is suggested, that they can be conceived as incorporating differential but overlapping rights which change or adapt spatially and temporally in the face of changing circumstances. These images are apt for this study because they convey a sense of overlap covered by different bodies of tenure rules and provide insights which capture and appreciate the complexity of productive resource rights rather than do those insights which derive from blunt-edged property concepts. I chose to inform my analysis and to extend the symbolic meaning of the local notions of 'fertility control' to issues of rights of control of productive resources.

The information is drawn mainly from three territorial sections one which has been left relatively 'intact' and the other two which have been exposed to external threats and suffered from land loss for commercial cotton plantation. The thesis, therefore, addresses how productive resources are locally managed with a special focus on customary institutional arrangements in the former and how external threats have begun undermining such institutional arrangements in the latter. The period of time described might be considered as a watershed which marks the beginning of the end of the customary natural resource management practices in the Weyto Valley.

Declaration

No portion of the work referred to in this thesis has been submitted in support of an application for another degree or qualification of this or any other university or other institute of learning.

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Glossary of Tsamako terms

Tsamako term singular/plural

biyie

bel

dalba

dama

gantie/ganie

garco doco

gende

gudlco

halco

halco/halie

heyatie

jala

kaysito

kamurku

menie

shab'e

teka

English translation singular/plural

'country'

bond friend

artificial water pond

large

wife/wives

clan

neighbourhood/agnatic group

a man who blesses in rituals and
believed to control the rain

husband

elder/elders

'widow'

'friend'

poor

rich

house/household

bridewealth

small

CHAPTER 1: Introduction

Fieldwork and research sites

I visited the south-west region for the first time in 1991, travelling with a team consisting of post graduate students and some staff members of the Sociology Department of Addis Ababa University. Cognisant of the dearth of information on the Tsamako I carried out three months of fieldwork in 1993 / 94, which led to my MA thesis. The central focus of that study was on gender issues and attempted to decipher the roles and status of women in agropastoral production. Born and raised in Gondar region, I had never heard of the name Tsamako let alone to knowing anything about any aspect of their way of life. During my first fieldwork period I was impressed with what I observed. I began to realise the complexity of how particularly with the onset of the dry season when pastures become denuded, and surface water sources become subject to more intense competition, the customary resource management regimes can acquire a different character. In other words, the first fieldwork transformed my state of knowledge about the Tsamako from complete ignorance of their existence to the appreciation of their way of life which is drastically different from that of the people of my natal place. Having worked in the area previously, therefore, I had acquired some background knowledge of customary natural resource management issues.

Then in late 1996, I developed a research proposal on natural resource management issues and decided to work with the Tsamako for the second time. I knew beforehand that the fieldwork circumstances were going to be demanding and challenging primarily due to factors associated with the climatic conditions and the lack of infrastructural amenities in the region. In November 1996, I made a ten days' preliminary visit to the Tsamako 'country'. During this visit I realised that the relationships between the local people and the

Commercial Farms (CFs) had already soured. I learnt that the tense relationship, as I had seen it in 1993/94, had given rise to a sporadic outburst of violence in 1995. Although a police post was established in the Weyto Valley for the first time, the CFs were alleged to have their own secret squad, which was another source of tension. With these old and new developments in mind I went back to Addis Ababa unsure of what to do.

I was advised by some colleagues and friends not to take the risk of contracting malaria for the third time and of the danger of engagement in a research project on issues of contention, not to mention the potential danger that could be inflicted by reptiles such as snakes. Given such circumstances, I could find myself in the middle of nowhere, living in a tent at least in the beginning, in a region largely isolated from the rest of the country due to poor transportation and communication services. With these potential difficulties in mind, after my preliminary survey, I was in a dilemma - to take the risk or to look for another potential research site. I put these at the back of my mind and half-heartedly began preparing myself for the fieldwork. In the meantime, I paid a short visit, with the purpose of looking for a potential research site, to Zege, a peninsula in Gojjam region in the north-west of the country. At the end of my visit I thought I could work in Zege. I said to myself. I could even save time because I would not have to learn a new language and furthermore, I could be very close to my hometown which is on the other side of Lake Tana. I also thought that this would provide me with an opportunity to visit my old mother now and then. Further, I could easily feel at home if I worked in Zege because it has a similar climatic condition to my hometown. Besides being a peninsula, with easy access to nearby islands with many old churches and monasteries, Zege is situated near Bahir Dar- a capital city of a regional state

since early 1990s. It seemed more appealing than Tsamako country. Zege¹, compared to Tsamako country, is easily accessible and a pleasant place to carry out fieldwork. I asked myself. Is not this research site choice of mine simply a retreat from a challenging situation? Again I posed another slightly different question to myself. Is this decision of mine different from that of a holidaymaker? Of course not, I answered to myself.

This dilemma was compounded by the Tsamako situation. Until now the Tsamako and some of the neighbouring ethnic groups have received only marginal attention by the past and present governments of Ethiopia, but also by students of the social sciences in the country too. A few social anthropologists have studied ethnic groups who inhabit areas bordering and beyond the territory of the Tsamako, but in most of these ethnographic accounts the Tsamako just get a passing mention. None of them, students of social sciences, development project sponsors and policy-makers or politicians, have ever shown any genuine interest in the Tsamako people. Given these circumstances, I decided to go back and work with the Tsamako and grapple with those problems. I stayed in the field three or four months at a time, travelling to and from Jinka or Addis Ababa, and overall spent eighteen months of fieldwork. I stayed for two thirds of the fieldwork period in Luqa and the rest in Duma and Encha'atie territorial sections each of which, in turn, are composed of a cluster of settlements. I also revisited Tsamako country and spent two weeks in Luqa in December 1999.

¹ If I had decided to carry out fieldwork in Zege the main disadvantage would have been the time needed to develop another research proposal.

Generally speaking I found my fieldwork circumstances to be demanding and exhausting² primarily owing to the hostile environment. Apart from suffering from a sweltering climate two problems I encountered figure prominently. First, although I took a number of preventive measures against malaria, I suffered from relapses four times. Second, since there was no regular public transport services it was quite difficult for me to travel to and from the field site. On the other hand, establishing a rapport with the people was not a problem at all, in part because of acquaintances I had made with them during my first fieldwork in 1993/94. By drawing some lessons from my first fieldwork I managed to learn and have a working knowledge of the Tsamako language. Since almost all Luqa people are bilingual, speaking both *Bago Tsamakilo* and Hamar-Banna, code switching was quite common. This made my language learning process rather difficult. Because of this reason many of my Tsamako hosts and friends went to the extent of advising me to learn Hamar-Banna which they thought is easy in comparison to their language.

In both periods of my fieldwork, I was seen by many informants as one of those people from the highlands whom the Tsamako consider as people who have easy access to industrial goods. Many people, therefore, expected me to give them gifts such goods as salt, soap, clothes, coffee husk, beads, razor blades, which I did as much as I could. I was accepted as a *muranco* member of the *robalco* generation-set which was initiated and assigned a set of public responsibilities in 1995. I often ate on the same plate and drank beer from the same container as members of this set. I must say, honestly speaking, partly

² In this connection Evans-Pritchard's (1940:9) statement is worth repeating: "A man must judge his labours by the obstacles he has overcome and the hardships he has endured, and by these standards I am not ashamed of the results".

because of my personal bent, I enjoyed playing my role as a *muranco* that is measuring and distributing, for example, flood retreat land, and serving out food and drinks during rituals and festivities.

I chose two research sites (see Map 4, p.234a) with two contrasting differences as far as their link to the outside world and external threats were concerned. Each of the research sites will be described at length in chapters two and seven. Here I shall be very brief.

Research site one: Luqa

Luqa, described in detail in the next chapter, was founded from other settlements (Aymelle and Shalla) approximately 60 years ago. It is a territorial section made up of four settlements (Luqa proper, Selya, Tuna and Tsantsara) with a total size of 128 households. I lived for two thirds of my fieldwork period in this territorial section where most of the data were generated. Most of the data concerning customary tenure rules in general and how rights to resources are established and/or reallocated and redistributed and socially sanctioned in particular come from this territorial section, because it is one which has been relatively little affected by external intervention. There were a number of significant differences between the first research site (Luqa) on the one hand and the second research sites (Duma and Encha'atie) on the other. The former was kept relatively intact and the latter two were witnessing rapid changes, primarily due to their exposure to outside forces.

Research site two: Duma and Encha'atie

Duma and Encha'atie are two territorial sections located at the edge of Tsamako mountains adjacent to the Weyto Valley. In 1997 there were 198 and 93 households in Duma and Encha'atie respectively. They are also located adjacent to the Commercial Farms which

took out high potential range resources from agropastoral production in 1990. The Duma and Encha'atie people were by far the most severely affected of all the Tsamako by the alienation of land and other resources by the Commercial Farms. Information pertinent to resource use conflict, the negative effects of the Commercial Farms on the local peoples' livelihood and the environment were collected from these territorial sections.

Data collection

This thesis is an attempt to decipher some aspects of social processes on the basis of data drawn from 'my lived experience', during eighteen months of fieldwork, and from a reconstruction of a representation of my informants oral narratives and interviews. In a way this is a reconstruction of a reconstruction of a reconstruction. In other words, this reconstruction is a representation of fragments of my own observations and a series of my informants narratives elicited through interviews and then put within the broader framework of the social processes in which they operate. Such representations are the products of social interactions as they are reciprocally influenced by local and national developments.

A combination of data collection techniques were employed. A house to house survey was carried out in Luqa with the objective of obtaining information on: numbers and types of animals held by a household; gender; number of children born (1950-97) and including those which have died; household size; number of wives, their clans and places of origin; generation-set membership, total size of agricultural land cultivated and left fallow.

By preparing a check list and conducting interviews, information on rights of control and access to productive resources was collected with the aim of reconstructing the life histories

of some individuals of both genders and different ages. A total of 27 cases were selected each of which focuses on social actors, activities and/or incidents relevant to the theme of the research project. By concentrating on these selected case studies I sought to show the discrepancy between those stated norms and the actual practice on a day-to-day basis. Aided by my own observations of the mundane day-to-day life of the people with whom I lived and taking part whenever possible I was able to gain a body of knowledge and collect rich data only part of which is used for writing this thesis. I was also able to collect information about the local names of trees and bushes (more than sixty species) and their use and peoples knowledge about the vegetation cover. Collecting leaves and wild fruits from the savannah woodlands for supplementing my own diet gave me the opportunity to learn a lot about their names, uses and so forth. I was also able to obtain information about the scientific names of some of the important trees from Teshome Sormessa, a biologist, who had carried out field research on forestry in 1997.

Presentation of the thesis

The thesis consists of eight chapters of which the present chapter is a general introduction followed by six chapters each focusing on a set of productive resources and the final one draws some conclusions. Next I will briefly outline the main themes of each of the eight chapters.

This chapter presents background information which deals with different themes with an objective of laying the foundations which will put the subsequent chapters into the broader context. It outlines some theoretical perspectives or analytical concepts and insights related to property relations, followed by an operational definition of the terms and propositions. These are followed by a brief outline of the national land policies and processes which have

impacted on local processes. It also provides an introduction to the region in general and to the Tsamako in particular. In short this chapter will set the broader theoretical and historical contexts for the subsequent chapters.

Chapter two depicts the main principles of social organisation in relation to resource use and control and attempts to lay the background for the subsequent chapters. The chapter tries to answer such questions as: How and when do social actors become corporate resource units? What are the rights and the limits of resource control units? And what categories of resources bring resource control units together and thereby form social and economic units? Included in the discussion are *menie* (household) as a basic social unit, *gende* (agnatic group), *halie biyatie* (council of elders) and generation-organisation as they relate to decision-making processes that affect the reallocation of rights to some productive resources.

In chapter three I take as given that the ideal of aspirations of all men is to become head of a large *gende*, a large family and herd. Livestock has been the main means of wealth accumulation and hence at the centre of co-operation and competition among members of a given *gende* is control over the fertility of livestock not control over livestock per se. Here I employ the local notion of the power of fertility control derived from the *gudlco*'s assumed power to control the rain and thereby the fertility of the land. Using this notion of resource fertility control I show how livestock, bridewealth, and labour are reallocated and differentially controlled among different segments of the population according to age and gender.

Chapter four consists of two sections; in the first one I try to shed some light on grazing and browsing resource rights in Luqa. The second section dwells on means of acquiring rain-fed arable land and the mechanisms of flood recession land reallocations. It attempts to show the screening and prioritisation criteria employed during the land reallocation processes and the repercussions of the introduction of the ox plough tillage system for the land tenure systems.

In chapter five I describe the various means of establishing rights of access to trees and other savannah woodland resources and how such rights are socially sanctioned. Here I seek to show how the combination of relatively low demographic density with a relatively homogeneous community, and the resultant quick acquisition and dissemination of information have made rule enforcement relatively easy and cost-effective.

Chapter six sketches out how different categories of sources of water are held by different social units and how water uses are regulated. By describing the various strategies adopted for establishing water rights of control and means of gaining rights of access, this chapter shows how rules vary in response to temporal variations in the availability of water. I seek to show how particularly with the onset of the dry season when surface water sources become subject to more intense competition, the customary resource management regime acquires a different character.

In chapter seven, I closely examine the struggle between commercial farmers and the local peoples for natural resource rights. To illustrate these contentious issues, I concentrate on the 1995 outburst of violence as instigated primarily by competition for resources. An attempt is made to show the effects of land loss on the commons management and

customary institutional arrangements. Included in this chapter are discussions of two contrasting views of the commercial farms; that is the official views which see the farms as the best avenue to success, and the local peoples' views of them as an agent devastating their means of subsistence. I intend to show the old ambiguities and the new uncertainties of the Tsamako formal natural resource rights as an example which is a common phenomenon, rather than an exceptional one, in Ethiopia today. I shall argue that the state has neither the means (financial capital) nor the knowledge to implement effectively, to monitor and to enforce the rules and regulations that govern the use of renewable natural resources. Finally, chapter eight, offers some conclusions which can be drawn from the data.

Theoretical³ perspectives and analytical concepts

To begin with, the main theme of this thesis, the study of property relations (and management issues) in anthropology is as old as the discipline itself. This theme together with others was the subject of study after study during and after the organisation of anthropology as field of study following the longstanding approach which sees 'property' as a 'bundle of rights'⁴ and 'property relationships' as 'social relationships' (Hann 1998). "The issues of property, the individual, communality, and territory thereafter repeatedly provided point and counter point in the professionalizing of anthropology" (Vincent 1990:36, cited in Hann 1998:9). 'Private' and 'communal' property rights, the freedom of the individual and

³ "The ideological implications of so many theories and concepts are unclear, both to their inventors and to those who use them" (Bloch 1975:xi), but behind almost all analytical concepts and assumptions there are some ideological implications.

⁴ This phrase is associated with lawyers of the Victorian era, "notably Sir Henry Maine, who represented property as a 'bundle of rights' and understood that it defied 'exact circumscription'" (Hann 1998:8).

the authority of the group were among the earliest topics which were dealt with anthropology. Many, often called 'great divide' theorists, Marx, Mauss and Polanyi, to name just a few, drew in their own ways distinctions between predominantly 'inclusive' systems of property relations and 'exclusive' systems. The arguments for and against these lines of reasoning directly or indirectly gave rise to many strands of thought that dominated the scene following the institutionalisation of anthropology as a separate field of study. More importantly, perhaps, the ideological implications of these models could be associated to explain the gulf that separated some anthropological schools that developed later.

Today, unlike in the past, "in comparison with the attention paid to money and markets, property has not attracted the attention it deserves from economic anthropologists" (Hann 1998: 34). More recently, however, there has been a call (for example Hann 1998) for the reintroduction of property issues into economic anthropology. His proposition, however, is "not in economic or legalistic ways, but paying careful attention both to cultural sense and power relations". As he (ibid: 34) goes on to say, "a concern with property relations requires investigations into the total distribution of rights and entitlements within society, of material things and of knowledge and symbols. It requires examination of practical outcomes as well as ideals...and an appreciation of historical processes, both short-term and long-term".

I had intended to use a combination of insights and analytical concepts drawn from different sources. In order to decipher the underlying premises that lies behind these insights and concepts which I took as a point of departure of this thesis, I shall, in what follows, briefly comment on the conventional wisdom about the management of the commons in general, and the underlying assumptions of three economic models often

associated with the management of pastoralist 'commons' in particular. I will also return and consider, in the final part of this section, some of the major shortcomings of the premises of the two opposing models of property relations, here already alluded to, in relation to precapitalist societies.

Economic models⁵ of property relations

The question of control over the environment is one of the most contentious issues facing scholars from a range of disciplines (Schmid 1995). For at least two thirds of this century "indigenous land tenure systems have been perceived as inefficient, insecure and an impediment to social and economic 'progress' in developing countries"(Southgate 1998:3). Customary common-property regimes systems are conceived as systems which fail to offer incentives for individuals to invest their labour and money in conserving the resource in question. As Peters (1993:1063-1064), observes, the notion of "pastoralists unwilling to stem their obsessive accumulation of livestock even as their rangelands are destroyed by too large herds", reflects the conventional view of customary common property arrangements that has long dominated the scene. This view which is, arguably, the best misrepresentation or misconception that underlay the image of pastoralists held by officials as 'hopeless conservatives' traces its origin to the colonial era, still underpins some of the economic models or strands of thought about such societies. Three theoretical paradigms, listed below, are more commonly associated with the study of the control and management of the

⁵ The whole thrust of reviewing some of the economic models here is that some of the assumptions of these models have been directly or indirectly affecting students of pastoralism in particular and economic anthropologists in general. I do not pretend that I have managed to test all of the assumptions of these models in this study. That is impossible given the difference in the data collection techniques between economic anthropologists and economists.

commons among pastoralists. Although the main proponents of these theoretical orientations⁶ are economists, the influence of these strands of thought are by no means restricted to economics alone. Economic anthropologists, in general, and students of pastoralism, in particular, have been either influenced and/or they have felt obliged to counter to the underlying assumptions of these theoretical orientations. These three economic models of African rangeland use and tenure: 'the tragedy of the commons', the 'property rights school' and the 'assurance problem approach' are summarised by Lane and Moorehead (1995:118) as follows:

The 'tragedy of the commons' (Hardin 1968, 1988)

"Most influential theory held by policy-makers in Africa to day; [a]nimals are held individually, while the range is owned by anyone' or 'no one'; [h]erders will always invest in more animals because benefit accrues to individuals; [p]rivatisation of the resource is necessary".

The property rights school (Demsetz 1967; Behnke 1991, 1994)

"As resources become increasingly scarce they will become progressively more controlled; [i]ncreased population pressure will convert opportunistic grazing strategies to continuous use; [c]osts of policing resources become less than benefits; [h]erders can develop management institutions of their own".

The assurance problem approach (Ruge 1981, 1984; Bromley and Cernea 1988)

"Where communities have low and uncertain incomes and are critically dependent on natural resources, communal forms of property are more efficient; [i]nstitutions act to co-ordinate actions to promote voluntary support; [m]obility is enhanced through reciprocity".

All these three models are said to be based on: "simple and persuasive theories about the relationship between land/natural resources and the means by which they are used by rural

⁶ Although land tenure issues in dry land Africa have been the subject of heated debate with competing models for managing range land resources, it seems to me that no one theoretical stance or set of ideas can provide the best lens for seeing issues under review. In the words of Behnke (1985:2), "systematic model building continues to be based on typological categories like open access, communal and private tenure, rather than on a close examination of the rules and processes which actually govern access to land" and other natural resources.

land users. However, none of them is free from ideology, and they are presented as truths despite inadequate empirical testing and rigorous evaluation" (Lane and Moorehead 1995: 118). In spite of such criticisms the assumptions of these theoretical models are often evoked by academic and policy-makers alike. Without going into the details, I shall briefly comment on these economic models in general and on the tragedy of the commons model in particular. The tragedy of the commons is a model whose assumptions were challenged and criticised by many writers, its analytical importance is weak and therefore been buried a long time ago, but its legacy is still with us. There are still some who follow Hardin's line of reasoning not only among ecologists, development policy planners and administrators' but also including some anthropologists, as we shall see later. The basic premises of 'the tragedy of the commons' is that as Hardin (1968:1244) wrote:

The tragedy of the commons develops in this way. Picture a pasture open to all. It is to be expected that each herdsman will try to keep as many cattle as possible on the commons....As a rational being, each herdsman seeks to maximise his gain....The rational herdsman concludes that the only sensible course for him to pursue is to add another animal to his herd. And another: and another....But this is the conclusion reached by each and every rational herdsman sharing a commons. Therein is the tragedy. Each man is locked into a system which compels him to increase herd without limit-in a world that is limited. Ruin is the destination towards which all men rush, each pursuing his own interest in a society that believes in the freedom of the commons. Freedom in a commons brings ruin to all.

This thesis had a considerable impact on public understanding ranging from development planners to range scientists and environmentalists. The effect was felt no more than in dry land Africa, largely inhabited by pastoralists and agropastoralists. Some environmentalists and development planners saw, following Hardin's line of reasoning, pastoralist resource-use as mismanagement leading to 'degradation' and even to 'desertification'⁷. Limiting or

⁷ Following the 1976 United Nations sponsored Conference on Desertification held in Nairobi, in the early 1980s United Nations Environment Programme established a branch office to deal with the

dismantling 'common property regimes' were seen as a key solution to the problem of the perceived degradation (Lamprey 1983). In the 1970s following the prolonged Sahelian drought, Western models of individual commercial ranches as a means of limiting the size of herds on range land was the view which dominated the scene among environmentalists and ecologists. More generally, despite often proving to have little other than metaphorical significance, the conventional wisdom has become highly influential in informing policy towards common property regimes (Ostrom 1992). The assumption that sustainable yields and carrying capacity can be calculated for semi-arid and arid rangelands exactly in the same way as they are for more humid environments become the article of faith of range ecologists, which resulted in ranches and grazing schemes becoming standard prescriptions for sound rangeland management (Baxter and Hogg 1990). East African pastoralists experienced arguably the most adverse effects of this conventional policy towards the commons. Therefore, the effects of the individualisation and partial forms of enclosure represented by group ranches on the means of subsistence of pastoralists have been considerable. As McKean and Ostrom (1995:5) write, "in many instances, the transfer of property rights from traditional user-groups to others eliminates the incentives for monitoring and restrained use, converts owner-protectors into poachers and exacerbates the resource depletion it was intended to prevent". Group and other ranches have not only been proven inadequate to support livestock, but have increased overgrazing to a level higher than under common property arrangements. This has been shown to be the case in East

problem of 'desertification'. Many projects were established in arid lands (mainly in Kenya) with an ultimate objective of carrying out research and encouraging pastoralists to cull more livestock and reduce pressure on grazing resources. In 1980s many such projects were abandoned without having had much impact in the area (see Fratkin 1991, 1992; and Little 1994).

Africa (Munei 1990), India (Jodha 1992), Canada and Australia (Gilles and Jamtgaard 1981). The literature on East Africa is rich in documenting the failure of project after project which had been established following the conventional line of thought. In spite of such lessons learnt from practice, however, Hardin's thesis: "animals are held individually, while the range is owned by everyone or 'no one'; herders will always invest in more animals because benefits accrues to individuals" and therefore "privatisation of the resources is necessary" (Lane and Moorehead 1995:18, paraphrasing Hardin 1968), continued to mould the opinions of not only development policy makers and ecologists but also even some anthropologists.

The myth of common property resources as 'open to all', 'unmanaged' and prone to 'misuse' which leads to resource depletion was challenged as early as the late 1970s, primarily by social anthropologists working with pastoral groups (see, for example, Horowitz 1979; Horowitz and Little 1987; MacCabe 1987), who showed that exclusive and private forms of tenure was often unsuitable and that, due to their arid and variable resources, pastoralists deliberately maintain extensive social ties to utilise distant resources if and when necessary. Social scientists cited the rationality of pastoral production and argued that 'the tragedy of the commons' results from external constraints such as 'compression due to the loss of rangelands to other forms of land use' (Hjort 1981), or policies to privatise land (Galaty 1981; Little 1992), or the breakdown of customary controls under external influence (Bonte 1976). Historians joined the debate by studying longer-term social processes in dry regions of Africa (Sobania 1988; Waller 1988) arguing that land-crowding among pastoralists is the result of economic and political processes of disempowerment and relocation.

Furthermore, Hardin and those who accept his problem focus, restrict their attention to the analysis of the economic factors that affect the growth of livestock which are assumed to be 'privately⁸ held', but neglected the control and management of the rangeland (Behnke 1985), and water and trees. Ensminger (1992) and Helland (1980) argued that control over water serves as a means of regulating access to pasture. Recently the control and management of common property regimes among pastoralist and agropastoralist societies in Africa, notably in Kenya and Tanzania, has been well documented with an increasing understanding of the fact that "'commons' does not necessarily imply 'unmanaged' rather 'managed with communal sanctions'" (Galaty 1992). Anthropologists, among others, who challenged Hardin, for instance, Little and Brokensha (1987:24) argued, "under conditions where there is high equity and local decision-making, and where there is weak market linkages and relatively low demographic pressure, common property systems work well". In fact "[t]he true tragedy occurs when traditional rules are removed and replaced by new ineffective statutory provisions"(Lane and Swift 1989:1).

The 'tragedy of the commons' approach was, therefore, criticised for being not only 'socially and culturally simplistic' but also for being 'historically false' (Bromley and Cernea 1989). Most importantly Hardin failed to make a distinction between 'open-access resources'

⁸ The assumptions of this approach that is livestock as 'private property' among pastoralist societies is misleading. Because livestock are not arguably 'private property' exclusively controlled by individuals, but livestock property relations involve 'a bundle of rights' with differential rights of access and control defined by a combination of factors (kinship, gender and labour contribution) and the exercise of such rights are influenced by the wider community and the value orientations of the society at large.

(non-property regimes) from the commons⁹(common-property regimes). In spite of these criticisms there are still some proponents of Hardin, for instance, Helland (1997:57) who argues, "the logic of the 'The Tragedy of the Commons' is applicable in all situations with more than one user". Helland goes on to say that, "even if common-pool resources among pastoralists do not involve open-access resources and they are controlled by a particular social group with restriction on access, this does not imply a stinting rule". This is a reflection of the assumption that common property rights are inherently inferior to private property rights (Scoones 1989). The notion that the commons need replacing with formal, individual property rights neglects a very salient fact that is many of the features of private property which can be associated with individual property regimes can also be readily associated with the commons. This fact has been reiterated in many texts (for instance, Ostrom 1990; Bromley 1992) expounding the virtues of the customary commons. "To deny the existence of enforceable collective property rights, indeed to confuse the notion of property and non-property, has been to misrepresent the complexity and longevity of customary institutions which lie at the heart of ...common property regimes" (Southgate 1998:78). Accordingly many theorists support the idea of reconstituting the commons as an important means of achieving productivity, equity and sustainability, as we shall examine the reasons shortly.

Although Helland (1994,1997) acknowledged that among the Borana both density-dependent (ecological factors) and density-independent factors (such as animal and human

⁹ Later even Hardin (1977:47) acknowledges that 'commons are not bad in all situations' and draws attention to the pre-agricultural forms of common resource management amongst hunter-gatherers, which, he claims, were viable due to the excessive supply of natural resource in relation to demand.

disease epidemics and raids) restrict the animal and human population growth rates, he fails to account for a range of other factors that have a bearing on the animal and human population growth. Among the Tsamako, for instance, factors that set the limit for both animal and human population growth includes: the 'traditional' population regulation mechanisms; the levelling effects of bridewealth on the accumulation of livestock by individuals (see also Evans-Pritchard¹⁰ 1940; and Turton 1980); and the distribution and redistribution of livestock both on seasonal and permanent basis across ethnic territories through a wide range of mechanisms. First, like other East African pastoralists (Baxter 1975) the Tsamako, for instance, normally convert surplus livestock into social relationships which can also be explained in part, as Dahl (1979) notes, in association with the fact that ecological conditions in the rangelands necessitate spatial distribution of livestock. Second, livestock exchange for guns (often taking place outside market places), and the practice of slaughtering a good many of livestock for mortuary rituals and sacrifices all of which have considerable effect on 'off-take' from most species of livestock are often overlooked. In this regard I shall argue that the various customary livestock redistribution mechanisms and socio-cultural practices that prevent the accumulation of livestock by social actors should be taken into account. Furthermore, as there are a range of livestock redistribution mechanisms through which livestock are dispersed across ethnic territories, the livestock management practices of a given ethnic group cannot, and should not, be conceived as an economic sector operating within a fixed and bounded spatial entity.

A perusal of the property rights literature shows that there has been a tendency to polarise property rights as totally either 'communal' (common-property regimes) or 'individualistic'.

¹⁰ Evans-Pritchard (1940:20) argued that "Marriages and epidemics prevent accumulation of cattle...".

The 'triune or dualistic approach to property rights', to use Bruce's et al. phrase (1993:927), get us nowhere. Characterising natural resources, for instance, among the Tsamako either as 'communal' or 'private' tells us neither about the nature of the rights themselves nor the rules that regulate resource use. Bruce et al. (1993: 628), following Moore (1973), suggested that 'the concept of overlapping semi-autonomous social spheres created by the national, state and local polities and the alternative bodies of law which similarly overlapped'. These images are apt for this dissertation "... because they convey the sense of overlap and not of discrete spatial domains covered by different bodies of law, as did much of the earlier tenure literature on Africa" (Bruce et al. 1993: 628). As pointed out earlier, instead of the 'blunt-edge' property concepts, I found the concept of 'tenure niche' a useful insight for understanding the Tsamako. This is particularly important in the present context of Ethiopia where there is 'legal dualism': the legally enforceable rights of the state and the usufruct rights of the people to natural resources which causes some form of tension between the two. This legal dualism has served as a field of competing claims by different interest groups which, for instance, gave rise to an outburst of violence in mid 1990s (chapter 7).

A closer examination of the Tsamako rangeland property rights, in general, and arable land, water and trees, in particular, reveals that their customary common property system is neither "open-access", as conceived by some economists, nor the romanticised "all-for-one, one-for-all" image one finds in some earlier ethnographic accounts of East African pastoralist societies. Such shortcomings are instructive of the need to address not only common property regimes rights over specific resources but also at the individual and/or household levels in a historical perspective. Thus, unlike the conventional wisdom concerning East African range land commons, the Tsamako case helps us to draw a relatively different picture.

Moreover the bipolar debate over common property rights against formal, individual property rights conceals important issues such as the interaction between 'human agency and social structure' (Southgate 1998). Very little attempt has been made to show how rights to natural resources change in the face of changing national policies which, in turn, change following changes in the political economy of the nation state. The state can be conceived as an overbearing, authoritarian entity laying claim to Tsamako natural resources without recourse to consultations with its civil population (chapter 7). In this regard recent studies on rangeland management and common property resources in Africa show how pastoralists have been victims of a systematic process of marginalisation brought about by changes in agricultural policy that limit herder entitlements to productive resources, in addition to more economic, demographic and political marginalisation (Hussein 1996; Watts 1991). At the centre of this view is that pastoralists are suffering from a process whereby land has been systematically removed from pastoral livelihoods for such farming production systems as commercial production, state farms and the conservation of wildlife (Lane and Moorehead 1995).

Another approach which follows a similar line of reasoning, as the economic basis of rangeland commons theory, is that of range ecologists. Until recently range ecologists¹¹, following 'the tragedy of the commons' approach, accused pastoralists of being insensitive to their environment. They were considered as people who simply accumulate livestock and overgraze their land which leads to resource degradation. In the early 1990s, however,

¹¹ Rangeland ecology has been based upon the concepts of equilibrium and functional order, reflecting the dominant structural-functionalist perspective in social theory (Leach et al. 1997).

range ecologists realised that the universal applicability of their propositions (calculating the 'grazing capacity' of land on the basis of data often gathered in the West) were seriously questioned and challenged; this eventually led to a paradigm shift. At the centre of this paradigm shift is the need to make a distinction between equilibrium (places which receive reliable rainfall) and nonequilibrium environments (places where rainfall is erratic and unevenly distributed or African drylands). Some anthropologists argue that this paradigm shift is simply, to borrow Hogg's (1997:2) words, "old certainties are quickly being replaced by new orthodoxies about pastoral environments and the contingent nature of pastoral adaptations". In other words, recent range ecological studies of pastoralists, with few exceptions, tend to focus on a single variable that is on range management as defined by the semiarid or arid environment, at the expense of the interplay of other factors such as historical and political ones. In short 'pastoralism' has been treated in isolation from 'pastoralists'" (ibid). Although the range ecologists' propositions seem to be derived from a lamentable lack of understanding of actual local level resource-use and regulation among pastoralists in dry land Africa, they are likely to evoke a wide range of natural resource control and management issues and beg the following set of questions which are corollary to one another. To what extent are pastoralists insensitive to their environment? Are renewable natural resources 'open to all' resources and therefore liable to misuse and depletion? Is the regulation and management of renewable natural resources divorced from control among pastoralists? These are some of the research questions that the thesis attempts to address directly or indirectly.

Another recently formulated approach to the study of property rights is the concept of 'entitlement' conceived by Amartya Sen. Sen (1981:49) wrote, "there can be ambiguities in the specification of entitlements...in pre-capitalist formulations there can be a good deal of

vagueness on property rights and related matters. In many cases the appropriate characterisation of entitlements may pose problems, and in some cases it may well be best characterized in the form of 'fuzzy' sets and related structures." The 'entitlement approach' devised by Sen (1981) for the analysis of poverty and famine focuses only on the 'legal ownership of commodities' to the total neglect of other weaker forms of claims over resources, such as rights of access. This approach is criticised for it fails to "consider contexts where property rights are exercised institutionally rather than individually" and it takes entitlement generation as 'given' and therefore neglected the 'political economy of entitlement generation' (Devereux 1996:).

Following these criticisms, Devereux's (1993, 1996) proposition offers some useful insights for the analysis of property rights in natural resources in Africa. Firstly, common property rights in natural resources in Africa, neglected by the entitlement approach, are mostly 'held by multiple individuals and institutions' and the allocation of "rights occurs according to institutional rules that first screen applicants (eligibility rules) and then prioritise their claims (queuing rules)" (Devereux 1996:1). Secondly, there is a need to make a distinction between legally enforceable state control and informal community control over natural resources. Thirdly, there are conflicts over resource rights at different levels, such as conflicts between the state and communities and between households within a community.

The pessimistic view of some economists about common property resources has also been criticised because, among other things, it failed to account for the central roles played by social institutions which are often taken as given. Recently the new institutional

economics¹² gave a fresh impetus for the study of the commons. The new common property resources paradigm has emerged from mainly theoretical research into the problems of collective action, which positively appreciate and give considerable space for customary management systems. This approach identifies a range of conditions under which the management of the commons¹³ might succeed and fail under others. In that the decline of some of the commons is associated with external interventions, such as increasing population pressure and technological change (McKean and Ostrom 1995).

The role of rules, norms and customs in enhancing mutual assurance between co-users of common pool resources and encouraging cooperation has been highlighted particularly by collective action theory (Ostrom 1990). Apart from the nature of common pool resources a range of community attributes are associated with the performance of user-groups in the management of the commons; the most important of which, proposed by proponents of this theory, are group size, residence of group members and group heterogeneity. It is widely documented that group size influences, for instance, the performance of irrigation management (Ostrom 1992). Wilson and Thomson (1993) have also made a similar observation in their study of the *ejidos* grazing management in Mexico. Residence membership that is closer proximity to the resource, and thereby having greater knowledge

¹² Here I don't want to go into the details of the literature in economics, but it should be noted that the New Institutional Economics has encouraged 'intellectual cross-fertilization' between economists, historians, political scientists and sociologists (Nabli and Nugent 1989).

¹³ The literature draws more from commons in irrigation management and those in the field of fishery than other commons. The institutional dimensions of common property resource management regimes have been subject to considerable analysis in collective action theory, one of the strands of the new institutional economics.

of the resource in question, is also said to lead to better chance of monitoring its use. The underlying assumption of both of these premises is that these conditions lower transaction costs. The third factor that is group heterogeneity has been also identified as a crucial factor which affects whether the common-property regimes operate successfully or not (Ostrom 1992). Although this model offers such useful insights to appreciate common-property regimes it has its own limitation as part and parcel of the 'rational choice theory', as we shall see later.

More recently both those who write against the notion of the tragedy of the commons (Bruce 1993) and critiques on property rights and environment management advocate a shift of natural resource control from the state to rural communities whose means of livelihoods depend directly upon these resources (Chambers 1994). Advocates of 'community-based' approaches argue that a perverse and centralised control of natural resources by the state has caused serious threats not only to rural peoples' security of tenure but also leading to the 'degradation' of natural resources (Bromley 1992; Ostrom 1992; Yeraswork 1995). Many authors in a similar vein write against the assumed inevitability of private property and individual acquisitiveness (Berkes and Favara 1989), and the presumed superiority of 'world-ordering' of scientific knowledge over 'indigenous' knowledge and community perspectives (Chambers 1983; Scoones et al. 1996). The call for such 'bottom-up' approaches in development endeavours seems to fit well with conventional anthropological narratives maintain that the customary property rights systems of 'traditional' communities are in harmony with the environment (Berkes and Farvar 1989; Bruce 1993).

In sum the premises of the 'tragedy of the commons', the theory of property rights and range ecologists cannot be understood in isolation from the private property relations model in modern Western societies. Almost all of the proponents of those approaches, discussed above, seemed to have been inspired and backed up by some of the Western notions and premises of the presumed superior performance of private property rights. As already noted above this assumption which underlies the dominant model¹⁴ is at the centre of the long standing debate which goes as far back as, as far as anthropology is concerned, the period¹⁵ of the consolidation of anthropology as an organised discipline. Although those themes studied by earlier anthropologists ceased to attract the research interests of many contemporary anthropologists a long time ago, the two contrasting models of property relations are still with us and their influence on the public understanding, development policy-makers and politicians is still considerable. One of these models has become a dominant one despite the existence of many reactions from many angles and numerous

¹⁴ Hann (1998:1-2) rightly summaries this:

New forms of property relations have come and gone as long as human societies have existed, but one particular cluster has achieved world dominance in the last two centuries. The rigorous specification of private property rights is nowadays almost everywhere thought to be a necessary condition not only for improved economic performance but also for healthy societies founded on civil and political liberties....A standard model of private, exclusive ownership has now been disseminated to most societies, including in recent years to the former communist societies of Eastern Europe and Asia by their Western advisers. Liberals advocate this model as more efficient and more just than rival models in which, they allege, ownership is a matter of arbitrary dictate by power holders. Liberals also frequently allege that communal forms necessarily give rise to the overexploitation of scarce natural resources.

There are powerful counter currents particularly in many Asian countries as he (1998:2) goes on to say: The universality of the liberal model is called into question by some of the most advanced capitalist economies themselves, notably East Asian states which have given greater priority to careful governmental support and regulation than to the pursuit of 'pure competition', and to collectivities (starting with the family) rather than the individual. The private property component of the liberal model looks increasingly suspect throughout the capitalist world, as ownership of large enterprises continues to shift away from persons to institutions, and is increasingly detached from issues of control and management.

¹⁵ Although many seem to agree that the debate and some of the underlying assumptions about individualised property relations go back to the works of the great social theorists some consider its origin as a mystery (see, for example, Macfarlane 1998).

criticisms. It is a professed model of the powerful international organisations such as World Bank and IMF. It has been the mantra of these organisations which consider the model as a primary agent of economic growth. In what follows I will briefly look at some of the assumptions of this model in relation to the other opposing model of property relations often associated with the Marxist line of thought, with pre-capitalist societies in particular.

The two opposing models of property relations and precapitalist societies

Marx's and Engels's interest in pre-capitalist societies was explained in association with their desire to reconstruct a general history or theory of society in order to explain the 'coming to be of capitalism'. In other words, by drawing examples from the work of others (e.g. Morgan 1877), they attempted to show that the institutions of capitalism are historically specific and subject to change. In this sense the institutions of pre-capitalist societies were largely needed and to some extent they were used for purposes of comparison, i. e to show how different they are from those of capitalism. This, and in part lack of data on pre-capitalist societies (Donham 1985), are some of the reasons why the development of Marxist theories¹⁶ about such societies remained inchoate. This is so in spite of their claims to have discovered universal historical laws which should be applicable to different societies. This, Bloch (1983:10-11) argues, was a rhetorical use of anthropology by Marx and Engels which inevitably involved them "in a search of the anthropological literature for examples of opposites to the institutions of capitalism". This is particularly

¹⁶ Bloch (1983) argued that the lack of a fully developed theoretical perspective is because of the contradiction between a theoretical claim to have discovered universal historical laws applicable to different societies, and the attempt to show the diversity and discontinuity of human history at the same time.

true of topics that have to do with the relationships existing between people engaged in the process of production, 'the means of production', property and the family. Marx and Engels found confirmation of the existence of different social relations of production from that of capitalism from the work of nineteenth-century anthropologists. Nearly all of the latter agreed that what characterised the pre-capitalist societies they observed was the predominance of kinship ties as the organising principles of such societies. This conclusion made kinship very important for Marx and Engels for, they believed, it would contrast with the relations of production found in a capitalist system. Bloch (1983:12) summaries Marx's special interest in kinship in precapitalist societies:

It seemed to Marx that nothing could be more different than kinship relations and relations in the labour market. This is because kinship links are strongly morally, and socially charged, while those between worker and employer are impersonal, because kinship implies reciprocal rights and duties while the capitalist has all the rights and the worker all the duties, because kinship links cannot be broken at will while those of the labour market can...

Marx's and Engels's view of kinship as opposite to capitalist relations of production is reflected by their interest in their examination of the work of early anthropologists and others, such as Bachofen, MacLellan, Maine in general, and of Lewis Henry Morgan. The work of Bachofen and Morgan saw kinship among pre-capitalist societies as a total reversal of those found in a capitalist society. Issues of relations of production and the nature of property in general are topics in anthropology that received the attention of Marx and Engels. They were concerned with the analysis of the correlation between private property and exploitation. This thesis was related to the general line of thought and argument about private property which goes back at least to the eighteenth century¹⁷.

¹⁷ "This central role of private property has a long history in European thaought [sic] and goes back to the eighteenth-century notion of the social contract. Such writers as the English philosopher Locke had argued that the security of private property was an essential prerequisite for the evolutionary progress if society and increasing human happiness. He, and

Unlike others, Morgan saw pre-capitalist societies as organised but without private property. This was said to have made Marx and Engels side with Morgan in the anthropological controversy that arose between the latter and McLennan. Nonetheless, the widely accepted and frequently repeated point of view in the nineteenth-century goes: "If you do not have private property and the politico-legal framework to ensure its enjoyment you will have chaos; people would lose all incentive to produce, there would be no law except the law of the strongest, the economy could not be organised, there would be no individual security, murder and theft would be the order of the day" (Bloch 1983: 43).

As already pointed out earlier, although the study of property relations in anthropology seemed to have been neglected and perhaps 'rejected'¹⁸, with other themes and some lines of evolutionary theoretical perspectives propounded by nineteenth-century anthropologists the threads of those lines of thought are still with us.

Firth¹⁹ (1975) argued that some aspects of Marx's notions of 'property' are analytically more fruitful than the concept of 'rights'. Furthermore, Firth (1975:34) writes:

others like him, were answered by Rousseau, who argued that the social contract which established private property was really the origin of exploitation and had to be replaced by a new social contract" (Bloch 1983:14).

¹⁸ The reasons for this rejection seem manifold: political, ideological and practical. Yet recently there has been a call for a renewal of what Hann (1998) refers to 'the anthropological tradition' which approaches property as a 'bundle of rights' and 'property relationships as social relationships'.

¹⁹ According to Bloch (1983: xi) "The difference between Firth and the Marxists is more at the level of the relationship between theory, data, and practice. Firth is arguing for a science where new data will in the end direct theory".

"Now anthropologists have shared with Marx²⁰ the realisation that in an economy the relations between material things are really an expression of social relations between people. And they may not wish to deny the primacy of labour...". On the contrary, Marx's sharp contrasting view of property relations is criticised for failing to capture the complexity of rights over property. In the words of Firth (1975: 37) "Marx's antithesis between communal and private is too sharp, even making allowance for his valid conception of communal ownership and private possession. He clearly failed to realise the complexity of rights over property, including property in land, characteristic of a primitive agricultural community". In the eyes of Firth, this shortcoming stems from Marx's failure to consult Morgan's work (1851) earlier.

If Marx had consulted not the Lewis Morgan of the Ancient Society (1877) as he did later, but the Morgan of the League of the Iroquois (1851) published half a dozen years before the *Formen* were composed, he would have found some general statements about the spirit of freedom never having felt 'the power of gain', and about 'absence of property in a comparative sense'; but he would have had nevertheless a complex system of property rights to face (Firth 1975: 37).

Marx's views on pre-capitalist societies was said to have been based on his reading of the works of others on the situation in those societies in general and that of India in particular.

"In 1853 he agreed with Engels that the absence of private landed property was effectively key to all the Orient, and added as indices that all public works were controlled by the central government, and the villages were 'little worlds' of their own" (Firth 1975:41).

Cognisant of the range of diversity of property rights in pre-capitalist societies known in his

²⁰ Many anthropologists seem to agree that Marx's and Engels's work (*Formen*, *The Origin of Private property and the State*, and those sections of *Capital* on pre-capitalist economic formations) concern them most. Although there are different opinions on the significance of such work (*Formen* in particular), some reject it (e.g. Firth 1975 following Hobsbawm 1964), others were sceptical about the acceptability of the piece of work as a 'history'.

time, Firth considered this characterisation of pre-capitalist societies as a 'caricature'. It should, however, be noted that Marx did stress the historical peculiarity of private property and argued, in *Formen*, that the absence of 'private property' in pre-capitalist societies does not imply 'the law of the jungle'. Both of these views were acknowledged by modern anthropologists, but, as times passed by, Marx and the founders of Marxism were taken as guides for the type of social analysis to be carried out rather than as authorities on such societies (Bloch 1983). Many anthropologists would agree with the view that for one reason or another, a fully developed marxist theoretical perspective about pre-capitalist societies (like the Tsamako) in general, and concerning property relations in particular, has remained inchoate until today. This is evident as pre-capitalist society ('Asiatic mode of production') was characterised by Marx and Engels simply by 'what it does not have' (Bloch 1983) or 'what it is not' (Donham 1985). Despite such widely shared views among anthropologists, recent developments are far from revealing a consensus. Leaving those currents of thought in the Eastern²¹ Block aside, those who follow the marxist line of thought in the West can be tentatively divided into two groups: those who advocate the use of marxist ideas and concepts directly for non-western societies and those who advocate the need to develop new analytical tools along the Marxist line. Bloch (1983) and Godelier (1977) argued, representing the first group, that Marxist ideas cannot be used directly for non-western societies. Some French marxist anthropologists²² (for example, Terray 1974; Meillassoux 1975) argued for the application of Marx's notion of class analysis to pre-capitalist

²¹ Bloch (1983) noted that the evolutionary scheme of marxism, adopted from Morgan by Engels, was rejected by British social anthropology but became 'orthodoxy in the USSR'.

²² French Marxist anthropologists are sceptical of the possibility of doing a politically neutral analysis of human societies.

societies. Terray (1974) in particular attempted to explain groups (based on gender and age) in lineage societies as 'classes in themselves', following Marx's distinction between 'classes for themselves' and 'classes in themselves'. As such groups are defined primarily by ascriptive criteria, he acknowledged that such classes differ from those in a capitalist society. On the other hand some anthropologists such as Shanin (1983), Bonte (1981) and Rigby (1987) have extended the concept of the 'Germanic mode of production'²³ to African pastoralists.

According to Godelier (1977) Marxist tools developed in Capital which are centred on class exploitation and ideology are inapplicable to pre-capitalist societies. In his own words, Marx's analysis of 'the capitalist mode of production' "...aimed at unveiling the *mechanism* for this mode of production showing how its reproduction transformed the society as a whole. A unique and pioneering step, left unfinished, which must be followed up in the study of precapitalist societies and modes of production; something which Marx left for others to work out" (Godelier 1977:76 emphasis original).

"If the 'general form' of social relations in these [pre-capitalist] societies is that of kinship relations and if the kinship relations play a dominant role, this means that they determine all other social relations" (Godelier 1977:95). He went on to say that kinship relations "determine the individuals rights regarding land and its products, his obligation to receive, give or cooperate. Kinship relations also determine the authority some people have over others in political and religious matters" (Ibid: 122). By stressing the need to recognise kinship relations, under certain circumstances, as economics and their dominant role and

²³ Meillassoux and Rey (1975) use the phrase 'lineage mode of production'.

complexity, his working hypothesis is that kinship relations in such societies function as 'relations of production'²⁴, political relations and as current ideologies'. He argues that "in kinship-based society, kinship is inseparably both infrastructure and ideology, because it performs both the functions of infrastructure and of ideology as one" (Bloch 1983:167, citing Godelier 1977). Godelier maintains that it is not important to see kinship as a 'mask' for class relations. For him relations of production are analytical constructs of the anthropologist. He criticises Terray, Meillassoux and others who argue that 'when people talk of kinship they are really taking about something else'. In others words, Godelier argued that unlike relations of production, kinship has to be accepted for itself at an empirical level. For him the two do not have the same level of empirical existence. The argument whether or not kinship relations in precapitalist societies are relations of production seem less fruitful as it does not capture the complexity of property relations in such societies. I found it problematic to understand property relations as, for example among the Tsamako, differentiated from other social relations (such as kinship and marital relations), and independent from the influence of ecological factors and national policies (chapter 7).

The whole French Marxist anthropological school is criticised for diverting emphasis from a discussion of 'real processes of history and society' to a discussion of 'disembodied abstractions'.

²⁴ Unlike other Marxists, Godelier (1977) argues, for instance, among the Inca, religion in such societies was a relations of production because it actually organised production.

In this regard Bloch (1983:169-170) contends:

...their [French marxist anthropologists] starting point was the attempt to separate an abstract theory of modes of production and articulation from the specific case of capitalism. In doing this French anthropologists have been to a large extent not only successful but also too successful. This is because, having abstracted their structures from real historical and anthropological circumstances, they have, in a sense, once more reversed Marx's fundamental advance over his predecessors; that is, the discovery that it is in the real processes of history and society that man reveals his true nature. Instead, French anthropologists, and some of their followers outside France, seem to have retreated to discussing disembodied abstractions.

He goes on to say: "Ironically it is non-Marxist, British anthropology²⁵ which has been truest to the original decision, on the part of Marx, that it was in real history and in real society that the nature of man is revealed" (ibid: 170). Gledhill (1994:46), on the other hand, summaries the idea of reworking Marxist concepts for a renewed use including the analytical concept of 'adaptation' as follows:

For some [anthropologists], this attempt to rework Marxist concepts for new purposes may seem an unappealing reduction of ethnography's rich variety into a tight classificatory scheme. Nevertheless, it is hard to deny the importance of the principle which motivates it. The forms of human social and political organisations cannot be seen simply as the unconstrained exploration by 'people' of a series of logical possibilities, as if every human community sat isolated on an island in the midst of a limitless ocean. It has also proved difficult to explain social structures simply as 'adaptations' to local techno-environment conditions.

More generally I find it difficult to accept the theoretical²⁶ stance of those Marxists who consider, for instance, elders versus juniors as a kind of 'social class'

²⁵ Bloch (1983:170) noted that "...it is because British anthropology had lost its original theoretical framework, because in any case this theoretical framework had always been weak, that the fundamental strength of the tradition seemed recently to have come to very little".

²⁶ The formalists start with an emphasis on individual motives and end by stressing social institutions and the substantivists followed more or less the reverse of this approach (Donham 1985).

(see, for example, Rigby 1985) - a concept defined along with others in relation to the study of capitalism. Nor do I endorse the other marxist theoretical stance which invokes the notion of 'primitive communism' where 'everything is held by everybody' in pre-capitalist societies - a stance which ultimately rules out the existence of differential rights of control and rights of access to factors of production in such societies. "The general consensus among modern anthropologists is that we...should get away from the notion of private property as we know it, when we analyse the economic system of pre-literate peoples, but instead talk of a multiplicity of rights of different types" (Bloch 1983:92). Furthermore most contemporary anthropologists do not seem to be happy with the notion of a 'great divide' between 'traditional' and 'modern' societies. Instead they seem to accept, as far as property relations are concerned, that it may be "useful to see a general divide pertaining *within* societies, rather than *between* them" (Hann 1989: 33 emphasis in original).

Many anthropologists agree that the dominant property relations model, with the economic logic as its underlying premises, is inadequate for the analysis of non-western societies, like the Tsamako which is based on the concept of differential²⁷ but overlapping rights of claims at various levels. It can be noted that some of the flaws of this model are supported with copious evidence.

²⁷ This is perhaps equivalent to what Maine calls a 'hierarchy of rights' - constituted by rights held by a variety of different social actors (cited in J. Goody 1998).

The main limitations of the 'rational choice theory'²⁸, as Peters (1993:1065) succinctly explains, are:

Methodological individualism is less successful in interpreting the social and cultural dynamics of groups over time. Still less are the interpretations which reduce a wide range of meanings, motivations, and social circumstances to the single 'register' of economic logic or material advantage²⁹. It is instructive to note that the single measures or logics premised by analysts are extremely limited in scope, being either variations on biological needs (as in Malinowski or in current sociobiological notions of 'fitness') or selfish interest.

Peters goes on to say that, "the neoclassical model of marginalist analysis is seen as an historical product of specifically western thought and ideology and, hence, not applicable to all people at all times in all places" and "the pursuit of self-interest premised in a rational action model is considered to be only one among several forms of social relations and, hence, one among several analytical models"³⁰(ibid: 1065). As the focus is to explain behaviour not in terms of 'cultural values' but in terms mainly of economic interests, this perspective tends to neglect, as Peters (1993:1072) succinctly explains, the fact that "[i]nterests and opportunities are always culturally coded"³¹.

²⁸ It should be noted that there are a multitude of schools, models and approaches within the rational choice school.

²⁹ This model, with few notable exceptions (for example D. North 1992), is also criticised for neglecting the role of history.

³⁰ "[N]ew trends in anthropological theorizing suggest that the marginalist model is only one way to understand markets and exchange and that other models may be as or more useful" (Peters 1993:1065), see, for instance, Bloch and Parry (1989) who give more space for the applicability of individualism and utility maximisation models in the Western societies where they originated, but doubt that whether they are 'a sufficient basis for theory to interpret social action'.

³¹ Peters (1993:1072) offers an interesting practical example: "For a new Englander to offer an Ethiopian a lobster to eat results in the same horrified response as a Malawian offering an Englishman a roasted fieldmouse". This is exactly what I, as an Ethiopian, encountered several times during my stay in England.

While I entirely agree with Peters that interests, opportunities and goals are culturally defined, I do not, however, subscribe to the 'egalitarian ethic' described by some anthropologists³², for instance, Talle (1988) and Spencer (1988) who regard the Maasai as inherently opposed to the 'capitalist ideology' under the influence of institutional constraints on greed and individual accumulation. This claim is proved to be problematic as several authors have observed skewed patterns of livestock wealth distribution. For instance, Ndagala (1992) among the Kisongo Maasai of Tanzania, Little (1992) among the Il Chamus of Kenya and my own data on the Tsamako are cases in point. As Asad (1979:426 cited in Southgate 1998) argues, "there is no such thing as a mechanism of equality intrinsic to nomadic society". Thus the argument that pastoralists are precluded from competitive accumulation through an inherent 'pastoral personality' (Goldschmidt 1979) is unwarranted.

According to Galaty (1981) the Maasai make a distinction between success - a large herd, many wives and sons - and greed (*empiiyani*). Like the Maasai, men, and to some extent women, among the Tsamako aim at achieving such socio-culturally defined goals and operate within the limit set by socio-economic, ecological and political factors. This is an important insight to look into the pattern of livestock distribution among Luqa households of the Tsamako (chapter 3). In this regard the concept of the 'individual strategist', probably the most favoured in the Anglo-Saxon social sciences (Gledhill 1994), provides a

³² Students of pastoralism particularly those who worked "in Africa have felt obliged to counter simplistic notions about 'hidebound tradition' and 'economically irrational behavior', their analyses documenting the logic in practices of herd or range management have sometimes added, willy-nilly, to this old but unfortunately still kicking opposition between culture and interests or tradition and change. This dichotomy evokes, too, other dichotomies of altruism vs. interest or society vs. individual which...keep reemerging in Western social analysis" (Peteres 1993:1072).

useful insight for the analysis of the rights and duties of social actors in productive resources as constrained by social-cultural, political, economic and ecological factors.

With a combination of such insights as a point of departure, I propose that in a society where 'the essence of tenure is fluidity' (Behnke 1995) and where there are spatially and temporally variable bundles of rights, then cooperation and competition are centred on control over the fertility of resources rather than the resource per se. What stands behind my ethnographic description in this thesis is that productive resources are not 'open-access resources' (non-property regimes), rather they are differentially controlled with overlapping rights of claims held by different social actors. Such bundles of rights, which can be categorised as rights of control and rights of access held by various social actors, vary from one resource to another, which, in turn, vary spatially and temporally, and depend on the demographic and social profile of the social actor in space and time. The establishment of rights of control and the allocation of rights of access to resources are justified and exercised on grounds of both achieved criteria, such as labour investment, and ascribed criteria, such as those defined and legitimised by the patrilineal descent system of the society. Finally, it is instructive to note that when it comes to theoretical perspectives as a means of guiding one's analysis 'flexibility' (Godelier 1977; Donham 1985) and the 'spirit of inquiry and the willingness to be found wrong by the facts' which Firth (1975) wishes for are very important points that I have to bear in mind in this study.

To sum up this discussion a couple of points about the use of general analytical concepts are worth noting. Following any one of those theoretical lines of reasoning alone does not give us adequate inspiration or insight for appreciating the differential rights of productive resource control prevalent among the Tsamako. Thus, rather than totally supporting one

proposition and rejecting another advanced by one theoretical strand or another, I chose to present the 'ethnography' and attempt to relate themes to theoretical premises whenever necessary.

The controversy between formalists and substantivists, Marxist versus nonMarxist, without belittling some of the theoretical advancements achieved, seemed to be less successful in generating widely applicable analytical concepts and insights about property relations as far as contemporary precapitalist societies are concerned. There is no, to my knowledge, other viable alternatives other than the use of Western analytical concepts³³ which are the product of a given social and economic conditions or a historical era. Western ideas, for example, about the separation or distinction between 'private' and 'public' which constitute ideological representations (Gledhill 1994) are less useful in the Tsamako context. Some formalists advanced a thesis borrowed from neo-classical economics, that individuals in all societies act so as to maximise their individual gains. Such formalist inspired studies used the same concepts and advanced the same premises among precapitalist societies in general and among pastoral societies in particular as they did with Western ones, while substantivists make a distinction between 'market' and 'nonmarket economies'. Such distinction has its roots in the nineteenth century distinctions, for instance, made by Maine between 'Status' and 'Contract' and Tonnies 'Gemeinschaft' and 'Gesellschaft'. The generality of such distinctions seems to prevent one from appreciating the fact that there are significant

³³ In this connection Gledhill (1994:14) contends: "The problem with taking a model of Western systems as a baseline is that we are in danger of de-emphasizing fundamental differences between forms of human social life". In fact, the main problem can be associated with the fact that, as he goes on to say, 'anthropology is Western knowledge'. Marilyn Strathern (1998) shows the difficulty of grasping other cultures in the language of another (English).

differences between the various phenomena lumped together under such headings as 'market economy' and 'nonmarket economy' or 'production for consumption' and 'production for exchange'. Likewise many problems seem to exist when one uses concepts, such as 'production for exchange' versus 'production for consumption', 'private property' versus 'communal property'. In light of this problem I must say that I found such concepts as 'private' versus 'communal' as 'mist-enveloped' as that of the concept of 'reciprocity'³⁴.

Definition of terms

It should be noted that the word 'property' is used to convey two different meanings. In ordinary language usage, the word 'property' refers to 'the "thing" over which a person claims more or less exclusive rights of ownership', while in the academic usage it refers to "the rights that people hold over things which guarantee them a future 'income stream'" (Hann 1998:4). In line with the latter usage of the term, the following definition by Hoebel (1966: 424) seems to represent its contemporary anthropological usage: "The essential nature of property is to be found in social relations rather than in any inherent attributes of the thing or object that we call *property*. Property³⁵, in other words, is not a thing, but a network of

³⁴ This problem has been remarked upon by many writers. Maccormack (1976:89), for example, notes of the "somewhat baffling mist of 'reciprocity'" which surrounds such words as 'reciprocity'. He distinguished many ways in which the word 'reciprocity' has been used by social anthropologists.

³⁵ "It is the derived forms of Roman law found elsewhere in continental Europe that approach property in terms of the *exclusive* ownership of thing, rather than social relations between people. These, rather than the English conception, which also resembles the general anthropological definition of property, would seem at first sight to have a greater affinity with the capitalist mode of production" (Hann 1998:37).

social relations that governs the conduct of people with respect to the use and dispositions of things".

As many anthropologists have stressed, "the notion of property as a relationship between a person and a thing is a contradiction in terms" (Macfarlane 1998:112). In contrast, Marx and Engels (1974:204-5) realised "that property is represented by ideology as a relationship between people and things but is in material terms a social relationship". Without going into the details of the difference "which sees property as a *relation* between persons and things, ...and those systems which see property in the thing itself, a form of *fetishism* in Marx's terms" (Macfarlane 1998:112), I want to stress here and follow the notion that "property is a three-way manner: that is, a relationship between people in relation to a 'thing'" (ibid:113). Furthermore my concern is with what Bromley (1991) phrased 'property-rights regimes'³⁶ that is 'the various arrangements people devise to control their use of natural resources'. Property-regimes in turn consists of two components: 'property rights, that is the bundles of entitlements defining rights and duties; and property rules, the rules under which the rights and duties are exercised'.

Libecap (1989:1) also defines property rights as follows:

Property rights are the social institutions that define or delimit the range of privileges granted to individuals to specific assets, such as parcels of land or water... property rights institutions range from formal arrangements, including constitutional provisions, statutes, and judicial rules, to informal conventions and customs regarding the allocations and use of

³⁶ In spite of the fact that different tenurial systems operating simultaneously in the same 'community' or 'society', in the literature four major types of 'resource management regimes' (Bromley 1998) or property regimes have been identified: (a) private-property regimes, (b) state-property regimes, (c) common-property regimes, and (d) non-property regimes.

property. Such institutions critically affect decision making regarding resource use and, hence, affect economic behaviour and performance. By allocating decision making authority, they also determine who are the economic actors in a system and define the distribution of wealth in a society.

Both anthropologists and historians use the phrase "**common property**" to refer to 'systems of collective property rights' (*res communes*), while economists, policy-makers and development planners use it to refer to a situation where no property rights exist (*res nullius*) (Quiggin 1993). Bromley (1992) stresses the need to make a distinction between the physical attributes of a resource and the social institutions which define rights and duties. Unlike the accepted wisdom of the past, as Bromley (1992:4) notes, "[t]here is no such things as a common property resource; there are only resources controlled and managed as common property". In this thesis the phrase 'common property' refers to tenure rules or rights of access (and exclusion) to natural resources namely, land, water, trees and other savannah woodland resources.

Another meaningful distinction that has been made, already implied in the definitions, is the fact that not all property outside of 'private property' is common property. Like Hardins' (1977:47) assertion that "whatever is owned by many people should be free for the taking by anyone who feels a need for it...is precisely the idea of the common". In fact even livestock which are said to be 'private property'³⁷ are not private in some European notions and use of the term. Many students of pastoralism (eg Baxter 1975; Baxter and Hogg 1990; and Helland 1997) noted that livestock property relations entail a 'bundle of rights', or that livestock 'property rights' tend to be 'diffuse'. This is different from the absolute notion

³⁷ From the work of Bloch and Parry (1989) one can see how popular attitudes to money provides with an interesting parallel to perceptions of 'private property'.

implied in some European concepts of 'owning' or ideas about 'rights of exclusive possession'. As the latter notions of property does not exist among the Tsamako in this thesis, therefore, I shall use such phrases as 'rights of control' and 'rights of access' instead of 'exclusive private property' and /or 'ownership'.

Rights of control is defined as the power to determine the utilisation, reallocation and disposal of the resource, while **rights of access** refers to user rights which can be either short-term or long-term, denoted by the prefix 'secondary' and 'primary' respectively. The term **fertility** is also used to refer to the productive capacity of a resource to regenerate itself or other productive resources.

Argument and proposition

Almost all published works on pastoral societies in East Africa point to the fact that the decline of pastoralism commenced during the colonial era. Before the advent of colonialism East African pastoralists were characterised by fluid boundaries, "a low population-to-land ratio and ... they were able to expand and contract in response to environmental crisis" (Sobania 1990:2). During the colonial and post colonial periods, however, the situation drastically changed. The demarcation of 'tribal grazing areas' by colonial administrators and its continuation during the post colonial period restricted pastoralist movements (Baxter 1993). "A further consequence of the imposition of grazing and tribal boundaries is that open and flexible ethnic boundaries have become increasingly closed and rigid" (Baxter 1990:iv). Partly because of these reasons, the increasing sedentarisation and pauperisation of many East African pastoral societies is well documented (Hogg 1987; Baxter 1990; Galaty and Bonte 1991; Oba 1990; Sobania 1990; Rigby 1992). In fact, the extent of social change among some pastoralists (particularly those in Southeast African countries) was so

radical that to capture such transformations some authors (Baxter 1985 and Hogg 1986) had gone to the extent of coining the phrase "the new pastoralism". In line with this reasoning the recent literature on East African pastoralists paints a grim picture about the management and sustainable use of natural resources. For instance, grazing regulations and institutional arrangements have broken down and so on. Two sets of reasons have often been given for such radical changes - external and internal. The breakdown of resource regulating institutional arrangements as a direct consequence of the penetration of colonialism, monetization of the economy and capitalist expansion have been documented one after the other; arguing that the breakdown of resource regulating mechanisms are a result of external threats and interventions. Along this line changes in tenure systems resulting from the loss of rangelands to agricultural encroachment, private and state development schemes and to wildlife parks are well-documented (Anderson and Grove 1987; Arhem 1985; Bassett 1988; Hitchcock 1980).

Furthermore, although the existence of diverse forms of tenure rights over rangeland resources among pastoral and agropastoral societies in Africa, notably in Kenya and Tanzania, has been well-documented, literature on the same subject available in Ethiopia are scanty (except Helland 1980). Moreover, in the past, focusing on internal dynamics and looking at an ethnic group as a self contained, self-sufficient and isolated entity has been a bedrock of anthropology (Keesing 1981; Schneider 1984). This has been manifested in almost all published anthropological monographs on the diverse ethnic groups in south-west Ethiopia (Abbink 1992). Such accounts paid very little attention to resource rules of tenure and relations between pastoralists and the state. This apparent neglect seems to have been partly because, until recently, for good or bad national policies and waves of change bypassed many ethnic groups in south-west Ethiopia to be specific as far as the experience

of the Tsamako goes. Moreover, state-pastoralist relations were neglected partly because "[i]t has been assumed that herders were (and are) ... content to look after their animals, uninhibited by commercial processes and government bureaucracies" (Little 1992:2). Thus, debates about land tenure issues in Ethiopia have neglected discussions of pastoral areas that are assumed to have been marginally related to regional and national economies. Recent studies in Kenya (see, for example, Little 1992), however, show that pastoralists areas were affected by state policies. Moreover much of the literature on pastoral societies has focused on pastoral societies in East Africa as isolated and without due considerations to the wider socio-economic and political milieu. On the contrary the recent literature on such societies is increasingly instructive of the need to pay attention to the wider national and regional social, economic and political contexts within which local communities operate (see Little 1992).

The gist of the argument of this thesis is related to the general propositions that there are resources 'managed with communal sanctions' (Galaty 1992) rather than 'open to all' or 'free-for-all'. Following Ostrom and Schlager (1996) I shall argue that the customary property regimes as evolved, implemented, monitored and enforced by the people's themselves are more 'cost-effective' and sensitive towards the environment than has been acknowledged by the conventional wisdom of the systemic approach. My argument is related to a number of general interrelated propositions. (a) There are no unregulated or 'open-access' productive resources and (b) competition for them among social actors and the strategy for establishing rights of control over productive resources are geared towards the productive capacity of the resource in question not the resource per se. (c) The customary systems of property rights and natural resource regulations are cost-effective because they are more flexible and change in the face of changing circumstances than the legally

enforceable state ones. (e) Apart from ecological factors (density-dependent) there are a range of sociocultural mechanisms designed to regulate population growth and level the accumulation of livestock by individuals and thereby reduce the human and livestock population pressure on natural resources.

In this thesis, following the assurance problem approach (Ruge 1981, 1984; Bromley and Cernea 1989), I shall argue that, in a region where people are 'critically dependent on natural resources with low and uncertain incomes', customary tenure rules are efficient and provide security of tenure. I propose that neither the present legally enforceable state rights over natural resources, nor the private one (freehold) proposed by the World Bank (as part of its Structural Adjustment Programme), are viable options as far as the future of agropastoralist societies in the region under review are concerned. Given the limitations of state legally enforceable rights to natural resources, past and present (since 1975); and given the historically foreign origin of the 'free-hold system' in the region, I propose, the values and worth of customary tenure rules should be reconsidered with the objective of, if not codifying them as a law, at least giving them formal recognition. The basic premises of this proposition rests on three accounts: given the peculiar agroeconomic and ecological features of natural resources in the region and the 'privatisation' lessons learnt from neighbouring countries, for instance, Kenya (see Ensminger 1996) and the lessons learnt from state control in Ethiopia for the last twenty-five years, the customary tenure rules were, and in some areas still are, not only flexible but also ensure 'equitable' reallocation of natural resource rights and security of tenure.

Limitations of the study

My endeavour to collect historical data was challenging and at times extremely difficult primarily for a couple of reasons. First, the Tsamako system of time reckoning (calendar) fails to distinguish, for instance, between near past and distant past; and second, a total lack of secondary sources of information on the Southwestern Region of Ethiopia in general, and on the social history of the Tsamako in particular. Accordingly, my attempt, for example, to determine the exact date of establishment of settlements and *dalba* sources of water were estimated using genealogies, but could not be substantiated with other secondary sources. Therefore despite my acknowledgement of the relevance of the social historical dimension for understanding rights in productive resources at various levels, due to lack of information the thesis lacks an in-depth analysis of the subject in question.

The myth of the 'pastoral' label in Ethiopia

Most of the pastoral and agropastoral societies of Ethiopia live in the semiarid zone lying beyond the highland escarpment and are physically, economically, culturally and politically 'outside the mainstream life'. Agropastoralists make up a very small proportion of the population (12%) and contribute a small proportion of the GNP or export earnings. Although most of the southern pastoral and agropastoral societies became part of Ethiopia during the last two decades of the nineteenth century, they remained largely isolated from the mainstream of the regional and national economies for a considerable period of time.

Because of the limited direct exposition and understanding of these societies misconceptions were pervasive. Agropastoral societies in Ethiopia were often conceived of as people who are always 'on the move', lack permanent addresses and have a different orientation to 'modernity'. They are often conceived as people who are less aware of

'modernity' and/or lack some elements of 'modern life' often defined in relation to an 'urban way of life'. Statements like, *yekebt chira teketay*, "follower of the tails of cattle" were, and still are, the dominant representations of peripheral agropastoralists by the centre. Such misrepresentations and cynicism stem from the officials who persist in confusing the practice of seasonable transhumance with 'aimless wandering'. In other words, agropastoralists inhabit the peripheries of the country and they jointly produce a public perception of, being '*zelan*', 'normless'. Such pervasive public opinions, attitudes and prejudices against such societies seem to be backed up even by assumptions and propositions in some academic circles. In the first place, agropastoralists are presumed to subsist on livestock rather than on agricultural produce and be less dependent on arable land so, therefore their customary land and land-based resource tenures are presumably less complex. Such misconceptions and misrepresentations of these societies prevails despite the fact that there is ample evidence, (for those ethnic groups for which there are ethnographic accounts), suggesting that many most mainly on agricultural produce rather than on pastoral produce.

Secondly, until recently, most of them practised crop cultivation based on a hand-hoe tillage system as opposed to an ox-plough system. It is well known that, apart from acquiring grain from their neighbours through trade, these societies have practised opportunistic crop cultivation for many centuries. Even those ethnic groups, for example the Borana, who have been in the past characterised as largely subsisting on pastoral produce and therefore labelled as "pure pastoralists" were no longer able to subsist on a purely pastoral diet (See Helland 1996, 1997). In spite of such views suggested by the ethnographic evidence the myth of 'pastoralists' and 'pastoralism' as a 'backward' and 'archaic way of life' prevails in Ethiopia. This seem to stem partly from the notions that the

words 'pastoralist' and 'pastoralism', "indicate a unique and archaic sort of person and a unique archaic mode of production" (Baxter 1999: 4). Today these words are "only handy and very general descriptive terms, neither can be converted into a useful analytical category... Pastoralism ... is not a readily isolable mode of production and pastoralists do not form a homogenous social or cultural category" (Baxter 1994: 3). In line with this reasoning, I suggest that in the Ethiopian context the word 'agropastoralists' should be used which can best characterise those societies under review, while the word 'pastoralists' be used to differentiate these societies from their highland peasant equivalents who tend to be favoured by national policies and researchers alike.

The agricultural research bias

I have already noted that the peasant agricultural bias is not confined to policy-makers, administrators and the general public but also among academics in Ethiopia too. There has been an agricultural research bias among academics as reflected by the meagre publications on the societies under consideration compared to their peasant equivalents in the country. For instance, several pressing land tenure and land reform issues have been studied by different scholars (Hoben 1972; Bruce 1976; Bauer 1977; Dessalegn 1984; Teferi 1997), from different perspectives at different times. Invariably all of these studies are confined to highland peasant societies with an apparent neglect of lowland agropastoral societies. Why were such societies marginalised both in academic and non-academic circles? The reasons were manifold. Although a range of interrelated factors might account for such research interest bias towards highland peasant societies, here are three of the prominent ones.

First, as already noted above, since agropastoral ethnic groups are assumed to subsist on livestock rather than on agricultural produce and be less dependent on arable land, therefore

their customary land tenure issues are assumed to be less complex, although this is an assumption which did not tally with the meagre ethnographic accounts on these ethnic groups. Second, unlike highland peasant societies, they largely remained unaffected by the land reform proclamation of 1975. Third, most important of all, they inhabit the semiarid peripheries of the country which were, and most of them still are, not easily accessible. These unsubstantiated assumptions and limitations imposed by ecological factors and poor development of infrastructure, in part, explain why very few researchers have been interested in such societies. It is interesting to note that, for instance, in some of the land tenure literature on highland peasant societies agropastoral land tenure issues are represented rather in a form of a caricature. This is probably best reflected in the following sentence by Bruce (1976:6), one of the authorities on the subject in Ethiopia, as he writes: "The entire lowland periphery of the country is roamed by pastoralists and their herds". This, (the Tsamako experience bear the opposite of this out), is a lamentable lack of understanding of the issues under discussion, far from being an ethnographic account - a representation of the day-to-day lives of the people. Such research biases, far from being isolated incidents, reflect the views expressed in the international and national pastoralist development policies and opinions held by policy-makers.

Faulty international scenarios and biased national policies

The 'notions of development' and narratives about pastoral societies at national and regional levels are stories that reflect pastoral policies in particular and development philosophy at national level in general. Such policy narratives and public opinions reflect the agricultural bias and misperception of pastoralists societies as 'backward'. Misunderstandings and conscious policies of marginalisation based on simplistic assumptions were, and still are, pervasive. Managing livestock according to 'irrational economic principles' technically

'stagnant' and 'backward' are in part the results of the influences of earlier publications on pastoralist societies, like "the cattle complex" and "the tragedy of the commons". Although such views and models were more popular outside than within anthropological circles the legacy of such premises and their influence in shaping the opinions of policy-makers and administrators' was considerable and still persists. 'The tragedy of the commons' model, for instance, continues to influence not only a good many policy-makers in Africa but also many range scientists in the West (Sandford 1995). Following these faulty international scenarios the national development policies of governments in Ethiopia have been urban biased in relation to rural areas and peasant biased in relation to pastoralists.

In general terms the history of development policies towards pastoralists in Ethiopia shows at best they were neglected and at worst their lands were alienated for commercial cropping since imperial times. Although almost all rural areas of the country remain poorly developed and effectively isolated from towns and urban centres, the pastoral lowland areas were, and most of them still are, by far the most marginalised areas of all. Development policy documents, with a few exceptions³⁸, of the past and the present contain very little planned about pastoral areas. Comparing the situation of highland peasants with the lowland pastoralists during the Derg era, Fecadu (1990:205) contends:

In the highlands, the state has established an extensive administrative superstructure and has a greater hold of every citizen. The state has built and provided physical and social infrastructure, thereby enabling the citizens to play a greater role in the national life. In contrast to the central highlands, the peripheral lowlands suffered a paucity of infrastructure and social services and hence isolation from the centre and from each other in every sense of the term, which limits their participation in national development.

³⁸ One of these exceptions being the southern rangeland development projects initiated and sponsored by ILCA and implemented among the Borana. It had an effective budget but probably had few positive results.

He (ibid:207) goes on to say that "[i]n the formulation of national policy [during the Derg era] concerning organisation and mobilization of the Ethiopian masses, two major socio-economic sectors (urban dwellers and peasantry) have been identified and accorded priority". The development policies of the Derg were characterised by an urban bias. There was a relative polarisation of rural and urban populations in that the latter favoured at the expense of the former. There is scanty written evidence suggesting that the rural population was impoverished as a direct consequence of favouring the urban population (Baker 1990). During the Derg era resources were siphoned out of rural areas and directed to finance the civil war. The scarce financial capital from the public purse was disproportionately allotted to finance urban-based projects in the capital city at the expense of small towns and rural areas. Both small town dwellers and small farmers were neglected during the Derg era. Furthermore, those urban-based projects benefited the urban-based elite more than the majority of the urban poor (Baker 1990; World Bank 1989).

It is not uncommon to observe shifts in development policies following changes in government, but in Ethiopia, perhaps a peculiar feature, development policy shifts involve uprooting old ones. That is instead of building new policies and endeavours on those which have already begun by the ousted government the new government had to start from scratch. This has a wide range of repercussions for the socio-economic development of the country at large, given the political instability and the absence of peaceful transfer of power from one group to another. Despite such problems inherent in the political system with a bearing on policies, almost all national development policy documents with regard to pastoral societies share one feature in common. That is they gave very limited or no space at all for such societies. In this regard there is hardly any difference between the

development policy document of the past and the present. The five-year development plan of the present government, for instance, is rural-led, but has very little to say about pastoral societies. In this regard Hogg (1997: vii-viii) wrote: "In terms of current development policies the government has embarked on an ambitious agricultural-led five-year development plan which is intended to make Ethiopia self-sufficient in food. This plan is concentrated in the highlands. So far as the pastoral areas are concerned, apart from the development of irrigation agriculture, there is little new planned...The future of pastoral areas is uncertain".

Ethiopia: The Context

Ethiopia has an area of 1,112,000 square kilometres, and estimated population of 60 millions made up of seventy plus ethnic groups. The lowlands of Ethiopia cover about 61% of the country, inhabited by 12% of the human population (about 7.5 millions). Most of these semiarid and economically marginal areas are inhabited by agropastoral ethnic groups who produce 20-30% of the livestock³⁹ population (Fecadu 1990). These lowlands inhabited by pastoralists include important big river valleys. Rainfall is erratic and highly unpredictable making water one of the most scarce resources and limiting crop and livestock production. Such uncertainties seem to have led to economic diversification among almost all societies who live in the peripheries of the country. Cultivation, animal husbandry, honey production, trade, hunting and gathering are the most important fields of involvement among these lowland pastoralists.

³⁹ Pastoralists raise a significant proportion of the total national livestock , 'that is 40% of the cattle, 75% of the goats, 25% of the sheep, 29% of the equines and 100% of the camels' (Fecadu 1990:207).

Most of the lowland areas ('fringe periphery'⁴⁰) of the south-west region were incorporated into Ethiopia during the reign of Menelik, in the last two decades of the 19th century. Apart from some treaties with the British colonial rulers, marking Ethio-Kenya and Ethio-Sudan borders, there is no documented evidence supporting the roles played by Menelik's government or the excise of a policy formulated for the creation of legally defined ethnic boundaries in an attempt to confine them to defined geographical boundaries. Nor were there effective controls of the region by the centre. The most plausible explanations for the then government's lack of effective intervention in the interethnic affairs of the region is that the state was too weak and that there was a lack of good means of transportation and communication. Contested and imprecisely drawn territorial boundaries among many ethnic groups were, and still are, the hallmark of the south Omo region. Even after Menelik, the period from Iyasu through Zewditu to well over a significant period of Haile Selassie's time in the 1950s, saw no effective state control of the region. The internal political struggles gave those in power little chance to pay attention to the peripheries nor improve the infra-structural amenities of the latter. Jensen (1959: 419) writes, "The ...peoples of south-western Ethiopia live in far-off and inaccessible settlements-typical areas of retreat-and are as yet little affected by the more highly developed peoples of northern and western Ethiopia".

⁴⁰ Donham (1986:37) divides centre-periphery linkage into three: "(1) those areas, previously independent kingdoms, that were made directly tributary to the crown, (2) those areas where the so-called *gebbar* system was established, where northern governors were appointed and local peoples made into near-serfs, and finally (3) those areas in the far peripheries ['fringe peripheries'], lowlands inhabited by hunters, shifting cultivators, and pastoralists".

Three principal reasons might explain the reason why the pastoralists were marginalised and still continue to receive marginal attention from the centre. (a) These regions, unlike others, were not directly linked to the important early caravan trade routes which instigated the centre's commercial interest and gave rise to the relative development of means of transportation to and from the centre. (b) Nor lowlands grew coffee⁴¹, a cash crop (by far the most important export until today) which was sought by central landlords. It should be noted that this region was devoid of major developments that promoted commercialisation in other regions. For instance, the establishment of a British trading post at Gambella, linked to Khartoum by steamboat and the rail line in the south-east, promoted commerce around the turn of the 19th century and the beginning of the 20th respectively

(Donham 19:6). Donham (1986:31) rightly points out that:

...Ethiopian territory in the pre-occupation period [pre 1935] was dominated by an east-west band of towns at the western end of which was Gore (near the Gambela link to Anglo-Egyptian Khartoum) and at the eastern end of which was Harer (near the railway that led to French-held Jibuti). These two towns were the points at which Ethiopia was linked with the world economy. Addis Abeba, at the strategic centre of this band of towns, presided over its workings.

He goes on to say that this uneven spatial organisation of commerce and the resultant commercialisation of the economy was followed by the 'concentration of industrial firms in Addis Ababa and its environs' in the following decades. Partly for these reasons the south-west region (Omo, Mago and Weyto basins) remained the least integrated and probably the most isolated (from the centre) areas of the country until today. (c) The third important factor that undermined a high degree of incorporation into the centre has to do with

⁴¹ Control over coffee growing areas were a field of contention for governors and such areas attracted settlers from the north, the case of Gedole during the early twentieth century is an instructive one (see McClellan 1986).

ecological factors. For instance, the hostile environment they inhabited made the Tsamako territory less attractive to the ox plough tillage system and the settlement of outsiders, particularly permanent administrators. Given these situations, in the fringe peripheries⁴², lowlands inhabited by pastoralists "...only *balabbat* were appointed, and a fixed tax, usually on cattle, was demanded. In the early part of the twentieth century, extraction took the form of raids - not only for cattle but also for slaves. Gradually, this was regularized into tax collection, particularly as local leaders were more or less brought into the administration" (Donham 1986:42).

The remoteness and lack of infrastructure has meant that, until recently, the actual imposition of state policies and control was limited and local institutions continued to exist and to exert control over and manage a wide range of productive resources. Thus, as far as the Tsamako experience until the early 1990s their relationships and reactions to the centre were largely confined to taxation paid in kind and later in cash. Such earlier experiences (from the reign of Menelik to the imperial times) of the Tsamako were unmatched by that of the early 1990s. Since the latter were tied with land policies formulated at the centre I shall briefly outline them here.

Land policy and land tenure issues in Ethiopia

Ethiopia is a predominantly agrarian society - land has always been a key productive resource or source of wealth. Since agriculture has been the backbone of the country, issues of land tenure and land policy have been the nation's and governments hub. As governments

⁴² "At the far peripheries, among lowland pastoral 'Shankilla' who were not typically incorporated into Abyssinian society, ethnic consciousness seems to have been more developed" (Donham 1986: 35).

come in and go so do their land and development policies. Since the 1930s policies have shifted from the feudal to the socialist to the market liberalisation in the early 1990s. Land policy and land tenure issues have been tied to such policy shifts. To put in context some of the discussions with regard to land tenure and rights to land in chapters 3 and 7 here I shall briefly describe the history of land policy in a historical perspective. Three eras represent more or less three distinct phases in the history of land policy: the time of the emperor (1930 -1974), the time of the Derg (1974 -1991) and the present (since May1991).

During the reign of the emperor that is on the eve of the collapse of the absolute monarchy there were four major tenure types in Ethiopia. This has been well summarised by Bruce (1976:5-6):

Ethiopia presents a dismaying multiplicity of tenure types. The northern highlands are under complex communal tenures, ownership of land by descent corporations in some localities and ownership by residential communities in others. In the southern highlands, military conquest from the north round the turn of the century swept away indigenous tenures in most areas, often replacing them with extensive feudal domains whose original inhabitants were reduced to serfdom. Here, there evolved a system of full private ownership of land "freehold", characterised by a badly skewed distribution of land, extensive absentee landlordism, and a large class of landless sharecroppers. On the southern and western verge of this freehold area lie vast tracts of government land, perhaps over ten million arable hectares. But in the remote regions where the bulk of this land is located much of it is occupied by its original inhabitants. Both because of their presence and its remoteness, it is not at the ready disposal of the government. *The entire lowland periphery of the country is roamed by pastoralists and their herds* (italics mine).

Bruce, like other authorities on the subject, has little to tell us about land tenure types and land administration at the local level among pastoralists in those days. In other words, such groups, like the areas they inhabited, were given peripheral attention by these authors and by the government itself.

The land reform of 1975

At the eve of the revolution, the land question was one of the pressing social problems for which immediate solutions were sought. *Meret larashu*, land to the tiller, was the motto of the students national movement. The question resulted in the land proclamation decree in 1975. The agrarian reform was said to be a radical and far-reaching social measure of the Derg regime. The Proclamation (No. 317, 1975) under chapter 5, Article No of 24 states: "As of the effective dates of this proclamation, nomadic people shall have possessory rights over the lands they customarily use for grazing or other purposes related to agriculture. Nothing in the foregoing shall affect international agreements relating to nomadic lands". Further Article No 25 of the same Proclamation states: "As of the effective date of this proclamation, all obligations of the nomadic people to pay dues to BALABATS or any other persons are hereby annulled".

The proclamation made land and other natural resources the property of the state. It abolished feudal landlords and gave peasants usufruct rights. In all highland peasant communities land was distributed, to peasants according to their family size⁴³, in most places it was redistributed more than twice so as to accommodate newly established households. Despite its positive effects the land reform management was widely criticised for being highly interventionist which resulted in insecurity of tenure, due to fear of further reallocations, and discouraged highland peasant investment in labour and time (Dessalegn 1994a, 1994b; Ege 1994; Hoben 1995; Yeraswork 1995).

⁴³ The Proclamation set a farming family land allocation with a ceiling of 10 hectares.

The impact of the land reform, like the forms of land tenure and administration during the reign of the emperor, however, has not been uniform throughout the country. Takele et al. (1994:264) observed for the south-east pastoral societies: "while the rest of Ethiopia underwent a cataclysmic change with the 1975 Land Reform Proclamation, which nationalised rural land, much of the pastoral periphery remained largely untouched by such proclamations from the centre. Land in these areas continued to be administered by traditional law".

Without belittling the positive effects of the reform, such as the abolishment of tenancy in the highlands⁴⁴, it had very little effect among the agropastoral Tsamako, or most of the neighbouring ethnic groups in the lowlands. The customary tenure systems were neither given a legal status nor formal recognition. In other words, customary systems remained intact. In effect the land reform was not implemented in most areas, nor was there any attempt to communicate the policy to different groups in a language which was understandable to them. It is interesting to note that, for many ethnic groups in this region, including the Tsamako, the content of the land reform proclamation remained a mystery until on the verge of its collapse in March 1990 the Derg regime formulated the mixed economic policy. Even then it was the results of the translation of the policy into practice that the Tsamako witnessed before they actually knew anything about the content of the policy. This scenario, coupled with the mixed economic policy of the Derg, have both positive and negative consequences for the Tsamako and some of their neighbours: (a) it has allowed the continuation of the customary tenure and natural resource management

⁴⁴ The land reform provided land to the landless. Nevertheless, it neither created security of tenure nor increased productivity (see, for example, Dessalegn 1994; and Ege 1994).

systems; (b) it has exposed local communities to external threats and made land alienation behind the scenes possible (the theme of chapter 7).

The land question after 1991

In spite of government change in 1991 land still belonged to the state. Since this date the issue of land policy was at a cross-roads. Three land tenure policy options have been proposed by international organisations and their consultants, the government and Ethiopian scholars. The World Bank and some Ethiopian economists argue in favour of the privatisation of land. The World Bank contends: "Private ownership of land, as under a freehold tenure system, provides the most secure tenure and enables the development of markets for land transactions. On both counts, moving the present tenural system toward freehold would improve efficiency in the use of [the country's] land resources and result in increased agricultural and forestry production" (EFAP 1993, cited in Dessalegn 1994b:8). The government⁴⁵ tends to favour the status quo. The third one is an intermediary between these two tenure types. An interesting alternative proposal was tabled by Dessalegn who advocates a tenure system called "associative ownership". "The underlying premise behind associative ownership is that *land belongs to the community and the individual land users in it*; it does not belong to the state or some distant authority. Rights of use and transfer therefore reside in the individual user, and of management and regulation in the community" (1994b:14 emphasis his). The underlying concerns of all these three propositions were the problem of security of tenure, land 'fragmentation', natural resource 'degradation' and sustainable rural 'development'. Recently the question of land has become

⁴⁵ There were some evidence to suggest that the government used land to garner political support from peasants in the highland areas of the country.

a constitutional issue to be settled by referendum. Given this policy scenario one point that I would like to stress is the long-lasting effect of the land nationalisation policy. The right of the state, particularly its right to lease out land, brought, and continues to bring, about unprecedented consequences for the Tsamako and other agropastoral groups in the south-western part of the country (chapter 7).

A glimpse at the economic and political scenario of post socialist Ethiopia

The country has been in political turmoil since the mid 1970s with radical shifts from monarchical rule through a socialist oriented military dictatorship to an ethnic-based multiparty system. The Derg regime's divergence from its socialist ideals was marked by the mixed economic policy of March 1990 decreed on the verge of its collapse. This policy marked not only divergence from a centrally planned national economy, but also marked the turning point in terms of the beginning of leasing out land to private investors. The ideologically socialist oriented centrally planned economy was replaced by a market liberalisation policy and the institution of ethnic-based federal administrative structure in May 1991. The new government approached the World Bank for financial assistance. The request was accepted on condition that the Ethiopian government allowed structural adjustment programmes to be followed by other policy reforms. Nine multilateral and bilateral donors agreed and the programme began in March 1992. It had three components of intervention: production, social sector and infra-structural. The first phase of the programme ran until mid 1994. The statistical figures showed an annual GDP growth of 6.4% between 1992-3 and 1994-5 (Newai Gebre-ab 1996). In general since 1991 the government has sought to transform the economy into a market one. Accordingly public enterprises have been privatised and in the process thousands of government employees lost

their jobs and there has been an increase in the prices of goods and services and a rise in the cost of living.

Meanwhile the economic policy document (TGE 1992) proposes a further reduction of the role of the state and enhancement of the private sector. Further, the document contains the state's promises to small producers to improve infra-structural amenities, provision of extension advice and to supply improved agricultural inputs. An investment code was enacted and a range of incentives have been given to those who could invest particularly in the agricultural sector.

The early 1990s also witnessed political upheavals. In 1991 the internal map⁴⁶ of the country was changed by the Ethiopian Peoples Revolutionary Democratic Front. The country was divided into nine ethnic-based regions known as *kilil* (administrative region or regional state) and two chartered cities. A *kilil* was subdivided into a number of administrative zones each of which, in turn, was composed of a number of *wereda* (district) - the smallest administrative unit. In principle, this was the first attempt towards devolution of power from the central state to the regional states, but in practice almost all key decisions were, and still are, made by the central state. In theory a regional State has increased powers of decision-making vested "with legislative, executive and judicial powers" (TGE 1991:7) and has the power to raise money (dues and taxes) and spend

⁴⁶ The redrawing of administrative boundaries had a number of repercussions. The economic bases of many regions changed. Some regions lost tracts of fertile land and this resulted in interethnic tension and conflicts. For instance, interethnic conflicts in the south (see Bassi 1997), and south-east (see Hogg 1997), and tension in the north-west are cases in point.

revenues within its own region. The federal state retains authority over foreign affairs, economic policy, printing currency, conferring citizenship, the declaration of a state of emergency, major development projects, major communication networks, national defence and the deployment of the national army (Ibid: 10).

The demise of the one party Derg era gave rise to an ethnic-based multiparty system. Many ethnic-based parties⁴⁷ and factions, often two or more of them claiming simultaneously to represent one ethnic group⁴⁸, mushroomed all over the country. Accordingly tension and a relationship of animosity between parties is not uncommon. The first regional and national elections were held in 1992 and 1995 respectively. Although external observers⁴⁹ judged these elections to be generally 'free and fair' they cited irregularities. Many opposition parties boycotted the elections on grounds of their disagreement with the dominant party

⁴⁷ By the end of 1999 there were 58 parties of which 50 were ethnic-based and 8 were interest based or national ones. The question of organising parties along ethnic lines in particular and ethnic-based politics and federal administration have been the subject of heated debate since 1991. For an excellent analysis of the problem of making ethnicity as a guiding principle in the country today see Poluha (1998).

⁴⁸ Individuals were, and still are, defined according to their ethnic origin which reflects the general desire to create clear cut identities. At the centre of the demerits of using this criterion is the problem of defining the ethnic membership and identity of those individuals who were the results of interethnic marriages.

⁴⁹ Pausewang (1994:222), based on his observations of the 1992 regional elections, contends "Election observers who merely attended the voting process and did not know Ethiopia beforehand might have concluded that a free and fair election had taken place. But the decisions had been made beforehand at the local level". He offers a brief commentary of how the Western notions of 'democracy' based on 'one man one vote' is problematic in the African political landscape where decisions are made not by a majority vote but by debating issues with the aim of reaching at a consensus.

which paved the way for the latter to win a landslide victory. The second national election was held in May 2000, but as in the first national and regional elections many parties boycotted this one too.

One of the nine ethnic-based regional states of the country is called the Southern Peoples Regional State⁵⁰ which is also the host of many ethnic-based political parties⁵¹ and factions. The Southern Peoples Region was estimated to have a land of 117, 506 square kilometres and a population of about 11.1 million in 1997. The region is estimated to account for 10.4 percent of the country's total land area and 20 percent of its population (DTRC 1998). According to the present administrative divisions this region is divided into nine zones and five special *weredas*. South Omo is one of these nine zonal administrative divisions which, in turn, is composed of many *wereda*. In this administrative structure the Tsamako territory is delimited within the Hamar-Banna *wereda* administrative unit. Like the southern region at large ethnic diversity is one of the hallmarks of the south Omo zone. Within the Weyto River and Omo River lower basins alone there are more than a dozen ethnic groups. It should be added that even though each of these ethnic groups identify themselves as distinct entities, many interethnic relations have evolved through time. Such interethnic

⁵⁰ Officially the region is referred to as 'Southern, Nations, Nationalities and Peoples Region'.

⁵¹ To date, to the best of my knowledge, there is no organised group of people or a political party which claims to represent the interests of the Tsamako as a group. I was told that a man from Jinka who was said to be fluent in Bago Tsamakilo language was allegedly nominated by the administrators at Jinka to represent the Tsamako in the Peoples House of Representatives. None of my Tsamako friends knew this story. Nor have they the means to understand and appreciate the politics of politics and the complexities of political organisation at this level.

relationships were created and maintained through intermarriage, trade and livestock friendships.

Territorial space⁵² and interethnic relations

Most of the lowland areas including the south-west region became part of Ethiopia, during the reign of Menelik, in the 1890s. As already pointed out earlier, imprecisely drawn boundaries among many ethnic groups were, and in some cases still are, the hallmark of the South Omo Region. This allowed the operation of local level interethnic interactions in general and the definition and redefinition of boundaries in particular without much interference from the centre until today.

It seems to me that this situation points to the need to shift emphasis from the delineation of physical interethnic boundaries towards a concern with the mechanisms of cross cutting interethnic territories and sharing resources. In other words, since the age-old phenomena of interethnic relations through trade, bond-friendship, intermarriage and migration suggest that the Tsamako were not only sharing pastoral resources with their neighbours but were also able to absorb members of some of their neighbours. In that they cannot and should not be taken as a 'self-sufficient', isolated and 'bounded entity'. Then focusing one's lens of analysis on interethnic relations which might best be understood by a closer examination of these socio-economic ties than by focusing on the spatial physical ethnic boundaries which

⁵² Two factors set the limits to further our understanding of the development and the definition of ethnic territories: first lack of recorded information on the past and the second is the fact that the Tsamako account of events in the past lacks a chronology. These are the main reasons which forced me to limit chronological discussion to the barest minimum and focus on the recent processes.

are at best 'imaginary' at worst elusive. The relevance of discussing interethnic relationships with a view to understanding rights of access to productive resources in general and water and pasture in particular might sound a bit far-fetched, but in the South Omo context interethnic relationships bridge the reciprocal flow of productive resources, and co-operation and competition for natural resources are tied with interethnic relationships.

Given the largely dry and drought-prone environments these groups inhabit, livestock husbandry does not operate within a rigidly delimited ethnic boundary of one ethnic group or another. For instance, Tsamako oral tradition has it that some individuals always created and exploited ties across borders. Means of creating and maintaining such ties vary from individual to individual and from time to time, but most importantly such networks of relationships overlap. The most common ones are: trade, intermarriage, bond-friendships, seasonal migration and less frequently migration in times of severe crises such as drought.

At the moment the Tsamako occupy a territory bounded by the Hamar and the Banna to the west, the Hor to the south, the Borana and the Konso to the east, the Birale to the north-east and the Maale to the north. The Weyto River marks the boundary between the Tsamako territory and that of their eastern neighbours namely, the Borana, the Gewada and the Konso. The Tsamako could not cross the River and exploit the eastern part of the Valley since their relationship with the Borana and Konso has been one of animosity. Thus, instead of sharing resources 'reciprocal raiding' and sometimes open warfare largely moulded such relationships. Likewise their relations with their northern neighbours, the Maale are characterised by conflict. Nevertheless for the last five decades the tense relationship has been muted with a partly dry open no man's land which bridges the gap between the

respective territories and it has also set the stage for a relationship which can be referred to as peaceful coexistence.

Unlike the eastern part of the Tsamako territorial boundary clearly delimited by the River, the western part and southern territorial boundaries are not defined by such an easily recognisable geographical feature. Although the Ururi Valley which lies between the Tsamako and the Hamar-Banna chain of mountains is supposed to mark the western boundary the exact border line turned out to be a fuzzy one. In a more or less similar condition the border between the Tsamako and the Hor is extremely fluid where there is an area exploited by members of both groups that might be called a buffer zone. It is interesting to note that in both of these cases, in spite of the lack of a clearly defined boundaries and/or demarcated borders, the issue has never been a bone of contention between the Tsamako and their two western neighbours. Instead of conflict, there reign peaceful interethnic relations articulated through intermarriage, trade, livestock friendship and unrestricted seasonal herd movements into each other's territories. These relatively fuzzy territorial boundaries might, therefore, be explained by the open-door policy that the Tsamako have been following towards these groups. In general the interface between the western boundaries of the Tsamako and the Hamar-Banna and the interface between the southern boundaries of the Tsamako and the Hor, were, and still are, commonly exploited by members of the respective ethnic groups.

It goes without saying that not all the Tsamako who live in all territorial sections were equally involved and interacted with these ethnic groups. The degrees of interaction were high in territorial sections (Bolla, Encha'ate, Luqa, Merqoqa-Zegerma and Qulie) along the peripheries and those situated adjacent to neighbouring ethnic groups showed certain

striking features. First, most people in such sections are bi-lingual, speaking both Bago Tsamako and Hamar-Banna, while most people, for instance, in Duma and Encha'ate are primarily Bago Tsamako-speaking. Second, such sections are composed of a considerable number of wives and even entire households from neighbouring ethnic groups. Third, many of the residents of such sections maintain many bond friends and contacts with members of the respective ethnic groups. Fourth, interethnic relationships articulated through intermarriage and joint exploitation of pasture and water resources were more pronounced in these sections than those situated at the heart of Tsamako country.

Tsamako oral tradition has it that some individuals have always created and exploited ties across ethnic territories, although the means of creating and cementing such ties might vary from individual to individual and from time to time and most importantly there is a huge overlap between them. Next I shall consider only the most common ones: trade, intermarriage, bond-friendships and, less frequently, migration in times of crises.

Trade: Cross ethnic boundary trade seems to be as old as peoples' need for goods and items such as salt and clothes, produced beyond their territories. Gewada, Konso and other itinerant traders have been known to bring such goods and barter them for honey, small livestock since early times. Today, hardly a day passes without people seeing itinerant traders from the Gewada and the Konso or from the nearest towns, Key Afer and Jinka. The number of such traders and the frequency of their visits seemed to increase since the late 1970s, following the construction of all weather road running from Arba Minch to Jinka, a distance of about 250km. Items brought and traded by such traders range from salt, local alcoholic spirits, clothes, bullets and machine guns. As there were no hotels and other services traders needed they had to stay with friends and/or affines.

Bond-friendship: The Tsamako make a meaningful distinction between friendship relations established with their neighbours through borrowing or loaning animals and an alliance forged through the preferential exchange of goods and gift items. They use two distinct words *bel*⁵³ and *jala* to refer to the former and the latter categories of friends respectively. Cattle borrowing and loaning takes place between poor and rich households. This can either be between individuals of the same ethnic group or between individuals of two different ethnic groups. For those involved, such relationships set the stage, among other things, for obtaining access to milk and milk by-products and gaining secondary user rights to water and pasture resources of different communities found in different agroclimatic zones.

Some household heads who have *bel* with their Banna and Maale equivalents regularly visit (once in a year or so) their bond friends. Such visits are primarily meant to check on how the cattle they loaned are getting on and to bring back gifts home from their *bel*. Added to that such trips are meant to accomplish other tacitly stated missions such as to assess the pasture, water and livestock health situation of those places as potential dry season fallow herd destinations and to look for wives. In other words, bond-friendships serve as a springboard for widening the range of potential fallow herd destinations and as a means of creating affines with households of neighbouring ethnic groups.

⁵³ The word *bel* is multireferential in that it might be used to refer to a friend whose relationship is established through lending or loaning animals, and also be used by a man to address his younger brother's wife and **vice versa**.

Interethnic marriage: The pattern of intermarriage between the Tsamako and their neighbours has been unidirectional. The Tsamako give wives only to the Birale and they in turn take wives from the Gewada, the Hamar-Banna and the Hor but not *vice versa* (This is due to differences in initiation ceremonies or rites of passage performed before marriage, the valuation or prohibition of premarital conception, and the practice or prohibition of female and male circumcision (see, for the details, Melesse 1995). To clarify the extent of interethnic marriage I wish to take an example. According to the house to house survey carried out in Luqa in 1997, out of 128 marriages, one third of the wives come from outside (out of a total of 173 wives 22 are Gewada and 25 Banna). Taking these figures at face value, it is tempting to suggest that today's Banna and Gewada are likely to be tomorrow's Tsamako and today's Tsamako are likely to be tomorrow's Birale. In this sense, the patterns of intermarriage between the Tsamako and their neighbours have a wide range of repercussions on the formation and reformation of ethnic identities and the very existence of distinct ethnic groups and identities beyond shaping and reshaping the course of interethnic relationships and limiting the reciprocal flow of resources. Here, the Tsamako and some of their neighbours namely, the Banna the Gewada, the Hamar and the Hor intermarriages and the resultant reciprocal flow of productive resources between them are cases in point. Of all the Tsamako-Birale⁵⁴ intermarriage and interethnic relationships go

⁵⁴ The nature and degree of the Birale-Tsamako interethnic relationships is intricate with an element of patron-client feature. The Birale were estimated to number less than 100, probably the least numerous in the entire South Omo region (National Census Report 1994). They take wives from the Tsamako and not *vice versa*. Intermarriage with the Tsamako coupled with demographic stagnation seem to have led them to the adoption of the Tsamako language and the consequent abandonment of their own language. In October 1997, only nine individuals (out of twenty- five Birale households) were able to speak their own language. Since the territory of the Birale is tsetse fly infested, those who have small livestock have to keep them with their Tsamako friends.

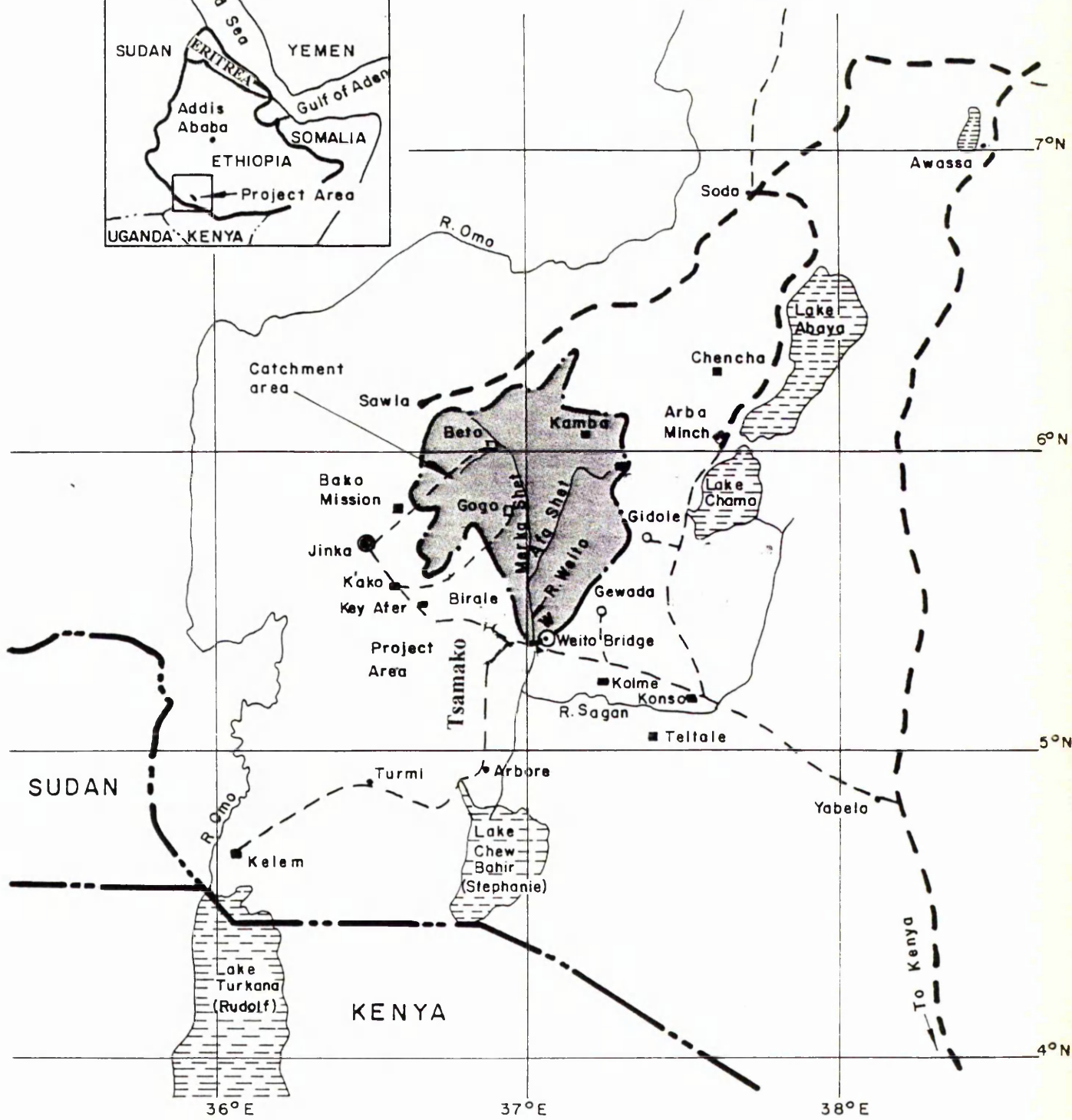
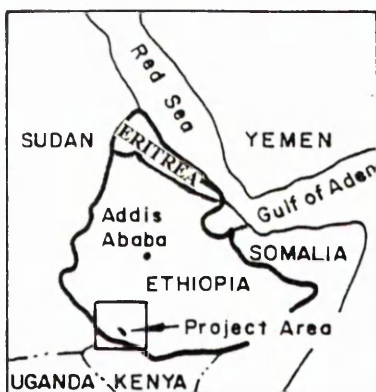
beyond the limit of a simple reciprocal flow of productive resources. Apart from intermarriage, there were incidents where entire households had temporarily migrated and taken refuge with neighbouring ethnic groups in times of crises. The implications of such incidents which involved intense interaction between migrants and members of the host community might result in assimilation.

Migration: There is some evidence to suggest that some Tsamako had taken refuge with the Banna inhabitants of Argo area around the turn of this century. These individuals had either affines, livestock friends or both among their Banna equivalents. The principal reason for such temporary migration of some Tsamako households to Banna country was said to be to get access to a permanent source of water, Argo river, for their herds. Likewise, in 1997, there were ten households from Gewada, three households from Banna and one household from Birale who took refuge with the Tsamako people of Luqa. In fact, those Gewada households and the other one from Birale might best be characterised as being in the process of absorption by the Tsamako. Four out of the ten Gewada household heads as well as the Birale man are married to Tsamako women. Unlike the Banna, the Birale and the Gewada migrants find it easy to assimilate for a couple of reasons. First, the Gewada and Tsamako speak two dialects of the same language (Bender 1976). Second, although the Birale have their own language, known as *Ongota*, the Tsamako language is rapidly becoming a first language. Some of the socio-economic implications of networks of interethnic relationships, in general, and the reasons why some households invest their material and human resources in creating livestock friends, in particular, will be revealed

when we observe patterns of grazing and the spatial mobility requirements of cattle during the dry season in chapter four.

In what follows before I actually offer a brief description of the social and demographic features of the Tsamako, I shall first depict the Weyto Valley which has been the focal point of co-operation and competition among half a dozen ethnic groups. The question of how the exploitation of the Valley mediates and, in turn, is mediated by interethnic relations is also a theme briefly considered here, this will be followed by an introduction to the Tsamako.

Map 1 Reach Project Area, Weyto Catchment Area and Places Mentioned in the Thesis



LEGEND

- International Boundary
- Catchment Boundary
- Existing Major Road
- Existing Minor Road
- River

Scale 1 : 2,000,000

0 10 50 km

Introduction to the Weyto Valley

The Weyto Valley is an area of savannah woodland which lies 660 km from Addis Ababa by road, 500 km of which is asphalted. It is crossed by the Arba Minch-Konso-Jinka all weather road and also from a junction on this road, by the Arbore-Turmi-Omo Ratie road (see Map 1). The Valley is divided into two by the Weyto River. The Weyto River Basin forms part of the Chew Bahir Basin in the southern Rift Valley on the Kenya border. The River, starting from 3418 metres above sea level, runs through a course of about 165 kms. The main tributaries of the Weyto River, the Bale and the Dancha, drain the northern and western parts of the catchment and flow through the centre of the Rift. The Sagan drains the eastern catchment joining the Weyto 50 km north of Chew Bahir (Lake Stephanie). The source of the Sagan River is Lake Chamo and the Amaro Mountains. Below the confluence (see Map 2) the combined waters of the Sagan and Weyto are called the Galana Dulei and terminate in a swampy delta before reaching Chew Bahir. Two areas which were subject to flooding were the Birale Basin to the north and the Tula Basin to the south of the Hor (Arbore). Such extensive flooding used to occur in the centre of the Rift primarily due to the high flows of the Weyto River and, to some extent, the Sagan River. The water levels of the Weyto River change throughout the year. Between August and October its level rises, fed by rainfall and streams of the highland areas of Ethiopia.

The major characteristics of the Weyto Valley⁵⁵ are the extreme variation in natural conditions between seasons, between years, and between the Valley and adjacent territories. Rainfall is erratic and unevenly distributed. Five major production systems were found in and around the valley namely, agriculture, herding, agro-fishery, honey production and hunting and gathering. Cultivation cannot reliably be sustained in the Valley on local rainfall and is thus traditionally based on flood recession and irrigated agriculture. The Valley was, and the western part still is, the home of a wide range of wild animals most of which are on the verge of extinction (chapter 7).

Ethnic groups which have been exploiting resources to the west of the Weyto River were the Banna, the Birale, Hor, the Hamar, the Maale and the Tsamako. Part of this Valley to the east of the River have been accessible to the Borana, the Gewada and the Konso. Today, the various production systems and ethnic groups using flexible strategies to mitigate the effects of a high-risk environment to exploit the Weyto Valley have been severely affected as a result of the establishment of a commercial farm which alienated 4,000 hectares of the best part of the Valley in the early 1990s, as we shall see in chapter 7. Roughly about 60

⁵⁵ Dealing with the complexity of sets of access rules, interrelations among production systems along with seasonal variations and other socioeconomic features that characterise those who exploit the Valley is beyond the scope of the thesis. In fact, the history of peaceful relationships and animosities between some groups, as instigated primarily by the use of these very resources is an interesting subject of enquiry per se. It should be added that the socioeconomic and environmental effects of the commercial farms have been felt not only in the immediate neighbourhood of the irrigated area but also in a much wider region i. e all the lower Weyto Valley on both sides of the River.

percent of this Valley falls within the territorial limits effectively controlled by the Tsamako.

Introduction to the Tsamako

The Tsamako territory is located almost at the southern most end of the Great Rift Valley extension, which is a semiarid area forming the part of Ethiopian thermal division "Kola II" (mean annual temperature > 25 degree centigrade). The altitude range is 530-2,000 metres above sea level. The rainfall pattern is bimodal: the main rainy season being in March through May and the small rainy season in September and October. There is a considerable variability in the amount and timing of rainfall and flood levels both within years and between them so that within local areas there are considerable differences in range land resource availability and productivity. The area is estimated to receive about 600 mm rainfall per annum.

The Tsamako were estimated (by the two national censuses) to number about 10,300 and 9,500 in 1984 and in 1994 respectively. Note that the population was in decline partly due to socio-cultural and ecological factors (see chapter 3). They speak a language named by themselves *Bago Tsamakilo*. According to Bender (1971) they speak a dialect of the Werizoid⁵⁶ language which belongs to the lowland east Cushitic category. Their genealogies suggest that they might have lived in the present territory for at least three hundred and fifty years. As far as the living memories of informants can tell they have

⁵⁶ According to Bender (1971) this language consists of three dialects namely, Gobeze, Gewada, Tsamako and Werize. I myself have observed that the Gewada and the Tsamako speak a mutually intelligible language.

almost always been sedentary although the youth usually move back and forth with fallow livestock during the dry season. Even though a few of the oldest settlements are still situated the hillsides, most of them are located at the edge of a chain of small mountains, where mosquito presence slightly decreases, with easy access to the lowlands. The lowland is covered with low grass, thorny bushes and trees which are mostly different species of acacia.

A good many of the Tsamako were, and still are, dependent on agriculture, with varieties of sorghum and maize as staple crops, animal husbandry, honey production and the collection of wild food, incense and other gathered items that they sell at local markets. Although the vagaries of the climate seems to have made crop cultivation precarious with a history of its own ups and downs, Tsamako household's involvement in an opportunistic crop cultivation, primarily for supplementing household food consumption, dates back to the earlier times. It was, and is, an occupation in which both livestock-rich and livestock-poor households indulge.

The two main sectors of the economy, crop husbandry and livestock raising, as economic activities are inseparably linked together, one supplements the other although they are not free from competition for labour and other resources. Livestock, particularly cattle, are the main means of wealth accumulation and standby in times of crop failure or general crises. The livestock economy is partly made indispensable because of the precarious nature of grain production. In this sphere of economic production they have accumulated a wealth of knowledge improved upon over generations. Livestock husbandry seems to be the most viable form of resource use in the region, given the semiarid and fragile nature of the range land resources and lack of water. Livestock production is also constrained by diseases. The

most common types of livestock diseases were: contagious Bovine Pleuropneumonia, Contagious Caprine Pleuropneumonia, Trypanosomiasis, Black leg and Anthrax.

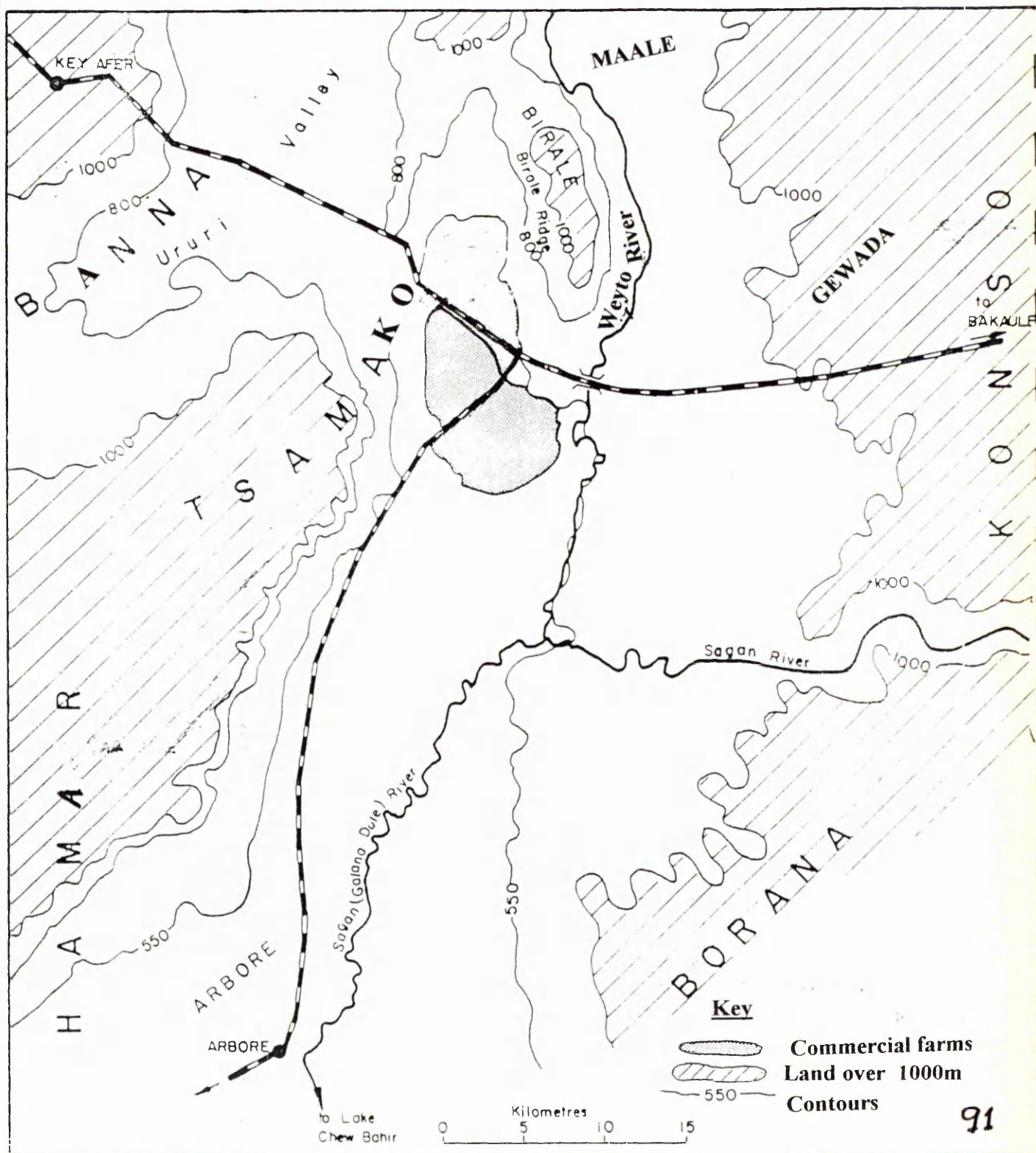
More generally pastoralism continues to shape the ideological orientation of the Tsamako although grain production has been the mainstay of the economy, as manifested in the dietary composition and marked by the introduction of the plough in the 1970s. The introduction of the plough into the Tsamako in the 1970s resulted in the expansion of rain-fed agriculture augmented with harvested run-off water. An historical reality is that an increasing number of people are using the ox-plough and plant quick maturing seeds imported from neighbouring ethnic groups. Rainfall fluctuation, its unpredictability, uneven distribution and the fluidity of resources tied down to the incidence of rainfalls are not uncommon. In part because of the limitations imposed by these ecological factors people shuffle labour between animal husbandry and crop husbandry, honey production, hunting and gathering come sometimes in between. The data at hand indicates that households (*menie*) which are classified as rich (*kamurku*) are those who managed to diversify their economy. Since some of the themes on how they socially, politically and economically organise themselves in relation to productive resource accessibility and uses will be dealt in the next chapter I shall not raise them here.

Yet before I close this chapter a couple of points about the social services rendered by the government at the centre is in order. Until the late 1970s, which saw the construction of the first and the only all weather road which links the Tsamako country, including their neighbours to the south and the west, the area was virtually isolated from administrative centres. Two elementary schools, one at Bolla and the other at Luqa, and a health post again at Luqa, were set up by the last regime in the 1980s. And another clinic was established at

Gisma and run by the Norwegian Mission Church since the mid 1980s. The third government run elementary school was established at a new migrant settlement near the CFs in 1995. All schooling services are rendered by the government free of charge while both of the health centres charge at a reduced rate for their services. School enrolments are extremely low⁵⁷ (due to social, economic and practical constraints) so that occasional closure and resumption of one school or the other is not uncommon. Apart from the services just mentioned above the Tsamako, including many of their neighbours, have been until recently left largely to their own devices. In one sense this provides an excellent opportunity to appreciate how the local peoples own evolved systems of arrangements and devices work with or without little intervention from outside. In another it is evidence of how such groups are marginalised by central policies and institutions. These are themes which will be picked up again and discussed at the end of the next chapter.

⁵⁷ Lack of education is one of the factors which impinge upon the active participation of the Tsamako in the regional political affairs that directly affect their lives.

Map 2 Location of Ethnic Groups in and around Weyto Valley



CHAPTER 2: Principles of social organisation and resource control

In this Chapter I will look at some organising principles that serve the formation of social units which, in turn, affect rights of use and control over productive resources. Kinship, territory and the generation-grade system are some of these basic principles of social organisation which bind individuals and groups together in a manner that affects resource use and control. The main thrust of this chapter is the fact that understanding the organising and working principles of kinship, territory, and the generation grading system are closely tied to strategies of establishing rights of access to productive resources and resource fertility control. By closely examining how and when social actors (individual or group) form units and how social actors become members of social units and how by virtue of membership in different circles such as kinship, residence and generation-sets they claim rights to productive resources or are denied those rights. As membership in one social grouping often overlaps with another the order of the presentation is totally arbitrary. But first a couple of words about the literature on the role of the generation-grade system is in order.

Despite the fact that age-grade systems touch almost all aspects of life, the study of African age-grade systems concentrate on their contribution to rituals but not their influence on subsistence activities (Halperin 1984; Ndagala 1992). The role of age-grade systems in the economic system has been characterised as either irrelevant or non-existence (Bernardi 1985). Baxter and Almagor (1978) claim that generation-sets neither control nor own resources, although they do not rule out generation-set influence on resources. Bernardi (1985:170), on the other hand, argues that the relationship between the age-grade system and the economic system should be looked at not in terms of the 'corporate ownership of goods' but instead in terms of their 'corporate allocation of rights' which authorise all

legitimate economic activity. Following Bernardi I shall argue that among the Tsamako the council of elders composed of senior generation-sets play a key role in the reallocations of rights to natural resources. Furthermore the generation system serves not only as a principle of social organisation but also for the 'distribution and rotation of power' (Bernardi 1985) which have a wide range of implications for natural resource rights of use and control. I propose that the influence of such institutions is far more important in a society, like the Tsamako, where the distinction between the public and private domain on the one hand and drawing the line between the social, the economic and the political and legal spheres is temporal at best blurred on the other.

In my discussions of the generation-grading system of the Tsamako I shall focus on the recruitment criteria and the principal roles of each of the present generation-sets in relation to decision-making processes, resource use and rule enforcement. Attempt is also made to outline the skeleton of the process of public decision-making which is vested in the *halie biyatie* (council of elders). The *halie biyatie* with generation and residence as organising principles at the same time has a mandate to act on behalf of a territorial section. Particular attention will be paid to show how the role of the council of elders is crucial for the understanding of resource right allocations and the various strategies of establishing rights of control over productive resources which are socially sanctioned rather than legally enforced. In this way this chapter lays the foundation for the subsequent chapters.

Tsamako territorial sections and settlements

Thornton's (1980) thesis⁵⁸, space as a "cultural construct", accords with the Tsamako notions of the concept of 'space' in general and 'territory' here in particular. In his discussion of the concept of 'territory' among the Iraqw of Tanzania, Thornton emphasises, the essential feature of territory as "an image or icon, a symbolic representation". This conception of 'territory' as a 'symbolic differentiation of space' might be accomplished, he reckons, by "means of boundaries or by defining a locus about a point, or by using a combination of these means". Following Van Gennep (1960), he states that "it is the convention of making and representing a boundary that is real and observable, not the boundary itself, for that is imaginary". The various socio-economic, legal and other relationships that individuals and /or groups may have with a 'defined territory' is what concerns me here.

At the centre of Thorntons' definition of the concept of territory is that "Territory is political because it is shared, public, and because it defines limit or locus of use of resources. It is not shared, public, and used because it is "political"" (1980:19). This notions of the concept of territory as a shared space and the politics of sharing are at the hub of understanding the pastoral economy of the Tsamako in particular.

⁵⁸ Thornton (1980) in his book entitled 'Space, Time, and culture among the Iraqw of Tanzania', deals with 'space and time as cultural constructs'. Some elements of a cultural theory of space might be traced in the works of Durkheim and his associates in the *Ann'ee Sociologique* (1915) where the theory of social differentiation is advanced.

Within the Tsamako country there are more than ten named geographical territorial sections which form large socially significant units as we will see shortly. Each territorial section is composed of a cluster of two or more settlements. But territorial sections as units are not homogeneous entities. Territorial sections differ in a wide range of ecological and social features. For example, some are bounded by neighbouring ethnic groups and showed a greater range of complex social features of intermarriage, bilingualism, and reciprocal use of natural resources than others making generalisations hardly possible. By the same token there are some centripetal social forces that bind all Tsamako territorial sections together. Bonds of a shared language and ethnic identity brings them together to form an ideologically defined group. Two other factors, one which will be mentioned in passing and the other briefly discussed below, bind all territorial sections together. First, the Tsamako have one 'priest' in common whose role is blessing and protecting the peace of the country.

About the origin and role of the priest, Jensen (1959:430) has this to say:

Strangely enough the high priest of Tsamako comes from the Arbore and even to this day lives on the border between Tsamako and Arbore... As sacred priest he regards it below his dignity to bother with the administration of his tribe and its representation before the government; there he merely kept for himself religious concerns and passed his office of political leader onto a distinguished man-a ruling which is also found among the Arbore, [and the] Konso...

Second, the generation-grading system. Once in eight year or so an investiture ceremony is organised to mark the initiation, naming of a generation-set which will be assigned a public responsibility of defending each territorial section in particular and the ethnic group in general; each territorial section contributes beer, goats and sheep and take part in such an investiture ceremony. Third, at times when the northern neighbours, the Maale, and the eastern neighbours, the Borana and the Konso, raided their livestock members of different territorial sections have come together and defended themselves. In passing it should be noted that historically to some extent the mode of settlement patterns has been related to

peoples reactions to such raids in that settlements in the southern territorial sections are more compact than those in the north. The relatively sparse settlement pattern in the north is following the decline of 'reciprocal raiding' in part due to increased government interventions.

What constitutes a 'territorial' section? People identify places and give names. Inhabitants of a given territory identify themselves with it and others identify them as people of this or that territory. Members of a given territory as a group are addressed as *gorie x* (people of x, the name of the place). Here 'territory' is defined as a named place which is composed of settlements, farm plots and grazing land, woodlands and surface water sources. Such a named place I call territory is composed of named settlements which in turn are made up of neighbourhoods and farm plots. While neighbourhoods are constituted by a number of *gende* (agnatic group) and *menie* (a household) within them. As pointed out earlier, there are more than ten named geographical territorial sections which hereafter I shall refer to as 'X territory', X representing the name of the territory or simply by their distinct name. Below I will describe one of those territories named Luqa.

Luqa territorial section

Out of the aforementioned reasonably large territorial sections here I will describe and base my analysis on the one named Luqa. The landscape of Luqa is a lowland with an altitude range of 550-650 metres above sea level and it is an intersection point of the Ururi and Ero Valleys. Luqa roughly resembles a circle with a radius of 2.5 km. Luqa territory is bounded by the Maale to the north, by Oro and Babo territorial sections to the south, by the Banna ethnic group to the west and by the Weyto river to the east. Most of the earlier settlers of Luqa came from Shalla territorial section, one of the territories with old permanent

settlements, about 25 km to the south-west of Luqa. This is an important territorial section⁵⁹ with whom Luqa inhabitants had to maintain important social links showing that geographically close territorial sections are not necessarily socially close to one another.

Luqa as a territorial section is endowed with patchy fertile arable land, marginal grazing lands and salt licks with woodlands adjacent to it. This is the geographical territory over which Luqa inhabitants have primary user rights and have more or less effective control. Luqa is composed of four named settlements namely, Luqa proper, Selya, Tsanstara and Tuna. In July - August 1997 in Luqa there were about 715 inhabitants and 129 households, of which 73 were from Luqa proper, 17 from Selya, and 39 from Tsantsara and Tuna. As Table 1 below shows, households belong to seven different clans. Here what I call a settlement is a residential place which consists of three to five clusters of neighbourhoods. One settlement is normally known by a single, exclusive name. Settlement residents are often identified by this name as they occupy an area forming a spatial unit if not necessarily a social one. Settlements are separated by roughly fifteen minutes walking distance from one another, each of which in turn are made up of three to five clusters of neighbourhoods. A neighbourhood is composed of two to seven households. Patrilineal kinship defines neighbourhood which is locally known as *gende*. (*Gende* could form both a spatial and a

⁵⁹ Although Luqa as a territorial section is related to other similar sections it is more related to some sections than others. It should be noted that most inhabitants of Luqa trace their recent place of origin from a historically old settlement in a territorial section called Shalla. They maintained closer social contacts with the people who live in Shalla than with other people in other sections which are physically close but socially distant. For most residents of Luqa, Shalla territory in general and the old settlement in particular is a sacred place where they preferred to bury their deceased elders and perform their rituals until today (see plate 3).

social unit as we will see below). Neighbours live at most within three hundred metres distance from each others homes. Most neighbourhoods of clusters of large patrilineal kin are identified by the name of the oldest household head. The ideal pattern of residential grouping is based on patrilocality. The actual pattern of residential grouping conforms with this norm although there are some neighbourhood cases that deviate from it. (The bond of patrilineal kin ties might further be cemented by joint control and management of livestock and water pool resources.) There are a set of factors outside of kinship relations that draws households together, for instance, friendship and for households in short supply of labour the need to pool livestock together. What needs to be underlined here is the fact that although each of the aforementioned named settlements, within Luqa territorial section, are constituted by a number of agnatic groups they do not form a socially significant unit of their own. Such clusters of agnatic groups which constitute a given settlement belong to different clans. In other words, a settlement as a sub-unit of a territorial section does not seem to have acquired a social and economic or otherwise significance. Nor does it control any natural resource.

Table 1. The distribution of clanship of heads of household in Luqa in 1997

clan name	household heads
Alaco	19
Algaco	8
Amedo	2
Beryto	43
Ezimeco	5
Obzico	31
Regaco	6
Total	114

As pointed out earlier each settlement and locale for that matter carries a distinct name of verbal identity over time. But such settlement names are used by those who live within the territorial section. Those who live outside of the territorial section in question are less aware of such settlement names within a territorial section. Settlement names are therefore

relevant and used only for internal purposes. Settlements of this territorial section in question are known rather by one name, Luqa. Inhabitants conceive of themselves as a group in opposition to their neighbouring territorial sections, such as Oro and Babo. The relationship of the inhabitants to their territory is expressed in two ways. Inhabitants may be referred to as '*gorie* Luqa', translatable as 'the peoples of Luqa'; or the people related to the territory will be addressed as '*gorie biyatie*', literally 'people of the country'. All of its inhabitants live within recognised boundaries of a geographical area. In that sense residence in a settlement and thereby membership in a named territorial section is used to define bigger social groups. Luqa as a territorial section consisting of four settlements and forms a socially significant unit. Its inhabitants showed in-group feeling in regard to other inhabitants of other territorial sections. The territorial section is regarded as a unit not only for ritual purposes but also for the reallocation of flood receded land and grazing resources. In other words this is the local division of the social world into 'insider' and 'outsider' at various levels which gives probably the best clue for understanding why some individuals are allowed and others denied use rights to those resources mentioned above.

Inhabitants with a vested interest in the natural resources of their territorial section as they share the physical space not only have some sense of identification with it but also come together and act as a group against others on a number of occasions. As members of the same territorial section they are also identified by outsiders as a group. During rituals, as already mentioned above, inhabitants of a territorial section are treated not as individuals

but as a group. They are often offered food and drinks⁶⁰ which they divide and share out according to age and gender amongst themselves. It was an apparent and ubiquitous phenomenon for me to observe inhabitants of this territorial section forming more or less an exclusive unit for participation in drinking and eating parties for rituals, feasts and other public occasions. Historically territorial membership has also served as a basis for collective defence against external enemies and livestock raiders at least at one point in the past. However, in terms of place of origin the inhabitants of Luqa are not undifferentiated homogeneous group. I will come back to this point shortly.

The reason why this territorial section as a definite spatial unit acquires a social significance can be explained by the stability and continuity of settlements within their spatial limits. Although few households and individuals may move in and move out of them, settlements are permanent, in the sense that settlements and a territorial section the larger unit they form live longer than their members. Informants repeatedly pointed out to me that they have always led a sedentary way of life although young men have always moved back and forth with livestock between permanent settlements and dry season grazing areas. In other words except young men during the dry season, elders, women and children have always stayed back in permanent settlements. The history of permanent settlements in Luqa is associated with the availability of water and goes back to the 1940s, as will be discussed in chapter 6.

⁶⁰ In rituals and feasts the host offers food stuff and drinks to a territorial section members as a group.

Members of the section are again divided according to gender and generation-set membership into subgroups and they share what the host has provided them.

The degree of residential stability was, and still is, high, although some people do shift their residence. Why do some people shift their residence? There are three types of moves that households make. Firstly, to get away from mounds of livestock droppings; secondly due to fear of becoming allegedly victim of a *soaco* (sandal oracle); and thirdly permanent move from one locality to another for a range of reasons which rarely happens. The first two shifting residential areas entail moving households within a spatial range of two to three hundred metres of distance within the same settlement or sometimes from one settlement to another within the same territorial section. Apart from the first apparently obvious reason the second move happens at times when given household members are suspicious of being bewitched by someone. When household members have 'enemies' and convinced themselves of being bewitched with the help of a *soaco*, they might find this a sufficient reason to shift their residential location. Apart from these incidents of residential shifts settlement patterns show a high degree of permanence with residents showing allegiance to the territorial section. This brings us to raise some questions. What binds members of Luqa inhabitants together? And when does a territorial section become a corporate group?

I have already pointed out earlier that a range of social forces bind them together and others separate territorial sections from one another. In that way some socio-economic factors bring the inhabitants of Luqa territorial section together either to co-operate or compete against similar units. Common residence and common interest in the immediate natural resources are the basis of co-operation amongst members of the territorial section in question. Such shared natural resources include water pools, arable land, grazing land and woodlands. This shared space where residents daily graze and water their livestock, cultivate crops and utilise woodlands and trees brings them together (See chapters three and four). Another factor that binds Luqa inhabitants together is the 'priest' whose principal

role is blessing and keeping the peace of the Tsamako country. Like other territorial sections residents of Luqa, represented by its council of elders, holds a council assembly to decide the kind and amount of tributes the territorial section have to pay to the priest under normal circumstances once in a year.

Another social force which simultaneously relates and differentiates Luqa from other neighbouring territories is the *halie biyatie* (the council of elders). Normally members of initiated generation-sets constitute the *halie biyatie* of a given territorial section. The council of elders is held responsible for settling disputes, fining wrongdoers, deciding on land reallocation criteria on behalf of the territorial section. The *halie biyatie*'s representation of a given territorial section is symbolised by a public meeting place locally known as *gibdo*. The word *gibdo* denotes a public place which is often used to identify such a place as *gibdo X*, representing the name of the territory. A *gibdo* is mostly situated at the centre of the settlements surrounded by big standing trees offering their shades. Council meetings and assemblies are held in the *gibdo*. *Gibdo* is not only a public place where council public meetings are held but it is also a place where the youth come and dance every other day at night during the rainy season. The youth 'night club' serves both men and women of a given territorial section. The dancing club is a platform where the youth come and enjoy themselves, exchange information and enquire and seek help about lost livestock. It is also a social arena which offers parents a forum to inform the club about the misdeeds of their children in public accordingly they will be warned or punished by the club through exclusion. *Gibdo* is therefore a spatial symbolic representation of a territorial section as a socially significant unit.

As pointed out earlier, the present inhabitants of Luqa territorial section are not undifferentiated homogeneous group in terms of place of origin. Once again most inhabitants of Luqa have migrated from Shalla territorial section while others from the Gewada, the Banna and the Birale in a descending order. Those who migrated from Shalla, irrespective of their clan affiliation, feel more strongly attached to Shalla than Luqa. The reasons for this are twofold. First, as socially mature and married men and women, they would like to be buried in Shalla when they die. Second, Luqa is often thought of as an ambivalent place both hostile (*husti*) lowland and 'fertile' (*'qaya'*) as opposed to Shalla which is cool (*rendaha*) and hilly. As a hot lowland malaria prevalent place, Luqa is less preferred place to live. While recent settlers (particularly those who came from Gewada) have slightly more stronger attachment to Luqa territory. This is in part because they have very limited choice as their place of origin is too 'far' to think of going to their place of origin for holding rituals or other purposes.

Clans and moieties

There are seven exogamous clans (see Table 1). The metaphor *garco doco* which literally can be translated as 'one tree' is used to refer to a clan. A clan has one symbolic mark with its members tracing descent back to a common apical ancestor and place of origin and they observe the same food taboos. Clan membership is inherited patrilineally. In theory, members of a given clan see themselves and are considered by others as 'brothers and sisters to one another'. This is primarily because they are prohibited from marrying each other. But, in practice unmarried men and women can have sexual relations with their clan fellows (outside their close kin circles that is outside their cousins). As far as productive resources are concerned, except defining potential marriage partners, as the rule of marriage is clan exogamy, a clan is far from defining corporate groups and rather has more of a

nominal value. It is interesting to note that apart from those acknowledged symbols of ideological unity, the livestock of members of a given clan have also the same ear-marks. But such livestock ear-marks signify or have hardly anything to do with corporate use and/or control over the resource in question. Therefore a clan neither controls productive resources nor serves as a unifying circle where members as a group are entitled to the use of a resource.

Clan members are scattered all over the Tsamako territorial sections. As far as resource use and control is concerned even those members of a given clan who live in one territorial section or closer localities have nothing that they share in common. Each territorial section, as pointed out earlier, is composed of members of different clans. Thus, instead of a clan a named territorial section can be identified as a unit which controls and manages natural resources such as some categories of sources of water, arable land, trees and other savannah woodland resources.

As is evident in some of the literature on east African pastoral and agropastoral societies, moieties divide a given society into two exogamous halves. Some informants categorised *binasco* and *gelebo* moieties to be composed of four (Algaco, Amedo Ezimeco, and Obzico) and three (Alaco, Beryto and Regaco) clans respectively. Informants do not agree on these categorisation. Of all the classification of Amedo and Regaco clans into moiety categories was a contentious issue. It should be added that moieties are not exogamous. It seems that to my knowledge the moieties named *binasco* and *gelebo* are adopted by the Tsamako from their wife-givers, the Hamar and the Bana, rather than being a thing that evolved from within.

Other than the broad categorisation of people into *gore biyatie* (people of the 'country') and 'others' the most important distinction the Tsamako made is between *tsengada* (nonkin) and kin on the one hand and within the later category between matrilineal and patrilineal relatives and affinal relatives on the other. The distinction between blood relatives and affinal relatives is easily recognised by the use of a distinct classificatory term *so'da* (exceptions to this are parents-in-laws, a brother-in-law and a sister-in-law) to refer to the latter. Patrilineal and matrilineal relatives are differentiated. Patrilineal relatives are considered much more important than matrilineal ones (exception to this is the mother's brother). Patrilineal relatives and the mothers' brothers are people to whom one can turn to for social and economic support. Patrilineality is the ideology of the society, one's fathers brothers and half-brothers are referred to by the same classificatory term *aba*, father. In practice as long as the father is alive very little support is expected and sought from one's fathers brothers and half-brothers. Nonetheless, for a young man who lost his father at an early age his father's brothers play key roles, for instance, in assisting him in procuring his bridewealth.

Menie

The term that the Tsamako use for "household" *menie* is multi-referential. It has physical reference: *menie* hut or house. It also refers to the independent social unit. The physical layout of the house may be marked by a thorny bush fence with one or two houses, granaries and a kraal for flocks inside. Alternatively a house without a fence might simply be set apart from other houses by a range of two to three hundred metres of spatial distance designated for kraals and play grounds for children. Trees and plants within this radius fall into the *menie's* zone of control.

Menie as a unit refers to the smallest social unit of production and consumption which consists of the husband (*halko*) the wife (*gantie*) or wives (*ganie*) and children. The word *halko* has double connotations. It is used to refer to a man both as a husband and an elder of the *menie* simultaneously. These connotations of the word *halko* have important implications for the relative positions of the husband is resource control in relation to his wife/wives in the *menie*. As an elder and head of the *menie* he represents the household to the outside world.

Thus, *menie* is the smallest building block of a territorial section which has its own 'developmental cycles'. *Menie* as a social unit comes into being with the marriage of a man to a woman. As of the date of the wedding party, marking the establishment of a *menie* as a social unit, the married couple normally stay with the husband's parents (or with his elder brother in the absence of his parents) until they set up their own *menie*. But still, as of the date of the commencement of the marriage contract, the existence of the *menie* as a social unit is symbolised by, for instance, the wife cooking food for her husband (but they don't eat on the same plate as the norm does not allow it) separate from other household members. In other words, a young man stops expecting his mother and/or sister/s to cook food for him as soon as he becomes a husband. His wife automatically takes over this responsibility from her mother-in-law and/or her sister-in-law.

As pointed out earlier, normally the married couple work and live with the husband's relatives until conditions are favourable for the couple to set up their own *menie*. The main factor which ultimately determines this is for the married couple to be able to produce enough grain for brewing beer for organising a work party in order to build the hut and for their own domestic consumption. Unlike the case in most East African pastoral and

agropastoral societies, as evident in the literature, among the Tsamako constructing the house is not a task entirely left for the wife. This probably suggests how much resource control is geared towards men. The wife is held responsible for brewing the beer and the husband for getting the raw materials for the hut. Once the hut is constructed it is normally referred to as *menie* X, denoting the husband's name. What is implied in this form of reference to the house is the husband's rights of control over the hut as a property. The hut is hardly identified and talked of as a 'property' of the married couple. This reflects the dominant patrilineal ideology which backs up male domination in the sphere of resource control and property inheritance as we shall see in the next chapter. Suffice it to say here that the separation of the married couple from the husband's relatives signals the coming into being of the social entity, *menie*, both as a physical and as a social unit. This marks a wide range of shifts in the resource control statuses of the husband and the wife. The husband begins to obtain control over his wife's labour and the wife reallocated milking cows by the husband (by his father or his eldest brother) as we shall see in the next chapter.

Members of a given *menie*, live together and all held shared rights and duties. As members of this social unit they have rights of use to the productive resources of the *menie* such as livestock, beehives and plots. Tied by kinship and affinal relation irrespective of their age and gender they have rights of access to the productive resources of the *menie*. Kinship and affinal ties bring them together and enable them to claim rights of access to the *menie* productive resources, but as to control (in the sense of rights of disposal and allocation) over those productive resources age and gender differentiate them. Age divides members of the *menie* into two: those (the husband) who control productive resources and those (the wife and children) who do not. Gender also divides members of the *menie* into two: those (men) who have the right to receive nucleus family herds from the *menie* livestock for

building their own *menie* herd and those (women) who do not. It also divides them into those (male members) who inherit the *menie*'s property and those (female members) who do not. Thus *menie*, as a social unit brought about by marriage and kinship, ties its members to act together but at the same time they are divided by the social construct of gender with regard to rights of control over *menie* productive resources. Such broader categorisations and generalisations based on the ideal normative definitions might sound simplistic. Obviously, to appreciate how far such ideological formulations match with the actual practices we need to look into the details in the next chapter. However, it is interesting to note that looked at from an outsiders point of view the overall picture reflects a male dominated social order.

The *menie* member's rights of access remains valid until his/her permanent place of residence is changed. The principle of residence groupings determines where and when members of a given *menie* should live. In a patrilineal society the residence pattern is a feature of virilocality. Men remain in their natal settlements while women join that of their husbands. Unlike men, women leave their natal settlements at marriage. At the wedding party prepared by the husband's parents the bride's brothers and/or cousins escort her to her husband's place. After this date, married women only go and visit their parents occasionally, usually once in a year or so. The frequency of the visit is constrained by the fact that when women visit their parents they are supposed to bring gifts (often flour and beer) with them. Even in a situation where a woman's natal settlement is very close to her settlement of marriage she never dares to visit her parents without taking something to offer which limits the frequency of visits she makes. It should be noted that there are exceptions to this norm. Circumstances under which a woman can pay a brief visit to her natal places include when a member of her parents or brothers *menie* dies and when she had a serious quarrel with

her husband which requires the intervention of her parents. In general, as far as women are concerned marriage is a centrifugal force which isolates them from their natal locality and relatives for life. Thus such permanent changes in place of residence marks the termination of women's rights of access to the productive resources of their parents.

However, in passing it is interesting to note that even after marriage women continue to be identified and addressed by their names given at birth and they formally continue to identify themselves as belonging to their father's clan. Of course, in practice, these have very little significance as, for instance, she might sometimes be identified as *gantie* X (the wife's of x, representing the name of the husband) and as she is supposed to teach her children to observe the food taboos of her husband's clan not hers. All these local notions of women's self identification and forms of addressing women as wives have important implications for our understanding of the actual processes of establishing rights of control over women's fertility and labour in relation to bridewealth payments.

Menie are often classified into three categories: *menie teka* ('small household'), *menie daga* ('middle household') and *menie dama* ('large household'). This local notion of *menie* classification is based on household size and sometimes implicitly some considerations of size of livestock holdings. Accordingly a *menie dama* might be associated not only with large size of its members, but also with wealth - often translated as having a considerable number of head of livestock. Of course a *menie dama* with small head of livestock is also valued in its own right. This somehow reflects how control over a good command of household labour is socially valued which is part of the ideal goal every man aspires to achieve through polygyny. These local definitions and classifications of *menie* are relevant for understanding resource right reallocations, for instance, in times of flood recession land

redistribution as will be discussed in chapter 4. The following case illustrates some of the points discussed above.

Case 1: Taye Warlie is a man in his late twenties. He got married to a woman from Banna in 1995. His father paid the bridewealth to his parents-in-law. The married couple lived with his parents for two years. They worked together and lived in the same house with his parents. Well half way through the second year of their married life they had a son. Soon after, they were allocated three milking cows primarily meant for the newly born baby boy by his father. But he had not yet received his nucleus *menie* herd until July 1997. They had four flocks which they exchanged for grain but had no cattle of their own. They had over one hectare of farm land reallocated by his father. Taye used his father's two pairs of oxen to plough both his parents and his own plots. Though there was no a contractual agreement and specified rate of labour for oxen power exchange as is normally the case, tacitly this is a kind of exchange of labour for oxen power arrangement. Taye's *menie* therefore produces grain and has its own granary but no separate house of their own.

One day in October 1997 Taye went to a beer work party and came back home drunk. He disturbed members of his father's *menie*. This was said to be the third time for him to have got drunk and caused disturbance to the *menie*. For the previous two misconducts he was warned by his father. But when this last one happened his father decided to let him move to another settlement called Tsantsara about one km from Selya, his father's settlement. He was forced⁶¹ to construct his own house and move to the new place with his wife and child. Within two months time by organising an *aylo* the married couple managed to get their house constructed. Although they have their own *menie*, Taye and his wife regularly go and visit his parents *menie* during the day time. They also continue to milk those cows allocated to them. The milking cows allocated for them were still kept with his father's herding unit. Taye was still waiting for his father to allocate him his nucleus *menie* herd when I left the field at the end of August 1998.

⁶¹ Taye was not willing to tell me the true reason why he was forced to move out of his father's place. I got the impression that he did not want to let me know the story. He seemed to have liked to tell the story as if his father had all of a sudden decided to kick him out of his household. Given the ideal patrilocal rule of residence grouping I pressed him. Luckily, during the interview his wife was sitting next to him. As soon as we reached that stage of the interview she burst into laughter. He also laughed looking towards the ground. Laughingly he decided to tell me the true story at least the one with which his wife also agreed.

Gende

As pointed out above *menie* is the primary unit of organisation, while *gende* refers to an agnatically related groups of two or more *menie*. Theoretically and practically with few exceptions, parents and married sons live together in the same neighbourhood, in that they form both a spatial and a social unit, *gende*. A *gende* is normally named after the name of the oldest *menie* (the father) who also serves as a point of unity for his sons. In other words, the father's *menie* and his sons' *menie* form what is locally known as a *gende*. Nevertheless, when a *gende* is called after the name of the father (head of the core household) it does not necessarily mean that all of his married sons live in it. Most of them might do, but it certainly does not mean that they all live in it.

Members of a given *gende* act together as a unit in the sense that they form a social unit. *Gende* is the norm where a neighbourhood cluster of patrilineally related kin live. I found out that most neighbourhoods do conform to this norm although large patrilineal kin clusters tends to break up over time. The reason for this are twofold. First, following the developmental cycle of households the demand for more space increases. Second, as the ideal objective of a man is to be head of a large *gende* with large family livestock each household head works for the realisation of this goal which eventually leads to the break up of the old and the formation of new ones.

What binds members of a given *gende* together is kinship as well as mutual rights and duties to the family livestock. A *gende* as a social unit competes, for example, for wives against other similar units. But at the same time members of a given *gende*, sons, compete for the father's livestock among themselves. Sons compete for their father's family herd until the father's *menie* as a unit ceases to exist. Each son has to negotiate and struggle

against his brothers and half-brothers to receive a nucleus family herd which enables him to build his own family herd. Gradually each of these sons is a "point of segmentation into lineages" (Hogg 1997:111). Brothers are more likely to be a corporate unit especially if they are sons of one mother.

For members of a given *gende*, the norm, if not always practised, is to set up their *menie* next to one another and form a physical as well as a social unit. The father's *menie* socially, mostly if not always also physically, is a point of concentration. It is therefore a meeting point conceptually and spatially for his sons. Kinship ties them together which also gives rise to a varying degree of mutual ritual and economic rights and duties. To deal with such mutual rights and obligations there are a number of social occasions where sons meet at the father's *menie*. Normally in the morning elders' coffee⁶² drinking preceded any other daily social intercourse. The father's *menie* is a place where members of the *gende* drink their morning coffee. As a scarce item exchanged or bought at the market the coffee husks (preferred in part for its low price and in part for satisfying thirst) might not necessarily always come from the father's *menie*, however. Over the coffee-drinking session daily work plans and problems are talked and new information exchanged. Another occasion that brings members of a given *gende* together is beer prepared for work parties and feasts. In such circumstances, although not always and exclusively, *gende* members expect and often are invited and enjoy drinking together. Probably the most important social and economic forces that brings *gende* members together and to act as a unit are: rituals, livestock allocations, bridewealth procurements and distributions and wife inheritance. Every *menie*

⁶² Most people are fond of drinking coffee at least twice a day, but it should be noted that most of them are more passionate towards beer than towards coffee.

has the obligation to contribute beer, goats or sheep for sacrifices at rituals organised for a number of purposes ranging from initiations marking rites of passage before marriage to mortuary rituals known as *gilo*. In particular *gilo* is one of the most expensive rituals which requires a concerted effort of members of the *gende* (I observed one *gilo* where 15 cattle, over 20 goats and sheep were slaughtered and a lot of beer served (see plate 3). Members of a *gende* have certain mutual rights and obligations concerning bridewealth procurement and distribution (chapter 3).

The generation-grading system

As pointed out earlier although the generation system touches almost all aspects of socio-economic, political and legal aspects of life much attention has been paid to its contribution to rituals while its influence in the sphere of economic activities is totally neglected (Halperin 1984; Bernardi 1985). Despite the fact that age-grade systems figure prominently in many illuminating studies in East Africa knowledge of the influence of the system in relation to resource right allocations in general and its role in regulating the use of natural resources in particular is still meagre. My own findings among the Tsamako, however, reveals that the generation-grade system clearly affects natural resource right allocations and the enforcement of the establishment of rights of control over productive resources.

As we will see from the description of the Tsamako generation-grade system shortly, members of a given generation-set have a set of rights and duties. As far as their ranks, roles and statuses are concerned it is reasonable to suggest that members of a given generation-set are conferred more or less homogeneous status. Almagor (1978) is sceptical about such status homogeneity based on age for the Dassenetch of Ethiopia. He proposes that age should be looked at within the totality of other institutions and he argues against the idea of

explaining age as an organising principle. He maintains that such a conception stresses equality and inequality of power within an age group and between age groups respectively. His point about the need to consider the system within the totality of other institutions is well taken. For instance, the social status of elders cannot and should not be understood in isolation from their standing in terms of, for example, livestock holdings and issues of polygyny, as we shall see in the next chapter. I do not, however, subscribe to his idea that we cannot examine the system as a principle of organisation separate from other institutions. I suggest we should do so at least analytically.

Some analysts on the other hand, for instance, Spencer (1965, 1988) and Baxter and Almagor (1978) while pointing out the power inequalities among age-grades/sets presented the age-grade system as gerontocratic in the sense that it helps older men to retain power in their hands. This notion of gerontocracy which is said to stem from a static perspective (Kertzer and Keith 1984) has been criticised for two reasons. Firstly, elders never hold the entire block of power and the authority they hold is temporal (Bernardi 1985). Secondly, what appears to be gerontocracy is more of an achieved status rather than an ascribed one. Advancing in age gives men the ability to accumulate more wives or property, but does not necessarily assure them the ability to attain such goals (Kertzer and Keith 1984). According to Kertzer and Keith (1984: 23) the ritual curse of senior age-sets might be interpreted as "the use of an ascriptive rationale in an attempt to maintain achieved positions". The dynamic nature of the age-grade system is documented by Galaty (1981) who notes that in such a system the emergence of a rigid form of stratification is prevented by the temporal turn over of personnel. In this regard the Tsamako system is a case in point. A group of young boys of the same generation start out by serving a duty like a 'national military service' and move on through time to discharging the responsibility of public decision-

making. One generation-set replaces another and moves on from discharging one set of responsibilities to another through time. To put it in a nutshell, the working principles of the system involves assigning a set of public rights and duties to a group of people based on seniority which in the final analysis boils down to the concept of time in the sense that no one group is allowed to hold power for life. Thus operational flexibility and temporally dynamism are probably the essence of the system per se as we observe in detail below.

For understanding the role of the *halie biyatie* (council of elders) in resource control and management we need to address, therefore, the workings and organising principles of the generation system. Many customary institutions and work associations are still in operation in the daily life of the Tsamako peoples. Age and gender constitute fundamental organising principles among this group under deliberation. The existing various groupings based on gender and age exhibit a great degree of complexity not only in terms of organisation but also the way duties are performed on a day-to-day basis. To date, gender-based generation-grading, age and gender based division of labour remain an important matrix for social relationships - for decision-making, and for division of work within Tsamako territorial sections. It can be inferred that this matrix constitutes the most fundamental organisational model among this group until today. In what follows I shall describe first how the generation-organisation works and the role of each generation-set followed by a description of the working principles and role of the *halie biyatie* respectively.

The generation system provides the general framework for allocating public tasks and roles as a group. Individuals take part in public decision-making through membership of a generation-set. Although generation-sets as a group neither control nor 'own' productive resources (Baxter and Almagor 1978), to actively participate in the council of elders that

has a say on the use and reallocations of rights to natural resources one needs to be member of a generation-set. In this sense the generation system has an effect on the pattern of natural resource control. Here my concern about the generation system is therefore confined to outline its main organising principles, principles of recruitment into a generation-set in so far as these determine the composition and workings of the elders' councils.

Generation-setting

Baxter and Almagor define age-setting or generation-setting as "- the grouping of persons who are either close in age or of the same generation into a structure of hierarchically ordered sets which are vested with a diffuse range of social and ritual responsibilities - (1978:2)". The main principle of recruitment of a man into an age-set is determined by the fact that (a) the son and his father can never be members of the same generation-set, (b) under normal circumstances the son and his father should be two generation-sets distance from one another which is dependent upon (c) the son's children biological marriageable age.

Members of a given generation-set are roughly divided into three sections, namely *jaldafco*, *mura* and *baho*. A man's sons are recruited to the three sub-groups according to their birth order namely, firstborn, second born and last born sons. The first serve as 'leaders and judges'; the second as 'executives' who measure and fairly distribute natural and man-made resources, and third as 'scouts' who, for instance, fetch water and wood for cooking food for rituals and celebrations. Members are given either of the three ranks on the basis of their age. The *jaldafco* are "first among equals" are supposed to be wise, trustworthy, decent, good tempered and good at seeing two sides of an argument and knowledgeable about societal rules and customary laws. A *jaldafco* is a man who likes to weigh up all sides of an

argument before making a decision. Above all, patience is one of the most important attributes in a *jaldafco*. A *muranco* on the other hand, is an individual who is capable of measuring and fairly distributing, for instances, irrigable and flood recession land to households each year. A *muranco* is also responsible for distributing food and drinks to people according to their seniority during public feasts and ceremonies. *Jaldafco*⁶³ and *muranco* are two key ranks within the *halie biyatie* organisational structure.

Young boys of a given territorial section organise themselves into local groupings called *ayra dotie*. The formation of the would-be generation-set, takes place a long time before the actual date of the investiture ceremony. Years before the actual date of the formal initiation ceremony an ad hoc group called *morqo* is set up whose members become familiarised with decision-making procedures and other relevant social rules over a certain period of time. During this time, they in principle are supposed to be passive absorbers of sets of rules and ways of dealing with public issues. In practice, they might, for instance, take part in defending the society against external enemies with the guidance and on the order of members of senior generation-sets. During this apprenticeship period, however, members have the opportunity to judge, punish and sometimes fine wrongdoers of members of their own group. Nevertheless, it should be noted that in internal societal affairs, they largely remain passive receivers. All members have the same rights and obligations as their generation-set in other Tsamako sections.

⁶³ Every generation-set has *jaldafco* who are formally nominated by members of the senior generation-sets at the formal initiation ceremony where a senior generation-set hands over its societal responsibilities to a new generation-set. *Jaldafco* ('judges') and *muranco* ('the executives') of a generation-set are nominated on the bases of good temper and ability to measure and redistribute land, share out food and drinks.

This group of young men called *morqo* are outside the hierarchically ordered generation groups. As pointed out earlier *morqo* is an ad hoc group yet uninitiated and nameless and therefore without a formal responsibility. They are simply apprentices who should listen and obey orders from elders otherwise they are not allowed to be actively engaged in public decision-making at public meetings. In short, *morqo* is a fledging independent group whose constituents are at the stage of internalising societal values, rules, customary laws and procedures of public decision-making. As soon as they are initiated in an investiture ceremony they will be given a formal name and replace the senior generation-set.

A generation-set is formally marked by an investiture ceremony normally once in every eight years⁶⁴. The investiture ceremony that takes place to mark the transfer of a set of rights and responsibilities from one generation-set to another is called *kehie qebi* ('receiving a stick') or *zekitie qebi* ('receiving a blessing'). During this ceremony, one generation-set will be initiated, named and blessed. Senior generation-set members give a bundle of sticks to the new generation-set members who are being initiated. *Kehie qebi* marks the formal transfer of the rights and duties of defending society from one generation-set to another. The senior generation-set which has served the role of keeping peace and order hands over these responsibilities to the newly initiated and named generation-set on this special occasion. The symbolic meaning of the hand over ceremony encompasses a set of issues. It symbolises that the senior generation-set's time is over and replaced by a new one. In

⁶⁴ For seven consecutive years a small feast is prepared by members of the would-be generation-set. In the eighth year the feast will be elaborate and ribs will be broken symbolising the end of the senior generation-set's term of office.

blessing the new initiates the senior and outgoing generation-set members, among other things, say the following. "We (senior generation-set members) have fulfilled our obligations; we have served the society; now it is your turn, it is your time; you are strong; you are capable of defending your country; let us see your time; let us see what your time offers us; ours is over." The investiture ceremony places young men at the service of the community. It qualifies them for recruitment into the council of elders membership where they perform community functions. In short, the newly initiated and named generation-set members consummate their task after this investiture ceremony. The extant generation-grade is composed of four generation-sets, as shown in the Table below, which will be described one by one shortly.

The system is cyclical in the sense that, under normal circumstances, names reappear after four generations. The generation system serves not only to regulate relationships among the different generation-sets, but also to transmit social status and the authority of public decision-making from one generation to another. Members of a generation-set work, eat and drink together on public occasions. The metaphor used for addressing individuals who belong to the same generation-set is *haltie dotie* ('one plate'). This means people who eat from the same plate and drink from the same container in various public feasts. Both men and women of advanced age who belong to the senior generation-sets (*bilbilco*, *nelbesco* and *gurmälco*) enjoy prestige. They are the first to partake of the food and beer on public occasions. Members of a given generation-set are not only peers but also fathers of one generation. In a more general sense, men of the same generation-set are fathers of all children born of all its members. In that sense, the generation-sets define a category of ineligible marriage partners. A man, for instance, is forbidden to marry the daughter of his age mate as theoretically he is supposed to be her father.

As pointed out earlier, the generation system is composed of four initiated and named senior generation-sets in Luqa territorial section in 1997. The hierarchy starts with the *robalco* generation-set at the bottom and ends with the *gurmenco* generation-set which is an outgoing one. It should be indicated that the ad hoc group (*morqo*) is not yet part of this generation-setting.

Table 2. The present hierarchical order of the generation system and size of generation-sets in Luqa

membership size	generation-set name	principal responsibility
--	gurmenco ⁶⁵ (most senior elders)	retired
6	nelbasco (senior elders)	consultants, ritual guides
32	bilbilco (elders proper)	pubic decision-makers
54	robalco (junior elders)	'peoples militia' and/or 'the executives'
26 ⁶⁶	morqo (unnamed ad hoc group)	without a formal responsibility
Total 118		

Robalco⁶⁷:- is at the bottom of the hierarchy of the extant generation setting. Members of this generation-set were initiated and given the name *robalco* as the group name at an

⁶⁵ There was only one surviving woman who belonged to this generation-set in Luqa, but there were a handful of men in other territorial sections in 1997.

⁶⁶ This figure does not include those members who are not yet married. Normally both unmarried and married men belong to a given generation-set as marital status is not a defining feature.

⁶⁷ During the 1995 initiation ceremony, the Robalco generation-set was supposed to have taken the name Basarco. However, the Basarco generation-set members (fathers' of the Gurmenco generation-set) were associated with bad luck because the Tsamako country was hit by drought and famine during their prime time. Consequently, instead of normally taking the name Basarco, the Morqo group of pre 1995

initiation ceremony held in 1995. In general, this is a generation-set whose members are actively engaged in fundamental societal affairs. Consequently, the present time is recognised as the time of the *robalco* generation-set. In other words, this era is named after this generation-set - i. e the time of the *robalco*. Events of societal importance, both good and bad, will be explained in terms of the good or bad luck of the *robalco* generation-set. They might be praised or condemned for good or bad fortune even if the workings of the matter in question might be beyond their ken. If a drought hits the country, for example, it will be associated with the bad luck of the group. Likewise prosperity and good times will also be explained in terms of their fate and good luck.

At the moment, this generation-set has the responsibility of defending the society against external enemies, peace keeping and executing decisions made by the council of elders. Their community oriented activity include protecting people from external enemies and livestock from raiders and tracking down lost and stolen livestock. Members also have the responsibility of bringing offenders before the council of elders, and punishing those who are found guilty by them. Members of the *robalco* group are actively engaged in a range of public affairs. They share out irrigable land and land suitable for flood recession agriculture among community members, and they also share out and serve food and drinks to those attending public occasions. While discharging such responsibilities, they might consult members of senior generation-sets in general, and members of the *bilbilco* generation-set in particular.

preferred to be given a new name -Robalco. This disrupted the normal cyclical reappearance of this name and its eventual abandonment.

Bilbilco:- this generation-set has already served one of the most important societal purposes of keeping peace and order and defending the community against external enemies. Since 1995 the ultimate role of this generation-set is public decision-making and dispute resolution. At the moment, all the *bilbilco* generation-set members, by definition, occupy more important positions within their respective territorial section *halie biyatie* organisation than members of other generation-sets. Although members of other generation-sets also take part, the authority to make important decisions on behalf of a territorial section or sections is vested in the *bilbilco* group. Such decisions are binding. It goes without saying that not all members of the *bilbilco* generation-set were well-known public figures, since this also depends on the socio-economic status of the elders in their respective territories.

Nelbasco:- although the size of this group is decreasing they are often consulted about matters which are beyond the knowledge of the *bilbilco* group. They also guide ritual performances. At *halie biyatie* meetings, the opinion of *nelbasco* generation-set members weigh more than anyone else's, given that they are wise people.

Gurmalco:- there were no more male surviving members of this generation-set in Luqa in 1997. It should be added that members of this generation-set in all Tsamako settlements are not only few in number, but, also no longer attend important *halie biyatie* meetings primarily due to old age. Hence, it should be noted that the surviving members of this generation-set are diminishing along with their role in public affairs. Certainly, the life of this generation-set as a group is over. Thus, the name of this group, *gurmalco*, will be given to the existing *morqo* group, as soon as members of the latter are initiated.

Can individuals move from one generation-set to another? If so why and under what circumstances? Let us observe an example in order to answer these questions. As already indicated in relation to discussions of the principles of recruitment into a generation-set under certain circumstances the son and his father can be members of two successive generation-sets in the hierarchical order. Such exceptions can be explained in relation to another general rule which forbid the marriage of a person whose father is not initiated and therefore has not yet become member of a generation-set. The following case illustrates this.

Cases of exceptions in the workings of the generation system

Case 2: Dovero is a man in his early thirties and is married with three wives. One of his wives is from the Bana ethnic group and the other two from the Tsamako. He had five children. Dovero belongs to the *morqo* ad hoc group, while his father belongs to that of the *bilbilco* generation-set. Dovero's first daughter has reached the biological age for marriage. She has to get married but the rules do not allow it. Because her father, Dovero, is still a *morqo* - an uninitiated and consequently unnamed would-be generation-set member. Children born of *morqo* cannot marry until their fathers are initiated and become members of a named generation-set. In order for his daughter's marriage to be allowed Dovero has to be individually initiated and become a member of the *robalco* generation-set. *Robalco* is, as already mentioned above, the first generation-set in the present hierarchical order of the generation grading system. Dovero's case was widely acknowledged by members of the senior generation-sets. This is going to be an exception not the norm. Yet, it does not cause any problem, because there are many precedents for such a measure.

In so far as the workings of the generation system are concerned, Dovero's case is an exception, rather than the norm. He was advised or rather urged to get initiated. Towards the end of my fieldwork period, Dovero was preparing himself for the initiation ceremony. That means brewing *parshe* (local beer) and some food for those who will take part in the initiation ceremony. The initiation ceremony might only involve members of Dovero's agnatic group, individuals from his would-be generation-set and some important ritual leaders. Other individuals who might find themselves in such a similar situation will also prepare food and drink for the ceremony and be initiated with him.

To wind up this section, it should be noted that the underlying principle of the generation system is using generation as a means of organising men into a meaningful hierarchical order to discharge a set of societal duties through time. The relevance of the system is the

need to have a standing group of young men for societal defence at a given point in time. In other words, the system is devised to produce and reproduce a group of young men who serve as 'peoples militia' and defend communities against enemies who raid livestock and kill people. The system requires the recruitment of young men to a group and the formation of generation-sets on a regular basis. The first stage, marked by a formal initiation ceremony, consists of young men who are in their prime. Once the group has done with this, they undergo a kind of obligatory 'national military service' that affords its members the opportunity to accumulate experience before they succeed a senior generation-set. This is the second stage where members have to deal with complex issues of public decision-making and dispute resolution at a territorial section and between territorial sections which is the theme of the following section. Moreover, this is a life long commitment until the number of surviving members of the last generation-set, the fourth grade in the pyramid, is so few that the name should be given to another new group.

The *halie biyatie*⁶⁸

The word *halie* and *biyatie* can literally be translated as 'elders' and 'of the country' respectively. While the phrase *halie biyatie* is translatable as 'elders of the country'. An elder is a man who is socially mature: married and member of a generation-set after being initiated. To be recruited into the council of elders essentially a man has to be member of a named generation-set. Then all initiated men who belong to named generation-sets and live in the same territorial section constitute the elders' council (*halie biyatie*) of that territorial

⁶⁸ The word *halie* is the plural form of the word *halco* which can mean either an elder or a husband or both at the same time. While the word *biyatie* is the possessive form of the word *biye*, literally means 'country'.

section. The *halie biyatie* brings two sets of principles of organisation into play: territory and the generation system. In short, *halie biyatie* at a territorial section level is a council of elders' which is composed of members of senior generation-sets. At present the *halie biyatie* in Luqa, for instance, is composed of members of three generation-sets namely: *nelbesco*, *bilbilco* and *robalco*. Participation is voluntary without a membership fee and without a recorded list of members on a piece of paper. *Halie biyatie* meetings are often held in a public place locally known as Gibdo. The guiding principle in the *halie biyatie* assembly is to reach consensus in the resolution of different issues. As long as the normal principles are followed, almost all members have an equal say in the *halie biyatie* meeting. The authority of public decision making is vested in the council of elders and the right to sit and actively participate in the elders council is determined by membership in generation-sets.

I have already noted earlier that the building block of a territorial section is the household, *menie* and agnatically related households form a *gende*. Since the household is part of the *gende* family affairs are normally dealt with by family elders within the kin group. Matters that are outside the *gende* unit are tackled by the settlement elders that constitute the *halie biyatie*. The tasks performed by the *halie biyatie* institution were and still are varied - touching almost all aspects of socio-economic and political life, such as flood recession land and irrigated land redistribution (and other land based resource utilisation such as savannah woodlands), dispute resolution and relationships with other territorial sections and neighbouring ethnic groups. Sanctions applied to enforce the decisions of the *halie biyatie* are to rebuke, flog, fine (local beer and/or livestock) and lead on social ostracism. Livestock paid as fines are normally slaughtered and consumed by members of the settlement in question. The *halie biyatie* institution is, therefore, a living institution that has a set of crucial functions at the territorial section and inter-territorial levels.

There is no *halie biyatie* for the women. Women become members of age groups by way of their spouses that is by virtue of their marital status as wives. The participation of women in this sense is indirect. Accordingly, matters concerning women are usually brought to the *halie biyatie* meeting by their spouses or male relatives. This is, therefore, one major limitation of the *halie biyatie* institution acting on behalf of a territorial section at large. Apart from dealing with social, economic and political issues at a territorial and inter-territorial levels and with neighbouring ethnic groups, the *halie biyatie* also handles matters that has to do with the state - regional and district administrative offices, as we will see below.

The *halie biyatie*'s relations with the state

The local government officials were unaware of the existence of the *halie biyatie* institution that has an important role in maintaining peace and order, conflict resolution, and resource management. Since the early 1980s at one time or another the Ministry of Agriculture (MoA) employees called residents of Luqa together with Babo, Oro and Shalla territorial sections for a meeting to elect, in principle, the Kebele (parish) Administration⁶⁹ (KA)

⁶⁹ In mid 1980s rural institutions created by the ideologically socialist oriented government policy were called 'Peasant Associations'. After a government change in 1991 more or less the same rural institutions were given the name Kebele Administration. Both these names, in the Tsamako case, were used to refer to an 'administrative unit' which is formed by bringing two or more territorial sections together. The local people do not bother about this distinction at all. Because for them these administrative units, past and present, do not mean anything other than administrative units crafted by the local government for the purpose of collecting taxes and occasional 'forced contributions' in the name of a 'citizens' contributions to 'development'.

leadership. All these four territorial sections were brought together and defined as the smallest unit. Such a 'unit' has been used for administration and tax collection purposes since the early 1980s. The KA leadership, often those nominated by MoA employees, were 'elders' who had some knowledge of Amharic to ease communication with the MoA employees. The KA is composed of a number of committees for discharging different sets of duties defined by the MoA regional office employees. In principle such a KA leadership is supposed to function independently, but in practice it serves as a mediator between the local government administration office and the *halie biyatie*. Anything that has to do with the government will be passed to the *halie biyatie* via the KA leadership. In short the KA leadership simply channels information from the government to the *halie biyatie* and *vice versa*. It is hardly possible to obtain the reaction of the KA leadership on a government resolution before it is presented and decided on at a *halie biyatie* meeting. For instance, in 1997 the new system of tax levied by the government is a case in point. Those who have been serving in the KA leadership are extremely unhappy owing primarily to the time consuming and unremunerated work of collecting taxes from the local people.

To date among the Tsamako dispute resolution has been handled at territorial section and inter-territorial levels. This has been entirely the responsibility of the *halie biyatie* depending on whether the matters involve individuals or groups of different sections. Recently, however, a link to the formal legal system has been created to enable the referral of conflicts presumably not resolved at these levels. The data at hand suggests that cases who were brought to the attention of the local governmental legal system have been few in number, but there are signs of an increase with increasing local *wereda* (district)

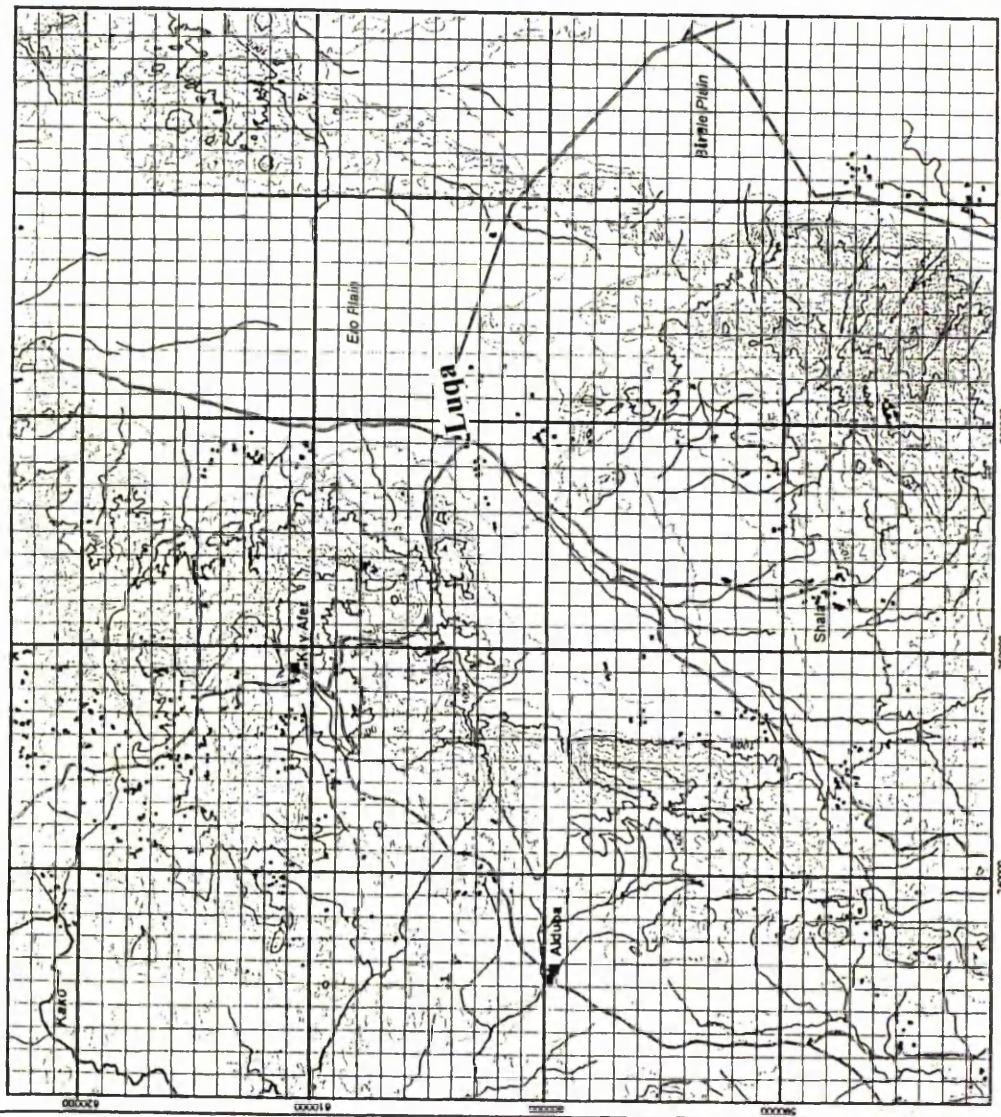
administrative interventions. The influence of the *halie biyatie* on the local socio-political sphere is very strong, since it constitutes the final authority in almost all territorial section and inter-territorial sections matters. In general, the *halie biyatie* has been playing a vital role at the grass-roots level. Yet it has been ignored, some times discouraged and downgraded by the representatives of central governments past and present.

To conclude, the main purpose of this chapter has been to ascertain some of the principles of social organisation which have an influence on the reallocation of productive resource and enforcing resource use rights. In the first part we have seen how territory has acquired a socially significant unit with social and economic factors that bring inhabitants of Luqa territorial section together. Luqa residents conceived themselves as a group and others also regard them as a group. In various social and ritual occasions they formed a unit. The second part tried to show how the gender and generation-based institution is structured and operates in so far as it influences resource use rights reallocations.

The social organisations sketched in this chapter could be conceived as institutional arrangements which play a key role in the regulation, management and definition and enforcement of rights over different categories of productive resources. One institutional arrangement defines rights and obligations towards a set of productive resource and those who are denied such rights. Membership in various social groupings in a way draws the line between rights of inclusion and exclusion. For instance, one's place of residence affects ones rights of access to such resources as grazing, water, land and trees. Furthermore membership in council of elders determines ones eligibility and opportunity to participate in public decision-making which influence resource use and enforcement.

The question of how membership in a given social organisation defines in principle the rights and obligations of social entities, and how this in turn complies with the actual day-to-day reality are issues that run through the subsequent four chapters each of them dealing with a set of productive resource. The next chapter considers the reallocation of rights over productive resources such as livestock, bridewealth and labour.

Map 3 Topographic Map of Luqa and Surrounding Areas



Legend

- River / perennial
- River / seasonal
- Road / loose surface
- Contour line (500 m)
- Contour line (100 m)
- Settlement
- Hut / Tukul

Source:
- Topographical Maps 1:50,000 (UTM Grid Zone 37N)

Savannah Woodland Management Study Project (SWMSP)
GTZ / ECO-Consult / Ministry of Agriculture (FawCDD)

prepared by Matthias Reusing
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CHAPTER 3: Livestock, bridewealth, women and labour productive resource control

In this chapter, I take up four interrelated categories of productive resources: livestock, bridewealth, women and labour in relation to rights of control. I propose that these four seemingly different categories of resources have one element in common - their productive capacity to reproduce themselves or regenerate other productive resources. A close examination of such rights reveals that the 'ideal success model' (to be head of a large agnatic group with a large family herd) underlies the fact that a great deal of emphasis is placed on controlling the fertility of the resource rather than the resource per se. By employing the ideal success model that provides the framework for the understanding of the local system of control over productive resources, I shall argue that individuals might be excluded from rights of control over the productive capacity of a given resource but not from rights of use. In other words, there are differential rights of control over the fertility of those productive resources but not rights of use. In this sense some categories of men do have relatively greater control over those resources than some other categories of men and women. Although there is asymmetrical distribution of livestock among households and differential rights of control over the productive capacity of livestock between the sexes (and among different categories of men and women) within the household there are also a range of ecological and social factors which have a levelling effect on livestock accumulation by individuals.

By focusing on three ideologically interrelated institutions: segmentary patrilineal descent system, polygyny and bridewealth one can identify factors that affect and put limitations upon the realisation of the ideal goals men seek to achieve. It will be suggested that the interaction of both ecological and social factors set the limit to the realisation of the ideal

goals - becoming a polygynist and head of a large *gende* with a large family herd. The first section of this chapter briefly describes notions of fertility control exercises reflecting the importance of its control, followed by rights of access and control over livestock in relation to the folk model of success. The second section looks at bridewealth, both as a resource generating mechanism and as a means of establishing rights to the productive powers and labour resources of women as spouses. Included in this section are discussions of factors that affect the size and composition of bridewealth and structural factors that affect its distribution. The final section provides a brief account of issues of women and fertility, the rights of widows and rights of control over labour.

Local notions of fertility control

Here I employ the local notion of control over fertility (productive capacity) as derived from the power of a *gudlco* to control the rain, and thereby the harvest, for understanding issues of rights of control over productive resources. The framework of my analysis is based on this local notion of 'fertility' control - as an attempt to control rain, and thereby the fertility of the field. A *gudlco* is head of a *gende* (agnatic group) who is assumed to have the 'power' to control the rain. This notion of controlling power over the rain is conceived as an ability to influence the source of life and fertility. It has also a connotation of the ability to bring 'peace and order' (*negayco*) to a community. Thus, fertility is defined not only in terms of physical and biological wellbeing but also of peace and order. A *gudlco* has the responsibility of blessing at crop planting and harvesting rituals. Before these rituals are carried out no ploughing and harvesting of crops will ever start. Moreover, a *gudlco* is also held responsible for blessing sacrifices when rituals are held dedicated to ancestors, primarily for fear of their power to 'hold up' the fertility of women, livestock and fields. This power is gained through age, seniority and becoming head of a big agnatic group with

a large family herd. Only men can and do become *gudlco*. The reason why only men become *gudlco* is justified on the grounds of the normative responsibility of men as heads of households and ritual leaders. He is believed to have the power to control the rain and thereby the fertility of the land through blessing and cursing rituals. His success or failure is measured against the fertility of the fields. The 'idiom' of fertility is also used to legitimate 'hierarchy'. 'The first begot the second legitimated 'inequality' between the father and the son' (Donham 1999 cited in Freeman and Watson 1999), between the firstborn son and his second born brother/s. This idiom can be taken as a master piece of the Tsamako guiding principle which is often invoked to back up the superiority of the firstborn over the second born with regard to the reallocation or redirection of the use and disposal of such productive resources as livestock.

A range of other facets of life are related to the *gudlco*'s notion of fertility control exhibiting the values and the degree of importance attached to rights of control over the productive capacity of resources. Among the Tsamako, as in many East African pastoral and agropastoral societies, livestock 'reciprocal raiding' accompanied by killing people has been a fact of life. Historically the Tsamako have some deadly enemies. When men kill enemies during the incidents of reciprocal raiding and warfare they take their enemies' sex organ as a trophy to their country with them. This practice is understood as a strategy intended to weaken the strength of an enemy by reducing its reproductive potential.

Another facet of life which is linked to the idea of fertility control is the practice of ancestor worship. Ancestors are perceived to have eminent authority over their living descendants in that ancestors are believed to have the power to influence the fertility of women, livestock and fields and the health status of human beings as well. Furthermore, it is believed that ill

health is caused by a disturbed relationship between living descendants and their ancestors. Such disturbed relationships have to be averted through an animal sacrifice; usually a goat or a sheep from the family herd has to be slaughtered to placate the ancestors and feed the congregation.

Loaning cattle and bartering a bull for a heifer are other facets of social relations which underlie the values attached to fertility control. When a livestock-rich person loans a cow to a person in need he retains the right of control over the fertility of the cow whilst the latter has rights of access to the milk and milk products. This cattle friendship relationship is created and maintained through control over the productive capacity of the cattle and thereby the lender improves his social standing and increases his chances of becoming a notable person.

Bartering a bull for a heifer is another exercise that reflects how much importance is placed on control over the productive power of the resource rather than the resource per se. When the Tsamako barter a large bull for a small heifer what is valued and/or weighed is nothing but the fertility of the heifer. Both these men know that the bull can fetch a higher price at the local market than the heifer. Another exercise related to this and one which shows that fertility is the underlying feature is when the Tsamako people cull almost all barren and old livestock but conserve productive ones. In other words, those livestock who are able to produce are kept whilst those infertile are eliminated: bartered for another productive animal or slaughtered and sacrificed at various rituals.

Finally, the importance of the value of a productive capacity of a resource is reflected by the fact that women who are proved to be fertile before marriage fetch higher bridewealth

than others. How fertile women are more highly valued than others is reflected not only by the high bridewealth size but also by the fact that fertile women's bridewealth practically becomes a lifelong debt. In sum, at the centre of the value of all this exercise is a high value associated with the productive capacity of the resources in question. Why is controlling the productive capacity of resources essential? This brings us to the next theme which is what I call the ideal model of success which men and women try to achieve.

The ideal model of success

To begin with, wealth, polygyny and a large *gende* are three interrelated key strands of the ultimate lifetime goals of men and women. These three interrelated institutions are arguably important elements for understanding rights of access to productive resources in particular and the politics of resource control in general. The reasons for this are manifold. Here Tuden's (1969:97) words are worth repeating: "The Ila are an acquisitive group, greatly preoccupied with the collection of resources, predominantly cattle and wives. A sizeable portion of their time is spent discussing, safeguarding, and manipulating these resources; and they are quite conscious of differences in rank or status resulting from the control of these resources". Like the Ila of Zambia, the Tsamako aspire for many wives and livestock. The urge to control ever more livestock and wives is also reinforced by the fact that a wealthy polygynist man has a better chance of becoming a notable person. A *kamurku* (wealthy person) is a man who has many wives, many sons, and a great deal of livestock. He is someone who could also brew much beer and cook food for many visitors and is capable of loaning cows to those in need and thereby have many *bel* (cattle friends). The words of a *kamurku*, provided he is a wise person, are likely to carry more weight in the council of elders' meetings than others.

The growth of one's own *menie* livestock and agnatic group are a man's imperatives; controlling the productive powers of resources holds the key to the understanding of the folk model of success. The folk success model defined as becoming head of a large agnatic group with a large amount of family livestock consists of two interrelated elements. The first aspect of the ideal goal is to be a polygynist whilst the second one is to be livestock-rich and thereby, third, a notable person. To achieve these interrelated goals with hard work and luck a man has to build up his own large family livestock. The reasons for this are manifold. Firstly, livestock are the only means of wealth accumulation and means of paying out bridewealth debts. Secondly, livestock are the main standby in times of crisis - household security is based on livestock. Thirdly, a man's desire to build a large herd is to make the livestock sector viable because "large herds' recuperative capacity is higher than that of smaller ones" (Dahl and Hjort 1976). The third aspect of the ideal model of success is for a man to become a 'notable person'. The measure of achieving this goal is defined in relation to his ability to create and maintain many cattle-friends, host guests now and then, dedicate an elaborate *gilo* (mortuary ritual) for deceased parents and in general provide people with plenty of food and drinks during rituals and feasts. The opposite of a *kamurku* is *kaysito*. A *kaysito* is a man who is heading a *gende* with one or two monogamous *menie* with few head of livestock and limited means to host guests and probably is still struggling, purely in Tsamako terms, *gilo goda* to carry out his parents mortuary ritual.

Men seek to contrive their careers and operate within this folk definition of success. In fact not only men but also women aim at some aspects of this ideal goal - the aspiration for a polygynous household with many children. A man hopes and plans to be a polygynist and the head of a large family herd with a large *gende*, whilst a woman aspires to be the mother of an established son thereby enjoying prestige and economic security in her old age. Thus,

I suggest that the essence of the politics of resource control among the Tsamako is embedded in the productive capacity of resources which, in turn, are associated with livestock, women and bridewealth. I shall argue that achieving those ideal goals defined by what I call the folk model of success, rests on controlling the productive capacity of the resource but not the resource per se. The reason why I decided to base my analysis on this ideal model of success is one and only one - the ideal goal is simply the primary occupation of men, and to some extent, women. There were obviously gaps between the ideal and the actual achievements and I shall focus on individual cases which illustrate this.

I have already noted that, according to the ideal model of success, a successful man is not only livestock-rich and a polygynist but also someone who manages to be head of a large *gende*. Can a man achieve this goal in his life span? Who were actually considered to be successful men in Luqa in 1997? To answer this questions let us take an example. A man named Warlie was classified as belonging to this category of people - the successful ones.

Case 3: Warlie was in his early 50s. His mother was originally from Banna and his father from Tsamako, with the Beryto clan affiliation and Bilbilco generation-set membership. He had three wives. He had ten sons and five daughters. Warlie is bilingual which is typical of the inhabitants of Luqa. Two of his wives are Tsamako, the third one from Banna. Seven of the sons and three of the daughters were married. In 1999 out of his seven married sons, one had three wives, and six of them have two wives each. Warlie has paid all his sons' wives' bridewealth cattle and most of the bridewealth small stock. Out of a total of thirteen wives, seven are from Banna and six from Tsamako. Four of Warlie's married sons have their own houses constructed next to his, while two of them live in two sub settlements of Luqa roughly twenty minutes walk from their father's place. One of his sons (the 5th son below) was forced to leave Luqa because he unintentionally shot and killed a man from the neighbourhood. Since then he has found refuge in the Argo settlement of the Banna community.

As suggested earlier, Warlie was one of the richest men in Luqa. In 1997 he had 57 head of cattle, 44 goats, 39 sheep and five beasts of burden. All but one of his sons (the fourth son see below) has not yet received his 'nucleus family herd' (a number of livestock that enables him to build up his own family herd).

1st son	2nd son	3rd son	4th son	5th son ⁷⁰	6th son	7th son
wives = 3	wives = 2	wives = 2	wives = 2	wives = 2	wives = 2	wives = 2
children = 5	children = 6	children = 3	children = 1		children = 2	children = 2
cattle = 31	cattle = 27	cattle = 22	cattle = 2		cattle = 6	cattle = 5
goats = 32	goats = 30	goats = 40	goats = 3		goats = 7	goats = 6
sheep = 29	sheep = 19	sheep = 20	sheep = 2		sheep = 0	sheep = 0

Warlie has managed to create and maintain ten cattle-friends (*bel*) over the years. He was the one who has lent one cow to each of his ten *bel*. These *bel* belong to different groups of which four of them are from Banna, two from Maale and four from Tsamako. He normally divides his fallow herds into two and pools them together with that of his sons, sending them to two of any of the four wettest areas namely, Alduba, Argo, Doribaka and Mukecha. Alduba and Argo are not only places where Warlie has *bel* but also affines - his daughters-in-laws natal settlements are in Banna country. Besides Argo is his mother's natal place where he grew up with his parents in a Banna community. With many affines and *bel* he hosts guests now and then.

We can see that Warlie was not only a polygynist but also the head of a large *gende*. He was accorded the respect due to his economic and social standing. His public image was one of high prestige. People used words *kamurku* and *dama* (large) to refer to him and his household respectively. His *gende* consists of seven *menies* who were readily available for defending the interests of the *gende* against other similar units. It should be noted that Warlie's livestock holding was not as high as the ideal expectation, but the ideal is ideal. It was apparent that paying his sons wives bridewealth and reallocating the nuclei family herds for all of his sons seemed to have had a significant effect on his livestock holdings. In this regard Rigby (1985:145) argues "...as an elder pursues this goal of notability and 'wealth', ... his control over the primary means of production is progressively weakened and diluted, since wives, sons, affines, and matrilineal kinsmen increasingly claim their rights, and control of, certain portions of the herd". The levelling effect of bridewealth on livestock size among households is documented for many East African pastoralist and agropastoralist societies, for instance, among the Mursi (Turton 1980), among the Karimojong

⁷⁰ Since he no longer lives in Luqa I do not have the information on his livestock holdings.

(Dyson-Hudson 1966). Turton (1980:81) argues "... where cattle play the economic role [secondary subsistence importance] that they do among the Mursi and Nuer, they cannot be spread too thinly about the population, and that the way in which bridewealth is paid in these societies works against the net accumulation of stock by particular individuals". Dyson-Hudson (1966:51) comments on the Karimojong: "the cattle received as bridewealth by a family for its daughters do not seem to match up with those paid out by its sons".

Warlie's case is close to the ideal success model which not all men achieve. In 1997 in Luqa there were only eight household heads out of a total of one hundred and twenty-five households which might more or less met these criteria and therefore might be considered successful like Warlie. Warlie is a successful man, and there is a corollary question to this. That is will his sons succeed like him? In other words, can success breed success? These are no easy answers to these questions. It is more of a matter of speculation. But other things being equal a young man, like the sons of Warlie, from a wealthy and polygynous household is more likely to acquire more wives than someone from livestock-poor and monogamous ones; so the former has a better chance to start with than the latter. Because a man from a livestock-rich household gets his wife's bridewealth paid by his parents, he also has a better chance to receive a nucleus family herd to build up his own household herd. The data on the fathers' and sons' generations suggest that most sons whose fathers were polygynous and relatively livestock rich also tended to be polygynous compared to others whose fathers' were monogamous. In this sense it is plausible to suggest that success partly might breed success. (In fact there is a strong correlation between rate of polygyny, livestock control and *dalba* water source control as we will see in chapter six.) The reproduction of successful individuals rests on their control over the fertility of livestock and women. In other terms, livestock and women are at the centre of household head's

strategies for accumulation. One of the strategies is building up livestock by acquiring them through a range of mechanisms including inheritance, exchange (bartered with surplus grain and honey) and bridewealth. We will briefly consider each of them in turn.

Rules of property devolution

As in most pastoral and agropastoral societies of East Africa, property devolution among the Tsamako is governed by the rules of primogeniture. According to these rules the senior son (the first son of the first wife in a polygynous household) is the principal heir of the family herd and other property when the father dies. In other words, after the death of the father the senior son will become the guardian of the family herd. He is, therefore, destined to take the lion's share of his father's family herd and is held responsible for the reallocation of the rest of the livestock to his brothers and half-brothers. This right of the eldest son is justified on the ground that after the death of his parents he has the responsibility of making sure that the second mortuary ritual, *gilo*⁷¹ is performed for each of them. With rights of inheritance, a son also receives inherited obligations. He has to discharge the obligations of his father under the close eye of his agnatic group.

⁷¹ A *gilo* is probably the most elaborate and expensive rituals of all. In August 1997 a man called Surqa (see Plate 3) performed his father's *gilo*. As the senior son he was in charge of the preparation of the *gilo* from its inception to the end. Brewing the beer, grinding the grain for food preparation took a period of two solid months. Since his father was said to be a wealthy and a notable person in his life time the *gilo* prepared for him was also said to be one of the most expensive ones. Thirteen cattle and fifteen goats and sheep were slaughtered for the *gilo*. Almost three fourth of the *gilo* expense was covered by Surqa and the rest by two of his younger brothers. (Over one hundred and fifty people attended the *gilo*, see Plate 4)

Although the household head, and after his death the senior son, controls the family herd others have also weaker rights of claims in the family herd. He is allowed to exercise his discretion within culturally defined goals by taking into account the short-term and long-term needs of his *gende*. (Major needs of the *gende* include: weddings, bridewealth, funeral livestock, ploughing and milking.) The head of the *gende* (father) holds livestock rights in trust for all its members (Baxter 1975).

A young man holds two basic rights in the family herd of his father. The first of these is that his father should pay the substantial proportion of the bridewealth of his first spouse. Second the son should receive a number of cows to form the nucleus of his family herd which sooner or later will enable him to build his own herd. Other than the household cattle, of course, the son is expected to contribute livestock to the realisation of the second objective from other sources. A young boy before he is married manages his own plot of land where he can produce grain and exchange this for goats and sheep and sometimes even for cattle. He can also acquire livestock from the sale of honey produced by himself. Such livestock becomes part of his family herd when he sets up his own *menie* and his rights of claims over such livestock is strong.

In theory the rules of primogeniture are straightforward. In practice, however, often the reinterpretation and operation of the rules create tensions between the father and his senior son during the lifetime of the former on the one hand, and between the latter and his younger brothers particularly in a polygynous situation after the death of the father on the other. There is a tension between the father's desire to be the head of a large family herd with a large *gende*, and the need to reallocate herds to his sons and helping them to build their own family herd. The question of striking the balance between these two livestock

demands give rise to a tense relationship between a father and his son/s. The separation of the son from his father can be conceived as the former being a point of segmentation and the latter a point of unity and concentration. The father's place and property remain a point of concentration and competition and thereby a locus of co-operation and contest among his sons respectively, a matter which I shall examine here.

Tsamako rules of inheritance make the relationship between the senior son and his younger brother/s tense, particularly after the death of their father. This tension stems from the senior brother's rights to replace his father and control the family livestock. There is an apparent contradiction with the brothers' desire to form a 'minimal lineage segment' on the one hand and the competition for the family herd among themselves on the other. As time passes by after the inherited livestock is redistributed to them, the sons tend to disperse and each of them begins to build up a *gende* of his own. The tension between building up a large *gende* and a large herd are the "moral and practical dilemmas for a father expected to divide his (family) herd" (Peters 1983:145). The bottom line for a father is to maintain the balance between his interests and those of his sons. To illustrate this point I intend to examine and compare the case study of Warlie, described above, and the following two case studies.

Case 4: Surqa is a Tsamako man in his early fifties. Born from a Tsamako father and Gewada mother, he grew up in Shalla. He belongs to the Beryto clan and Bilbilco generation-set respectively. He is married to four wives one of whom came in levirate. Two of his wives are Tsamako and the other two Gewada. He has three married sons and a married daughter. All except one of his sons are monogamous. He paid the bridewealth of all of his sons' wives including that of the second wife of the senior son. Surqa controlled 96 heads of cattle (the cattle he has lent to others are not included in this figure), 46 goats, 43 sheep and three beasts of burden. None of his sons were given their nuclei family herds although two of them have half a dozen small stock earned from their own sales of surplus grain and honey. All of the sons have access to milk and draught oxen but the right of disposal rests in the hands of the father.

Case 5: Weraqie and Kokie are half brothers both of them in their late twenties. Their father died when both of them were fairly young. Then their father's younger brother replaced their deceased father. Now both Weraqie and Kokie are married and have two wives each. Their wives' bridewealths were paid in livestock drawn from the *gende* collective herd fund. Weraqie is older than Kokie. Weraqie is the senior son of the second wife whilst Kokie is the senior son of the first wife. Kokie had received the nucleus family herd and he had thirty head of cattle, forty-two goats, forty-six sheep and five beasts of burden in 1997. On the other hand, Weraqie did not receive livestock. As already mentioned above Weraqie is older than Kokie. Nonetheless, chronological age has very little to do with inheritance. Weraqie was kept (purely in his own terms), too long to receive his nucleus family herd. He expressed his dissatisfaction and anxiety. From the point of view of Weraqie, his father's brother was putting his own interest before his elder brothers sons (including his younger full-brother). It should be noted that both Weraqie and his full-brother have had access to milk and draught oxen.

Warlie had reallocated livestock to almost all of his sons. But Surqa still controlled all cattle including smallstock. Both of them are members of the same generation-set namely, Bilbilco and in their early fifties. Again both of them are polygynous - Surqa has four wives and Warlie three. Why then does Surqa still hesitate to reallocate livestock to his sons? The answer in part lies in his desire to control the labour of his sons. Is this a calculated strategy? Surqa's answer to this question was that as long as his sons have access to milk and oxen power it did not make any difference whether his sons are reallocated their own nuclei family livestock or not. Further he was of the opinion that in the final analysis his livestock will be inherited by his sons. The reaction of one of his sons, however, was against the father's assertion. Ideally he wanted to receive his nucleus family livestock before his father dies. In practice since his father was not willing to do so he had to wait and see. It is quite difficult to determine whether Surqa's decision not to reallocate livestock now was a calculated strategy of controlling his sons labour or not. Yet one point should be made clear that is all the livestock controlled by Surqa were herded by his sons' in turn. Consequently they had access to milk and draught oxen while the decision about the alienation and exchange of livestock rests with the father.

Weraqie and his younger brother also find themselves in a similar situation to Surqa's sons. The difference between the two is that the livestock of the former are controlled by their father's younger brother (classificatory father) whilst that of the latter are controlled by their father. But the difference is not a qualitative one. In both cases, the father and the classificatory father delayed the reallocation of livestock to their sons. Further, this resulted in a tense relationship between the fathers and the sons. Nevertheless, in both cases sons are not denied rights of access to livestock. In this sense members of a given *gende* come together and form a livestock corporate group. It should be noted that the most important livestock needs that bring them together include draught oxen, bridewealth and mortuary rituals.

When members of *gende* actually come together and form a livestock corporate group depends on the developmental stage of the household. Likewise co-operation and competition among members also vary depending on the developmental stage of the households. In general all male members of the family have an inalienable right in the family herd as they are held responsible for its guardianship. Membership in the *gende* groups permitted individuals the right to the *gende* livestock, and *gende* membership, defined by kinship the lines of demarcation of *gende* groups are rigid.

Patterns of household livestock distribution and household differentiation

Cattle distribution

Livestock in this context refers to cattle, goats, sheep and asses. Both conceptually and practically livestock plays a central role in the economy. Conceptually livestock are at the centre of songs, poems and stories. Practically, livestock plays a set of socio-economic roles in the daily lives of the people: bridewealth, exchange, means of subsistence and prestige.

Above all livestock are the main if not the only means of wealth accumulation and a standby in times of crisis, given the inaccessibility of banking and financial services. Livestock can be sold or bartered for grain in times of drought which is a recurrent phenomenon, given the uncertainty of rainfall and its erratic distribution. In this regard the words of Fratkin and Smith (1994:105) are worth repeating: "The pastoralist adage 'cattle are wealth' is more than a figure of speech; it is a goal of pastoral life".

Among the Tsamako livestock raising has been carried out in more sedentary circumstances. Baxter (1975:210) points out that "sedentarization based on stock wealth is an achievement and is quite distinct from the enforced sedentarization which follows pauperisation". Given the dearth of information on the Tsamako in general, and on the social history of their economy in particular, it is quite difficult to establish whether the sedentarization of the Tsamako was the result of their success or pauperisation. Yet there is strong historical evidence supporting the idea that one of the basic features of the Tsamako way of life has been characterised by a permanent residential quarter with a seasonal migration of cattle to wetlands during the dry season. In this way they were able to respond to the seasonal and localised changes in pasturage and epizootic factors.

The role and value of livestock are changing following the shift in the means of subsistence from a high degree of dependence on the pastoral economy to that of agriculture. As discussed in chapter four, before the adoption of the ox plough in the late 1970s pastoral products used to constitute, informants claim, a significant proportion of the daily nutritional diet of the people. In those days livestock was the source of food (milk, meat), clothes and mats, accumulation of wealth and pride, payment for bridewealth and payment for taxes.

Since the late 1970s' livestock have acquired new roles and the balance of the original role and value of livestock have been slightly changing for a range of reasons. First and foremost the use of draught oxen for traction has entered the equation. It should be noted that oxen have gained increased importance since the 70s following the adoption of the plough. Above all the role of livestock as a means of wealth accumulation and standby in times of crop failure years was, still is, and will probably continue to be an important issue in the foreseeable future. Whilst most of those original roles and values remain valid the value of livestock as a source of milk for household consumption and clothing is declining. (The decline of the amount of milk production and the resultant rate of consumption have important implications even for the application of certain forms of social sanctions as highlighted in chapter five). This implies that households are not subsisting principally on livestock produce. Given these roles and the value of livestock in the day-to-day material and social life of the people, rights of control over them are probably at the centre of all other productive resources.

Unlike in the past, today most households largely subsist on agricultural rather than livestock produce. Nevertheless the measure of the Tsamako wealth to a great extent remains livestock. Let us consider the pattern of livestock holding in 1997. As the following Table shows livestock size of the residents averaged 18.2 cattle, 18.3 goats and 17.1 sheep.

Table 3. Average⁷² livestock holdings and number of persons per household in Luqa in 1997

average number of people per household 5.7

average cattle per household 18.2

average goats per household 18.3

average sheep per household 17.1

Source: Author's house to house census carried out in 1997

These figures include all the livestock controlled by households in Luqa, but cattle loaned to other people in other Tsamako settlements and other ethnic groups are not included. Exact information on household livestock size was hard to generate through direct questioning for two reasons. In the first place people normally talk about livestock size in terms of number of kraals but not in terms of number of head of livestock. Secondly, people tended to under report their livestock wealth for a range of reasons, the most important one being the unfortunate coincidence that during this time the local government officials were assessing and ranking tax rates based on household level of 'incomes'. So the issue was far more sensitive than it might otherwise be under normal circumstances. My research assistant and I had to count for ourselves without informing owners. Over the course of one month we were able to count and to cross-check livestock holdings of households in Luqa.

Yet how much can an average tell us about the wealth differential of a given community? The average, probably together with the range - the rich and the poor on either of the extremes of the scale - might give us a rough impression about the degree of disparity in

⁷² The average was calculated for 125 households that constitute Luqa territorial section. Three months before this census was carried out there was an out break of CCPP (locally known as *Somba*, the symptom of the disease which causes lung infection), as a result of which some households were reported to have lost up to 30 head of their small stock.

livestock distribution, yet it does obscure the variation in holdings among households. This suggests the importance of looking closely at the nature and pattern of livestock distribution among households.

The notion of pastoral and agropastoral societies as 'egalitarian' is much more contested and less acceptable today than probably it might have been in the early decades of the twentieth century. Dahl (1979) was the first to note that the 'ethos of egalitarianism' conceals the real wealth difference among Waso Borana. My own data show unequal distribution of livestock. Therefore livestock holding is an important indicator of wealth differentiation among households in Luqa. By looking at the break-down of livestock wealth distribution in terms of brackets one could get a partial answer to the question raised above. At the risk of oversimplification, therefore, it is possible to divide households in Luqa into three: rich, middle and poor. In a census of one hundred and twenty-five households in 1997, 12 percent might be considered wealthy, having more than fifty tropical livestock units⁷³ (TLU; one TLU equals 1 cow or 10 small stock), 24 percent were middle (those who controlled 20-49 TLU) and 40 percent were poor with less than twenty TLU (4% out of the 40 % did not have any livestock at all). While thirty households (24%) out of the total of one hundred and twenty-five households had not been given their nuclei family herd yet.

⁷³ In this calculation all species except donkeys of livestock were included.

Table 4. Percentage of cattle controllers per bracket

cattle bracket	no	%
0	39 ⁷⁴	31.2
1-10	26	20.8
11-30	35	28.0
31-50	7	13.6
>50	8	6.4
Total	115	100%

Five household heads out of a total of 125 controlled neither cattle nor small stock. Head of one of these households was a migrant from Gewada. He was engaged in dry land cultivation and petty trade. While three out of the five livestock-poor households were headed by old people who were neither fit for tending livestock nor had children to do the job for them. Consequently they could not borrow milk cows from cattle-rich relatives and/or friends. This points to the fact that, as in the field of arable land reallocations where everybody who is capable of cultivating crops is not left landless, with regard to livestock everybody who has the necessary pastoral labour has also access to milk cows. This shows the role labour plays as a means of gaining access to a productive resource. Conversely those who managed to control women's fertility acquired control over labour and thereby control over livestock.

Thus, as shown in the three Tables livestock (cattle, goats and cheep) were unequally distributed. Many households had not enough livestock to support themselves (in the literature on East Africa for a person to entirely subsist on pastoral products he needs to have a minimum of ten head of cattle). Apparently those households in the low livestock

⁷⁴ 30 out of 39 were young household heads waiting to receive their nuclei family herd from their fathers' or senior brothers'.

brackets were not able to live on a predominantly pastoral diet. For this category of households the agricultural and honey production sectors of the economy play indispensable roles. This brings us to the question of how livestock-poor people gain access to the surplus milk cows of the rich. I shall come back to this point shortly.

Smallstock distribution

The concentration in the literature on the economic and sociocultural roles of cattle has underplayed the role of small stock. Jan (1984) maintains, based on data drawn from the Turkana of Kenya, that small stock play a crucial but understudied role in East African pastoralism. Goats and sheep are bartered for grain both within and between individuals of different ethnic groups. My informants argue that goats and sheep's rapid recovery from disasters of drought and epidemics is an essential element in raising them. Almost all households maintain species diversity in their livestock holdings. As diversification seems to be the calculated strategy I did not find households concentrating either on large stock or on small stock.

According to the house to house census carried out in 1997, goats predominated in number over sheep and cattle. As the two Tables below show there was a symmetrical distribution of both goats and sheep across households. There were households which controlled as many as one hundred and thirty-six⁷⁵ and others as few as three smallstock. A significant proportion of households controlled small stock well above the average. Eight out of ninety-three households did not have small stock at all. Heads of the three of these eight

⁷⁵ Before the outbreak of the disease shortly before the census was carried out there were some households who were said to have well over two hundred goats and sheep.

households were young men (*robalco* generation-set members), two of them were old people (*bilbilco* generation-set members), a very old man (*nelbasco* generation-set member) and the last one was a 'widow' household head (*bilbilitie* generation-set member).

Table 5. Percentage of goat controllers per bracket

goat bracket	no	%
0	12	12.9
1-10	25	26.9
11-30	36	38.7
31-50	17	18.3
over 50	3	3.2
Total ⁷⁶	= 93	100%

Percentage of sheep controllers per bracket

sheep bracket	no	%
0	19	20.4
1-10	29	31.2
11-30	30	32.3
31-50	12	12.9
over 50	3	3.2
Total	= 93	100%

Rights of control over livestock

As defined in chapter I, the word control in this context refers to the right to sell and reallocate livestock. Livestock resource control is strongly defined by gender. Men exercise greater control over livestock than women. Male elders' control over livestock is recorded for many East African pastoralist and agropastoralist societies. There seems to be a general agreement in the literature⁷⁷ that women's rights of livestock resource control is weaker than their male equivalents. "Seldom, if ever, do women have control of the herds, although the Tuareg's matrilineal inheritance of livestock by both men and women provides a marked exception to this rule" (Fratkin and Smith 1994: 93).

⁷⁶ Thirty out of a total of one hundred and twenty-five households have not yet received their nuclei family herds. Information on two households is missing.

⁷⁷ Goldschmidt says that women in pastoral societies are neither meek, subordinate nor powerless. This, according to him, is due to the socialisation process which in its drive to create strong self-assertive men, "... is not differentiated for the women and hence tends to create strong self assertive women as well. Furthermore, in many ways, men and women live their lives in essentially separate spheres so that the women have a pattern of relationship among themselves in which these personal attributes are involved" (Goldschmidt 1979: 24-25).

Ariaal, Maasai, Samburu and Rendille women⁷⁸ do not have livestock rights of control. They get allocated cattle, especially milk cows, by their husbands but they cannot sell nor give away such cattle. By implication, therefore, women cannot build up their own herds (Fratkin 1991). Fratkin (1991:69) writes, "Ariaal women are powerless in the society, as they own no independent property. Dependent on their fathers when children and on their husbands as adults, women enter old age (and typically widowhood) dependent on sons to feed and care for them. Men, by virtue of their control of livestock capital, insure that the public and jural spheres are their exclusive domains as well". This description fits the Tsamako women with a few qualifications such as that not all categories of old women and widows are dependent on their sons, as we shall see later. As Ndagala (1992:238) rightly points out "the public image as depicted by both men and women conforms with the ideology of male supremacy". Looked at from this angle men have absolute control over all productive resources. When I asked men and women of different age ranges whether women as wives have control over livestock the answer they gave me was invariably the same: wives do not have control over livestock.

A girl has no animals exclusively defined as hers, neither before marriage nor after marriage. In practice, however, women as wives have considerable influence over their husbands. For example the husband needs to obtain the consent of his wife before he actually decides to sell an animal. Wives in relatively livestock-poor households seem to have relatively more say on the sale and reallocation of their hard earned animals of the

⁷⁸ Ndagala (1992), Oboler (1986) and Talle (1988) argue that commercialisation of economic resources has undermined the economic position of women as wives.

household than wives in livestock-rich ones. For instance, I came across an incident where a husband who was trying to sell his goats without the consent of his wife was prevented from doing so by his wife. Thus, rights of control of a household head are not free from the influence of his wife. In fact the household head's rights of control are affected not only by his wife and other mature members of his household and members of his agnatic group but also by the general public. In part because of this high social pressure on household heads conflicts of interest between men and women over disposal of small stock were not readily apparent.

Let us consider some of the social and spatial factors that influence the exercise of rights of control by the household head. Under normal circumstances a household head does not alienate productive animals without sufficient reasons. Two factors account for this. The relatively lower degree of market⁷⁹ integration of the local economy to the regional and national economy and the high degree of social control and social pressure leave very little room for the individual to act irresponsibly. Usually household heads cull off old bulls. They often barter such cattle for heifers from selected areas that are proved to have similar altitudes and climatic conditions as the Tsamako 'country'. Traders bring heifers from many places (such as Banna, Borana, Hor and Gewada) which are supposed to be disease resistant and easily adaptable to the Tsamako climatic conditions⁸⁰. Such transactions take place

⁷⁹ Under normal circumstances the role of market forces in regulating the price of livestock, grain and goods is relatively low. Yet the effect of commercialisation is emerging. For instance, since the early 1990s the overall price of goods and food stuff sold at Key Afer market and restaurants is on the increase so is the price of livestock.

⁸⁰ The cattle of such areas are regarded more productive compared to those from highland ecological zones. Well-informed of these requirements of the local people, traders usually bring heifers from Banna

within the Tsamako territory without the need to go to the market. The fact that such transactions involve travel neither to the market place nor the use of money as a medium of exchange might impose limitations on wastrels. Although the household head has a great degree of rights of control over livestock and other products there is very little room for him to be a wastrel. In the first place all members of the household have a common interest in the household livestock and therefore that is a restraint on him. Second, tied with overlapping networks of relationships with neighbourhoods the entire community puts social pressure on him to be accountable for his household. In fact the father in the household head (head of the *gende*) and the council of elders for that matter might be invited to interfere in cases if the head misbehaves himself.

Another appropriate reason for the household head to exercise his rights is when his household produces surplus grain which needs to be bartered, or when his household is in short supply of grain which has to be procured through barter. Barter⁸¹ was, and to a greater extent still is, the prevalent form of exchange between individuals of the same ethnic group and individuals from neighbouring ethnic groups in the region. Even today bartering livestock for firearms, bullets, clothes, ornaments, and local alcoholic spirits is not uncommon. As discussed in chapter one, grain (maize and a variety of sorghum) is the

and Borana ethnic groups and exchange them for Tsamako bulls, and in turn sell them at Jinka and Bakaule markets (for cattle traders this is a lucrative business).

⁸¹ To date the use of the Birr, the Ethiopian currency, as a medium of exchange is very low so is the value of money. It is true to say that people would like to keep bullets as a readily cashable item rather than the Birr itself for the former plays dual roles: the role of money as a medium of exchange and can also be readily exchanged for smallstock and goods or can be sold easily at the local market, while keeping money has the risk of damage and total loss.

staple food of the Tsamako. When grain cultivation fails it must be procured - bartered for livestock. Because of the problems associated with grain storage facilities surplus grain and honey have to be converted into livestock. In good years, when the household produces more grain than its domestic consumption needs, the head exchanges the surplus grain for livestock. Likewise he can also exchange honey for livestock or goods. In bad years, translated as poor harvests due to shortage of rain, when the household has produced less and is therefore short of grain for household consumption then he could exchange livestock for grain. Surplus honey and grain are exchanged⁸² for livestock and **vice versa**. This is at the discretion of the household head. In general decisions about exchanges and alienation of livestock are rarely made by the household head alone. It is true to say that the household head has the final say on livestock that need to be bartered or alienated. The limit of his authority is set both by the nature of barter and spatial factors. Included in these is the corporate nature of livestock particularly cattle holdings for a considerable period of time. Sometimes for well over a decade and a half after the establishment of the household, livestock are kept under the control of the father household head whilst other members of the *gende* retain only rights of use. Thus the *gende* unit also has a significant influence in the control rights of the household head depending on the developmental stage of the household.

⁸² In a more general sense the most prevalent form and direction of exchange at a given point in time are an index of the grain harvest condition of the year, in particular, and the economic well being of the territorial section in question in general. One has to make a distinction between two sets of livestock exchange i. e. whether it is smallstock or cattle exchanged for grain. In the event of the former one can deduce that the last harvest year was bad but households might quickly recover from it. But on the other hand to see local people exchanging cattle for grain denotes that there was total crop failure and the situation is so bad that members of some poor households might even die of hunger.

Control over the livestock resources rests with the head of the household. His rights develop and gradually dwindle along with the household's development cycle. Based on the household head's strength of his rights one might divide the household's developmental cycle roughly into two periods. The first is the period which begins with its establishment until it receives the nucleus family livestock, whilst the second one is the post nucleus family livestock allocation period.

The autonomy of the household begins with its establishment. In other words, the household head's control over productive resources increases. Until he receives his nucleus family herd, however, the household head (the household as a unit for that matter) is dependent on the *gende*. Some (for example Ndagala 1992) argue that among the Maasai livestock is a necessary condition for establishing a household. Among the Tsamako I found that livestock is not a precondition for setting up a household. It is true to say that the availability of bridewealth livestock has a positive correlation with the incidence of a man's marriage. Yet it should be borne in mind that as long as grain production remains the main subsistence means the establishment of new households is not entirely dependent on livestock. Until the father allocates the nucleus family livestock to his son the household of the latter depends on the household of the former for its livestock needs. In other words, the father (in his absence his senior son, or his brother) and his son form a single livestock economic unit for a considerable period of time even after the son has established his own household.

In contrast to the livestock economy this rarely happens in the field of grain production. As will be discussed in the next chapter, a household (*menie*) might immediately establish its

independence from the *gende* unit by managing its own arable land and hives but not in terms of livestock. The household could remain dependent on the *gende* for a considerable period of time after its establishment as a social unit (consider Table 4, which shows that there were thirty households which have not yet received a nucleus family herd and therefore they were dependent on each other's *gende* for their livestock related needs).

During the first period, therefore, the household's access to livestock and the manner it utilises them is highly influenced by the *gende* in which it is a member. The relationship between the household and the *gende* as a larger social unit determines, for instance, the distribution of incoming bridewealth livestock, co-ordinate efforts for the procurement of the outgoing bridewealth and livestock contribution of the household to rituals and sacrifices which are the collective concerns of the *gende* unit. The head of the household, who is conceived of as a kind of 'a general manager' of the *gende*, is in charge of the collective interests and affairs of the *gende*. He is the central figure of authority in his *gende*. The father decides when and how many head of livestock should be allocated to his sons. His own interest and the needs of his sons will be taken into consideration. He can delay the allocation of livestock to his sons but never deny their rights of access to livestock. As they hold such rights they have obligations to contribute labour to their management. This livestock dependence terminates when the household head receives his nucleus family herd from his father.

The second, the post nucleus family livestock allocation period, is marked by a greater degree of autonomy of the household. The household controls its livestock resources independently. The household is likely to achieve economic independence in both livestock and grain production. As it receives its nucleus family herd the household gets out of the

sphere of influence of the *gende*. In other words the forces which held *gende* members together become relatively looser. As the household grows, the size of its livestock increases, thereby the horizon of resource control of the head expands. It should, however, be noted that the household will not entirely dissociate itself from the *gende* until the father/head dies.

Once established a household tends to last long and it tends to be dissolved only under one circumstance. This is when the husband dies without a son. Under such circumstances the wife will be inherited by the younger brother of her deceased husband and the household as a social unit will cease to exist. However, if the husband dies leaving a son the household persists. It will be headed by the wife who is locally known as *heyatie* as from the death of her spouse. Instead of the wife going and joining her deceased husband's younger brother's household the latter occasionally visits her and she continues to bear children in her deceased husbands' name. This is a cardinal point with significant implications not only for the existence of the household as a social unit, but it also affects the status of the inherited 'widow'. I shall come back to these issues later.

Loaned cattle resource, rights of access and control

"Social relationships which are neither embedded in property relationships nor run contiguously with them need very, very strong sentiment indeed to maintain them. One of the few generalisations we can make about pastoral societies is that social relationships run close to stock-relationships and that stock have the property of creating and transmitting social relationships"(Baxter and Almagor 1978:9). The relevance of establishing and maintaining networks of cattle friendships among pastoral and agropastoral societies in East Africa is well established. There are many reasons for a livestock-rich person to loan his

surplus milk cows to those in need. He can reduce pressures on grazing and water for his remaining stock, spread the risk of loss from diseases and raiders, and save on labour. He can also help his kin, affines and friends in need. By lending surplus milk cows a lender can establish credit relationships and translate the risk dimension into prestige (Almagor 1978; Gulliver 1955; Little 1992; Sobania 1990). The degree of influence and the position of a man in the council of elders are, for instance, in some ways influenced by his economic standing which is demonstrated by being a cattle lender. The more a man creates and maintains livestock friends (*bel*) the more he receives respect and becomes a notable person. This high social status or high prestige attributed to a notable person comes through the accumulation of more *bel*. Other things being equal, the size of such networks either expand or shrink according to the individual's livestock holdings and household labour. It can be argued that cattle friendships can weaken either when cattle are not forthcoming or when a household is short of active labour.

As in many East African societies, among the Tsamako cattle play an important role in creating social ties and personal-bond partnerships. People make a clear distinction by using two words *bel* and *jala*. The former refers to livestock-friends as either lender or borrower while the second refers to friends whose relationship rests on exchange of gifts. Cattle borrowers and lenders have defined rights to loaned cattle and obligations towards each other. In principle, the borrower has the right to use the milk and its by-products but the cow and the calves it produces will remain the property of the lender. In practice, the borrower can sell loaned animals at times of crisis. But to alienate such an animal permission has to be sought from the lender, who continues to control the productive capacity of the cow. As the following case reveals a man's *bel* can be from different clans and even members of different ethnic groups.

Case 6: Mengesha is member of the Obzico clan. He had twelve head of cattle of which five milking cows were loaned from friends and relatives. Four of his *bel* are from Tsamako two of whom belong to Beryto clan, the third and the fourth to Algaco and Obzico clans respectively. The fifth *bel* is his aunt's (from his mother side) spouse a Banna man. According to the terms of the cow loan agreement Mengesha herds the cows and uses the milk and milk by-products in return for a set of other obligations. At the death of his aunt's spouse years ago, Mengesha had to fire twenty bullets into the sky in recognition of his cattle friendship with the deceased, which is in line with one of the expectations of a person with cattle friendship. (Firing bullets⁸³ into the sky is one of the tributes relative, affines and friends pay to a socially mature person.)

The Tsamako have safety mechanisms through which many of the poor gain access to the surplus resources of the rich. This is one of the two opposing forces that operate at the same time. One forces poor households out of pastoralism (bridewealth payments and ecological factors), and the other which gives such households the opportunity to get access to livestock and rebuild their own herd; these centripetal and centrifugal forces are both in operation at the same time. In this regard Ndagala (1992) argues for the Maasai of Tanzania that there equality exists between the domestic groups in terms of consumption. I agree with him that the poor are able to obtain access to the surplus resources of the rich households, but only so long as the poor have the necessary household labour at their disposal. Those households who lack the necessary pastoral labour force are likely to be denied access to the surplus resources of the rich in general and milk cows in particular. By the same token in the agricultural economic sector the poor get access to the oxen labour power of the rich only as long as the former have enough grain to brew beer and sponsor work parties. In the absence of grain for beer making the idea of calling a work party is

⁸³ Shooting bullets to the sky is quite common at the death of a married person. The number of bullet shots vary depending on the gender, socio-economic status of the deceased had had at the time of his/her death. Backed up with the patrilineal ideology men deserve more than women. And with respect to men the number increases as the livestock size and the number of persons who borrowed cattle from them increases.

totally inconceivable. Thus, I would argue that although there exists a mechanism by which the poor get access to the surplus resources of the rich its translation into practice depends upon other factors namely labour and beer, which is often overlooked. Households which are unfortunate and unable to bear children and therefore are devoid of an active labour force, rarely get access to the surplus resources of the rich because cattle-rich households need assistance which the poor households have the necessary labour to provide. The childless poor who face the grim reality of not having anyone to support them in old age are also most likely to worry that after death their rituals will be left unperformed. I found that such childless households were forced to fall out of pastoralism and entirely subsist on agriculture. I will come back to the problem of barrenness for women shortly.

I entirely agree with Ndagala (1992) and Talle (1988) that the poor and the rich respect each other because they both know that, due to a range of socio-political and ecological factors, the rich can become poor in a matter of weeks and the poor can become rich within years. Indeed this situation seems to have helped to deter the development of a patron-client relationship between the rich and the poor (Galaty 1981).

Rights of access to meat, milk and blood

Cattle are rarely slaughtered except for rituals and ceremonial events and at times when somebody who is found guilty of wrong doing is fined. Except for purposes of rituals and sacrifices cattle are normally butchered if they die. Goats and sheep are slaughtered for visiting relatives and friends and when women give birth. Men, as heads of households, decide which animal should be slaughtered and when it should be slaughtered. But smallstock may be slaughtered at times when a household is short of grain during a

prolonged drought. It should be noted that even under such pressing conditions men hunt small game to augment food shortages and slaughtering small stock is a last resort.

Members of a given household have a collective interest in the household livestock as a source of subsistence, and more or less equal access to its products. They contribute labour to the management of the family herd and thereby to its development. Young boys and girls (7-14 years of age) look after goats and sheep while young men (15-25 years of age) look after cattle. Although milk is still a preferred diet it is in short supply and is no longer an important component of a household's diet. Furthermore, although milk is an important source of cash for many African pastoralists, the Tsamako do not sell milk at all. Herdsmen sell only butter and use the money to buy salt for the household, beads and ornaments for themselves. Herding gives them such rights.

Unlike Maasai women (Ndagala 1992), Tsamako women are not allowed to undertake the milking of cows after marriage. This has a lot to do with an ideological orientation which identifies livestock with men. Women do milk goats and manage both small stock and calves. They are often responsible for taking care of calves and emaciated animals. They collect fodder (leaves and pods) store them and feed such animals during the dry season (see Plate 17). They also water both small and emaciated animals. In this way women do contribute to increase the size of the family herd. Though married women are prohibited to milk cows and thereby the right to sell milk products, they sometimes recapture such rights, including the right to sell honey, through their role as being transporters of products to the market.

"Bleeding animals and consuming the blood, while maintaining the animals in a relatively healthy state, is a pattern of food acquisition that appears to be unique to East Africa" (Galvin and Little 1999:132). Although potentially all species of livestock can be bled, I only observed herdsmen bleeding cattle. Blood taken from a live animal is mixed with milk and consumed fresh. People bleed cattle under two circumstances. One is when members of households sustain losses in body weight due to disease stress or loss of blood due to accident. The other one is when herdsmen, far from settlements during the dry season, are in short supply of milk. The right to bleed cattle is largely held by herdsmen, although the household head is consulted when bleeding takes place around settlements. It should be noted that, even though in a general sense herding gives rights to bleeding, all members of the household have access to blood when the need arises. In sum, herding gives rights to milk and bleeding. Consequently, herdsmen and women (in the absence of young boys) hold more control over milk and its products and blood than any other member of a household.

Polygyny

I have already noted that the ideal folk model of success for a man is to be head of a large *gende* with a large *menie* livestock and is a reference point against which the success or failure of a man in his life time is measured. One of the strategies of achieving this goal is becoming a polygynist and, as part of the ideal folk model of success, this is one of the foremost goals men seek to achieve. It is not surprising that almost all of the men and women interviewed expressed the desirability of adding at least one more wife to their households. Both spouses aspire for additional wives to share the burden of work in the sphere of agriculture and domestic work and because of the high status associated with it. Although nubile women are scarce among the Tsamako, those men who have the ability to

pay bridewealth can bring wives from neighbouring ethnic groups. The issue of bridewealth size is related to the household's ability to pay which, in turn, qualitatively distinguishes one household from another. For example, as Little (1992) observed for the Il Chamus of Kenya, rich households are distinguished from poor by the ability to marry additional wives. My own findings among Luqa residents tally with this assertion. The key factor that determines a household head's ability to marry additional spouses is bridewealth payment and, arguably, scarcity of women. The average size of bridewealth payment, as we will see below, is considerable. This is an important factor that puts a limit on livestock-poor households' actual ability to add more wives. Yet a considerable number of household heads interviewed expressed the view that scarcity of women rather than the burden of bridewealth payments prevented them from adding more wives. This implies the existence of fierce competition for wives. This condition is in part reflected by the fact that the Tsamako, compared to their neighbours, are predominantly wife-takers' (they take wives from four neighbouring ethnic groups but give wives only to one ethnic group, the Birale) rather than wife-givers'. Thus, one could argue that the actual capacity to pay bridewealth and scarcity of women are the most important factors that determine the number of plural marriages. In 1997 in Luqa 34.5% had two wives, 3.5% three wives and 1.0 % four wives. The rate of polygyny⁸⁴ (40%) is high but not as high as the expressed intentions of informants would indicate.

The need for labour has been put forward as a reason for polygyny, mainly because of the role of women as food producers (Boserup 1970). Other things being equal, polygynous households are likely to take advantage of more household labour and produce surplus grain

⁸⁴ The rate of polygyny was worked out from a total of 113 married men.

and reinvest it in livestock. Polygyny increases not only the supply of domestic labour, and thereby enhances the economic viability of the household (Little 1992), but also its social standing. Those married men who head household units with limited labour occupy a relatively lower social status than those who head a larger unit. Young households cooperate out of necessity with other units to make up for labour shortages. This explains the high values attached to the fertility of women as a means of making households self-sufficient in terms of labour. Thus, Spencer's (1980) proposition that polygyny serves as a means of social differentiation in African societies is applicable to the Tsamako.

The second reason why men value polygyny, to use Goody's (1979) phrase, is 'heirship strategies' - that is an attempt to 'add children' by 'adding wives'. Roth (1994:137) found out that among the Rendille of Kenya an heirship strategy determines polygyny rather than having the wealth necessary for bridewealth payment. Polygyny among Rendille, in her words, is "...an heirship strategy designed to ensure a surviving male", whereas among the Toposa of the Sudan, she maintains, polygyny is a symbol of wealth and status. Among the Tsamako polygyny is a remarkable key strategy for achieving these interrelated aims i.e. heirship, wealth and notability. What if a man dies without a heir? This question was the most difficult of all for my informants and the situation most feared. Most informants were not only unwilling to answer the question but were also reticent about the topic itself. The first common reaction to this question was *dawra* (lit. obscene) which is saying tacitly 'do not ask me'. According to one informant for him the real meaning of 'death' is if a man dies without a son - an heir. It is rare for a rich man, unlike a poor man, to die without an heir. In this sense polygyny might be in part characterised as a man's response to the problem of producing an heir. (In fact the problem of producing an heir is not only a male problem, but also women do worry about it a lot as we shall see later in this chapter.) Men therefore

aspire to have as many wives as they can. Moreover, as livestock is inherited by sons, and wives are inherited by younger brothers through the levirate arrangement, it seems plausible to suggest that women as wives are productive resources controlled by those who paid bridewealth to their parents. Furthermore, bridewealth payments are thought as an exchange of the fertility of one resource for another - livestock for women.

Bridewealth and bridewealth rights

Bridewealth (*shab'e*)

Bridewealth is a topic that has long fascinated anthropologists. Different approaches have been adopted for the analysis of the economic, jural, political and symbolic dimensions of bridewealth. The legal approach sees bridewealth as the legitimation of marriage whose content represents the visible basis of the contract and its legal act according to which rights and obligations between the parties are determined (Hakansson 1988). Within the legal perspective, attention is paid to the social structural arrangements following the legal rights and social norms connected with bridewealth payments which perpetuate patrilineal descent groups through affiliation of children to the fathers' descent group and define rights to property and inheritance (Goody 1973; Mair 1971).

Taking its theoretical inspiration from the formalist school of economic anthropology the economic approach, particularly in the study of agropastoral societies in eastern Africa, employed a market model for bridewealth. In his study of bridewealth among the Sebei and other societies in East Africa, Goldschmidt (1974:327) concludes "...where brideprice is viewed as negotiable, the amount paid is responsive to market factors" and "among the Sebei...the contract significantly reflects the laws of supply and demand, and that to an important degree it must be viewed as economic"(ibid:328). In a similar vein, for instance,

Schneider (1979:82) writes, "Bridewealth is a correlate of the demand for female labour". "Thus women were seen as a type of capital, equivalent in many ways to livestock" (Laughlin 1974:137 cited in Hakansson 1988). According to this approach bridewealth and women are looked at as part and parcel of the market where demand and supply regulate the relative exchange rates between the two over time and between different parties (Goldschmidt 1974; Schneider 1979).

A few studies have paid special attention to the symbolic aspects of bridewealth as expressions of basic cultural ideas about how the social world is constructed (see, for example, Comaroff 1980). All these three approaches⁸⁵ namely, the legal aspects, the economic and political aspects, and the symbolic or communicative content of bridewealth are complementary, although each of them concentrates on one aspect of bridewealth as a structurally dominant feature over others (Hakansson 1988). In his work on bridewealth among the Gusii of Kenya, Hakansson (1988) shows how these three approaches are valid and that complement rather than exclude each other. Following Hakansson (1988), I suggest that, because drawing the lines amongst the jural, economic and political, and the symbolic dimensions of bridewealth is practically impossible, a comprehensive approach seems more feasible. Although a comprehensive analysis of all the dimensions of bridewealth among the Tsamako is beyond the scope of this study, the data at hand suggests that the three dimensions are interrelated. Furthermore, as my focus is on the control and rights of access to productive resources, I find the attempt to make analytic distinctions among those dimensions of bridewealth less helpful. Bridewealth among the Tsamako simultaneously

⁸⁵ Comaroff (1980) reviewed the three theoretical perspectives, namely structural functional, structural and Marxist, and shows the limitations and inadequacies of each of them.

has (1) a legal dimension, as it is a means of establishing rights to the labour and productive powers of a woman as a wife; (2) economic and political dimensions as it entails the exchange of livestock and other items for a woman; (3) it is a means to create relationships between the different parties respectively, and (4) it has a symbolic aspect as the payment marks the transfer of rights over resources from one party to another.

The persistence of bridewealth has been shown in a number of studies from different aspects by Parkin (1972, 1978, 1980). In his studies on the urban Luo in Nairobi, in particular, he shows how the interrelationship among three institutions: high bridewealth, polygyny and segmentary partilineal descent system are at the centre of the Luo "cultural autonomy". These three institutions, Parkin stresses, presuppose each other. Bridewealth is intrinsically linked to the institution of polygyny and the segmentary patrilineal descent system. Bridewealth among the Luo and other similar societies "...is characterised by the unambiguous transfer of rights in a woman's offspring, and by exclusively male control and ownership of property. The polygynous family is regarded as the prototype of the lineage and segmentation, and high bridewealth is secured through competition for wives" (Parkin 1978:266 cited in Hakansson 1988:17). The ideological connections between polygyny and the segmentary patrilineal descent institutions and the relationship to bridewealth are greatly emphasised. Parkin's main point is that although the content of each of these institutions has changed they have retained their relations to each other. Moreover, he predicts that change in any one of these institutions will change the others.

Constructing the history of bridewealth among the Tsamako is quite difficult in the absence of recorded information. Because of lack of data on exact amount and composition of bridewealth payments in the past, it has not been, therefore, possible to analyse their

fluctuating values over time. This makes the adoption of a diachronic perspective impossible. Yet it should be noted that informants argue that the composition of bridewealth has increased along with the growing diversification of the economy (Melesse 1995). It should be made clear that, as my concern is productive resource rights of access and control at large, here I will concentrate on bridewealth rights: the rules that govern its distribution and factors that influence the size and composition of bridewealth.

Bridewealth rights

There is no clear cut set of rules that govern the distribution of bridewealth payments among wife givers. All male members of the wife's kin are entitled to a share of her bridewealth. Genealogical proximity to the wife largely determines the strength of such rights of claim. The closer a man's genealogical proximity to the wife the stronger are his rights to the bridewealth. A man receives bridewealth from the marriage of his daughters, sisters and brothers' daughters. The man's rights to his brothers' daughters bridewealth become strong only when his brothers are deceased. Genealogical proximity to the wife determines the strength of bridewealth claims, for instance, a man's claim to his half-sister's bridewealth is weaker than to that of his full-sister's. In general, the head of the household and male members of his *gende* (in this context the word *gende* refers to a 'maximal lineage') have a varying degree of rights and obligations about the incoming and outgoing bridewealth of the lineage respectively. The household head has the right to receive the lion's share of the incoming bridewealth while male members of the rest of his lineage may get a small portion of the rest of the bridewealth, depending on their relative socio-economic conditions at the time. In the absence of the father the bride's full-brothers, and in their absence half-brothers and lastly in the absence of the latter her father's brothers have rights to the bridewealth. The strength of the weaker claims develop subsequently. The

rights of the wife's half-brothers and father's brothers are translated into claims in the absence of full-brothers.

Both rights to receive bridewealth and to pay bridewealth debts can be inherited. The strength of such inherited rights and obligations depends very much on whether a substantial proportion of the bridewealth was paid or not. In the event of the latter both rights and obligations are strong. In other terms, once wife-givers have received about five head of bridewealth cattle or so, they are more likely to be restrained in pressing their claims than those who received few cattle or none at all. Once a substantial proportion of bridewealth is paid the remaining rights might be considered a residual. It is interesting to note that rights tend to be relatively stronger if the wife has given birth.

Once a man has paid the bulk of the bridewealth ('prime presentations') to his parents-in-law his wife is talked of as a 'resource controlled' by him. Husbands talk about their wives as they talk about the livestock they obtained through the exchange of surplus grain and honey. As exchanged livestock is controlled by men as household heads, women as wives are obtained through exchange whose labour and potential productive power, or as 'producer of producers', should be controlled. (Only wives are talked of like exchanged livestock but not daughters.) The payment of this bridewealth legitimates a union. This is reinforced by the normative order that bans the separation and divorce of the married couple. As bridewealth payment is a life-long debt (although mostly the bulk of it is transferred before the date of the wedding party) rights to bridewealth can be inherited. In the absence of a wife's father, his senior son can inherit such rights. Under normal circumstances the father is held responsible for paying the bridewealth for his sons' wives.

In the absence of the father the senior son will be held responsible for his brothers and half brothers' first wives bridewealth payments.

Case 7: Taye is a Tsamako man in his early twenties. In 1995 Taye got married to a woman in her twenties. She is his first wife and comes from the Banna ethnic group. His father paid for Taye's first wife's bridewealth nine head of cattle, a gun (originally bartered for nine head of cattle), four small stock and a gift of about twenty kg of honey, twenty litres of *araki* and one hundred *Birr*. He has a son by his first wife. In 1998 he added a second wife, again from the Banna. He paid five head of cattle and a gun (a kalashnikov bartered for seven head of cattle) to his second wife's parents. He had a wedding party prepared in which he slaughtered two fattened goats and invited his relatives-in-laws. Taye has received two of the cattle from his elder brother and another two from his father. Taye had a married full-sister. He has the right to the bridewealth of his sister which is outstanding. He told me that he had a plan to request cattle from his brother-in-law.

Taye's case provides an informative contrast to the case study of Mengesha, case 8 below.

Taye's first wife's bridewealth was entirely settled by his father, including the cost incurred in preparing the wedding party for inviting the wife-givers. However, his second wife's bridewealth payment was the sole responsibility of Taye himself. He is supposed to pay the debt, two head of cattle, to his elder brother when conditions allow him to do so. He informed me that he is most likely to pay his debt when he receives his first daughter's bridewealth. The other two head of cattle he received from his father are not considered as a debt but rather counted as part of the nucleus family herd he should receive from his father. He and his father have invested heavily in Taye's bridewealth. After settling the bridewealth debts, his father gave him a milk cow, two heifers, two she goats and an ewe. Taye's case points to the fact that by adding more wives one can increase household labour supply and this, in turn, will enable his household to produce more grain which can be bartered for livestock. In other words, this is one strategy in which men invest heavily in women, control their labour and their productive capacity (as 'producers of producers') and thereby build family livestock. This seems to be a strategy of those men who come from

livestock-rich households. This is one of the strategies where men intend to move via polygyny to livestock wealth accumulation.

Case 8: Mengesha was a young man in his late twenties. He belongs to the Ozbico clan and Robalco generation-set. He was married to a Tsamako woman who has borne him three children. His parents were very old and livestock-poor and therefore unable to pay the bridewealth of his wife. Nor could he get his father's brothers' assistance as they were not alive. He has to settle his wife's bridewealth payment by himself. He gave the following list of items to his parents-in-law as a gift: fifteen bullets, about 25 kg of honey, about twenty-five kg of coffee beans and ten Birr. His wife's parents did not ask him for bridewealth livestock. This is partly from his point of view because the woman in question is half paralysed. In 1997 Mengesha had over thirty hives. Together with his father he had five goats, and seven sheep. They also had twelve head of cattle of which five milking cows were loaned from friends and relatives. Mengesha is also involved in small scale livestock trade in which he buys goats and sheep at one market place and sells them at a profit at another. For example, two years ago he sold butter and bought two goats at Weyto market where the price of livestock is relatively low. He resold these goats at Key Afer market, where the price of smallstocks is high, and made some profit. He finally managed to buy a young bull. Some years ago he had bartered honey for a bull.

Unlike Taye's parents, Mengesha's parents were livestock-poor and were unable to pay even his first wife's bridewealth. Mengesha then had to look for a wife whose parents were not in a position to ask for the normal size of bridewealth. He married a half paralysed woman. Because of this he gave only those gifts to his wife's parents. He did not pay bridewealth livestock at all. Compared to the average this can hardly be considered a bridewealth payment. The following case illustrates a similar instance where a man married a woman without a bridewealth payment.

Case 9: Wado is a Tsamako man but originally from the Birale ethnic group. He migrated to the Tsamako country with his parents. Wado and his parents took refuge with the Tsamako people. He lost both his parents years ago. His father was buried according to the Tsamako way (his corpse wrapped with cattle skin) and his mother according to the Birale way (her corpse wrapped with clothes). Wado married a woman in the late 1980s. He paid only a young bull to his wife's parents. This bull was used to settle his parents-in-law's debt. Wado was not asked to pay more because his father-in-law did not pay bridewealth for his wife at all. "My parents-in-law could not ask me for bridewealth payments because '*zeno ba*' (lit. 'no path')" Wado said. There is a rule which tacitly states that a man who did not pay his wife's bridewealth shall not receive his daughters' bridewealth payment. It is believed that if such a man eats from something received as a bridewealth he will die. Furthermore he neither can share and eat such a thing with his wife. Like his parents-in-law Wado will also be precluded from receiving his daughters' bridewealth.

Like the case of Mengesha, Wado's case study shows how young men from livestock-poor households employ a more or less similar strategy that enables them to evade bridewealth payment which is beyond their means. This category of men seems to adopt a simple bridewealth evasion mechanism to start out with a monogamous household, build up their family herd and move to polygyny. This might probably be the longest personal strategy to achieve those culturally defined ideal goals but still, for those who do not have a means to pay bridewealth, it is the only way to embark on their life long projects. This brings us to the issue of what determines the actual size of bridewealth payments.

Size of bridewealth

Among the Dassanatch (Almagor 1978) to complete a bridewealth payment wife-takers should transfer twelve head of cattle (the transfer of smallstock lasts longer) and undergo a number of ceremonies which mark the husband's rights over his wife and the process of child legitimation. Likewise, the completion of bridewealth payments among the Banna is marked by an elaborate ceremony hosted by wife-givers. However, unlike the Dassanatch and the Banna, among the Tsamako there are no definite rules which limit either the minimum or the maximum size of bridewealth. Nor are the items that constitute bridewealth fixed. Consequently, there are no ceremonies designed to mark the completion of a bridewealth payment. This lack of definition of at least the ideal size and composition of bridewealth provides both wife-givers and wife-takers with relative freedom of action to negotiate for the actual bridewealth payment. Often a bridewealth payment involves long periods of negotiations and the actual size and composition are the results of a compromise between the demands of wife-givers and the wife-takers capacity to pay. We shall see

factors what influence the size and composition of bridewealth shortly. A couple of words about factors that have to do with bridewealth size are in order here.

According to Kuper (1982), the size of bridewealth is dependent upon the relative importance of pastoralism and agriculture in the local economy. He (1982:158) contends: "Where agriculture is the main subsistence activity bridewealth payments are high, both in comparison with other groups in the area and in relation to average livestock holdings". This holds true for the Tsamako. The average size and composition of bridewealth among the Tsamako are considerable relative to the average livestock holdings per household as we have seen above. In 1993/94 the average bridewealth consisted of 6 cattle, 6 goats and sheep and a gift of 40 kg of honey, 150 kg of grain, about 25 kg of coffee, two clothes, 6.5 bullets, 3.5 litres of local alcoholic spirits and 5 Birr (Melesse 1995). It should be noted, however, that the range of variation is considerable as we shall see below. My (ibid.) own comparative study of the two territorial sections (Gisma and Luqa) of the Tsamako in 1994 shows that there were variations both in the size and composition of bridewealth from one territorial section to another depending on the relative integration of the local economy into the regional economy and the changing agricultural technology. It is plausible to suggest that new goods, items and money were integrated into marriage exchange from the mid twentieth century onwards.

As already noted above the ideal size and composition of bridewealth payment is not pre-determined. This provides a wide field for manipulation. More generally wife-givers try to take as many livestock and other items as possible, whilst wife-takers try to give as small bridewealth as possible. But since neither wife-givers nor wife-takers are a homogeneous group this amounts to saying nothing. Accordingly, both the size and composition of

bridewealth are subject to negotiations and vary from case to case and from time to time. Next I shall outline the main factors which need to be borne in mind in relation to the size and composition of bridewealth. The objective of this discussion is simple. It is to appreciate when and how rights of claims over bridewealth become important. First and foremost is the wealth in livestock of wife-givers relative to wife-takers. There is a general consensus among informants that livestock-rich households should not receive high bridewealth in exchange for their daughters or sisters. The local definition of a livestock-rich household is a household that has one kraal of cattle (roughly more than seventy head of cattle). But as a given household might divide its herds into two and keep them in two different places the idea of livestock-richness is subject to different interpretations. In the final analysis the negotiation skills of the parties involved determines both the actual size and composition of the bridewealth.

Secondly, the socio-economic conditions at the time of the transfer of the bridewealth also affects its size and composition. If, at the onset of the transfer of bridewealth, wife-givers are in need of livestock or other items to pay out then they are likely to demand more than they do under normal circumstances. Third, the number of the prospective wife's brothers affect the size and composition of bridewealth. If the would-be wife has many brothers who are entitled to a share of bridewealth, provided they are not livestock-rich, the size and composition of bridewealth are likely to be high (Melesse 1995).

Fourth, the way through which the wife-givers' consent is obtained. If wife-givers happen to have decided to give their daughter or sister to someone in marriage but the would-be wife has chosen to marry someone else, her parents are likely to demand high bridewealth payments as a strategy for discouraging the man who is not their choice. Fifth, is the wife-

givers knowledge and information about the wealth of the wife-takers which, in turn, is affected by the ethnic affiliation of the parties involved and the spatial distance of the wife-givers relative to wife-takers. In general, in a marriage involving two parties from different ethnic groups the size and composition of the bridewealth is likely to be more than when someone marries in. The more information wife-givers have on the wealth of wife-takers the more bridewealth they demand and **vice versa**. Thus, the size and composition of bridewealth payments vary depending on the ethnic affiliation of the parties involved and the relative spatial distance of the wife-givers' place to that of the wife-takers'. Sixth, the demand for those women who have proved to be fertile before marriage tends to be high as a result of higher competition for her among potential spouses. In other words, a woman who had conceived and miscarried (as child birth before marriage is prohibited) before marriage fetches higher bridewealth than others. This is simply by virtue of her proved ability to produce children, in spite of the fact that premarital conception is disapproved of. This also points to how much weight the fertility of women carries rather than women as resources themselves. Finally, seventh, if the woman's father did not pay bridewealth to his parents-in-law he is prohibited from accepting bridewealth payments from the marriage of his daughters'. Informants maintain that if a man fails to pay his wife's bridewealth he finds his path to receive his daughters bridewealth blocked, as in case 9 above.

In sum, all of these factors directly or indirectly affect the options available for wife-givers to demand more or less bridewealth from wife-takers. Generally speaking bridewealth is a lifelong debt and there is no bridewealth restitution after the marriage is concluded. Nevertheless, it is very difficult to rule out the possibilities of such incident from happening. For instance, the following case is most likely to result in bridewealth restitution and therefore be a case in point.

Case 10: Awno is the eldest son of his parents who passed away years ago. Awno's younger brother got married in 1990. Awno has started paying bridewealth his younger brother's relatives-in-law. He gave an ox, thirty kg of honey, *araki* with an estimated value of one hundred and fifty Birr and a big calabash of beer as a gift to the wife's eldest brother named Gurba. He also gave a gift of *araki* with an estimated value of one hundred and forty Birr to the wife's fathers' brother. In addition, he covered the cost of preparing the wedding party. The wife's relatives feasted on a sheep, grain food and beer. The wife lived with her husband for five months. One day Gurba (the wife's eldest brother) took her back home on the grounds that she needs to perform the rite of passage called *gorie*. She stayed in her natal home for some time. In the meantime she delivered a child. She had conceived before she married as she was the girlfriend of the man who is her husband now. When she delivered Gurba abandoned the still-baby. He gave her to someone else in marriage. She was totally against both the abandonment of her baby and the last marriage.

Awno learnt that his younger brother's wife was given to someone else in remarriage by her brother. He also found out that Gurba has received bridewealth from the new wife-takers'. Even though Awno requested Gurba to return the wife through elders the latter failed to return his sister to her first husband. Awno then requested the restitution of the bridewealth. Gurba refused to return either his sister or the bridewealth. Instead Gurba answered him: "My sister's bridewealth was paid to my *gafco* (maximal lineage)". Awno said that "If the council of elders fails to deal with the matter I will reopen the case by accusing Gura in the police court outside Tsamako country, Key Afer"- where serious cases were increasingly taken. When I left the field the case was pending.

Women and fertility

Fertility is an important theme which figures prominently in the literature on pastoral and agropastoral societies in East Africa; for instance, among the Maasai it "...is a prominent theme in all rituals associated with initiation" (Talle 1988: 106). Among the Tsamako fertility is a theme which figures prominently in all initiation rites, crop planting and harvesting rituals and blessings. "Women's ability to produce children and thus expand the husband's labour force strikes me as a leading reason to uphold polygyny as an ideal for married men" (Fratkin 1991:69). In spite of such pronouncements in the literature there is very little information on why men aspire to control over the fertility of women in particular and productive resources in general.

Talle (1988) pointed out that among the Maasai elders exercise the right of control over female procreative capacity. Only those men of elder status are said to be allowed to have sexual relations with circumcised women and they can permit younger men to get married and have such relations. She (1988:115) argues that "...by monopolising mature women's sexuality, the elders also control female procreative resources". Meillassoux (1981) has also underlined the fact that the elders' capacity to administer access to nubile women is a critical aspect of the control of seniors over juniors in many African societies. However, I do not subscribe to his assertion, in fact I argue against it following Comaroff (1980) as we shall see below. Such propositions hint at the fact that elders seek control over the procreative capacity of women but not women themselves. In other words elders exercise their right of control over women's procreative capacity during their reproductive span. The interests of elders in women follows the pattern of a normal curve - it reaches its peak at the childbearing age and declines after. In this sense the degree of interest of men in women is consonant with their childbearing capacity. Talle (1988:114) observed for the Maasai that: "The sexuality of women beyond childbearing age is generally of little interest and value in this cultural system and hence is not guarded closely".

Likewise among the Tsamako the elders interest in a woman decline after their childbearing age. Women's sexual liberty is inversely related to men's interest in them. A *shitie* (a girl) can sleep with both married and unmarried men and can have as many sweethearts as she wants. However, she is prevented from making love with members of her fathers' generation-set who are theoretically considered as her fathers. Such sweetheart relationships are kept secret and normally only very close friends know whose sweetheart is whose. A *shitie* has more sexual liberty than a married woman, she can attend the night dancing clubs, have sexual relations in the bush and accept and reject propositions made by

potential sweethearts. Her choice is respected. In general terms it is her willingness which determines both the establishment or termination of sweetheart relationships. Once established a sweetheart relationship may continue until the date of her marriage. A *shitie*'s personal preference plays a large part in the selection of her would-be husband. This is a growing trend in recent years.

Although a *shitie* has liberty to make love with unmarried and married men outside her father's generation-set, she is strictly prohibited from giving birth before marriage. If she conceives a forced miscarriage awaits her. Her sweetheart has the responsibility of either marrying her or covering the cost of an abortion, services normally carried out by local men and women. Here it should be noted that premarital conception is paradoxically valued. On the one hand such a woman is positively valued because she is proved to be fertile. On the other hand she is negatively valued because a child born before marriage is illegitimate and therefore such conceptions have to be terminated. In the event of a failed attempt to terminate a conception the mother will wait until normal delivery and then the born baby will be abandoned.

As already pointed out earlier for her prestige in her early years and economic security at her later age a woman aims to produce children, especially sons. For a woman to see her son established, however, there are a range of socio-cultural constraints, not to mention diseases and natural calamities, which set the limits. Not all sons and daughters will reach the age of maturity. Apart from difficult to control killers like malaria and other diseases there are socio-cultural practices which constrain a woman from achieving her life-long goals. However, before we raise such issues a couple of words about the overall mortality rate are in order.

Table 6. Number of children born and died between 1950 and 1997 in Luqa	
children ever born	652
children died	223
children alive	429

According to my house to house census a household on average contains 3.4 children and has lost 1.7 children. This roughly shows that about one third of children ever born have died. The prevalence of malaria coupled with the outbreak of diseases such as meningitis seem to have contributed to the high mortality rate. But some children can also be abandoned. Why? The reasons for this are threefold. First, when a child's milk teeth sprout the Tsamako expect the incisors to begin in the lower jaw. However, if the milk teeth happens to sprout first at the upper jaw (the child is called *minigi*) this is believed to be a sign of bad luck which will cause infertility to women, cows and the fields and inflict drought and famine to the country at large. Because of this reason such children have to be abandoned. Second, if a woman conceives before her first born child has had his milk teeth grown then the conception has to be miscarried. It is tempting to suggest that this is an important child spacing mechanism.

Third, later at the age of about seven or so a child's milk teeth will normally be replaced by permanent ones. As in the milk teeth they are expected to begin sprouting in the lower jaw. If by chance the teeth start sprouting in the upper jaw again the aforementioned evil and bad luck is believed to be associated with it. Thus the child has to be abandoned. This brings us to ask one question. How the *minigi* are discharged? Informants claim that those who are found to be *minigi* at the first stage will be abandoned in the bush whilst the third category

will be given away to people from other ethnic groups. Thus infanticide and child abandonment have also an effect⁸⁶ on checking the population growth rate.

The Rendille of Kenya are often cited as an example of a population which does not use contraception, regulating its fertility through a complex of socio-cultural practices (Spencer 1975; Sato 1980). Both these authors argue that the rationale for such practices is said to be explained in relation to the slow reproductive rate of the camel which is believed to influence Rendille marriage and inheritance. The Rendille people's concern for making sure that the human population growth does not outstrip that of the camel population seems an important insight for the understanding of the seemingly 'unintentional' population growth regulation mechanisms that we find among the Tsamako. Infanticide and 'exporting' *mingi* to the outside world, mainly to the Gewada ethnic group, have a significant implication on the declining Tsamako population growth rate. For instance, during my eighteen months fieldwork period alone over eight *minigi* from Luqa were exported to the Gewada and six conceptions deliberately miscarried on the grounds that allowing a *minigi* to grow will cause infertility through out the entire Tsamako country. People were reticent about this 'painful' subject. Although all informants acknowledged the ubiquitous nature of the practice my repeated attempt to come up with different explanations for it turned out to be futile. All of my informants invariably explained the practice in association with the concept of *mingi* (untouchable) as a taboo.

⁸⁶ What is the probability of the precedence of upper jaw incisors over the lower jaw incisors both during the growth of milk teeth and during their replacement by a permanent ones? My attempt to get an insight in the literature on the field of dentistry to answer this question turned out to be futile.

A man's struggle to add children through polygyny on the one hand and the constraints on the other are two opposing forces at work. If parents of a child first detected the sprouting of their child's teeth in the lower jaw, I wondered, would they ever attempted to hide it? My impression is that neither men nor women ever seem to have attempted to hide a *minigi* from the community and try to bring him or her up. Firstly, people believe that a *mingi* will inflict infertility on women, livestock and fields. Secondly, people live in a settlement where everybody knows everybody else and so the idea of keeping such an incident secret is almost impossible. My informants were implacably opposed to my suggestion that an individual ever planned to hide a *mingi* from the community.

It is against all of those constraints that a woman struggles to produce children, particularly sons, to affirm her own status. What if a woman happens to be barren? This is probably one of the most feared circumstances of all in a woman's life. Barren women continue to lead their entire life with their spouses as divorce with few exceptions is prohibited, though they are likely to be less respected and hold lower status in her household as well as in the community. It is interesting to note that, unlike a barren woman's problem, that of a sterile man is easily solved within his *gende*; anyone of his younger brothers or half brother, or his cousin in the absence of the former, can sleep with his wife so that she will bear children in his name. This arrangement⁸⁷ is an internal affair of the *gende* which largely remains secret to the outside world. A woman who is proved to be barren might even face divorce under certain exceptional circumstances as in the following touching case.

⁸⁷ Among the Maasai of Matapato potency is resolved as age mates share sexual rights to each others wives (Spencer 1988).

Case 11: Bonna, a Tsamako woman, was in her late 40s. In the 1970s she got married to a Tsamako man. Her husband did not pay bridewealth to her parents. Her father did not ask for bridewealth payment either, because he was at that time a livestock-rich person. Gradually Bonna's husband realised that she was unable to beget him a child. Then he divorced Bonna and married another woman. This was against the norms. Bonna's parents brought the matter to the attention of elders. However, elders failed to change her husband's mind. Bonna had to stay with her parents for a considerable period of time. In the meantime she lost her parents. She then married Zewdie Ali, an Amhara who was born and grew up in Gidole area. (His father was originally from Wollo Region and his mother from Gojjam). Although he was initiated according to the Tsamako way some people including her younger brother disapproved of the marriage. She defied her brother and married him. Although by then Zewdie had some livestock of his own like her ex-husband he did not pay bridewealth to her brother. Zewdie, like Bonna, did not have children. Since both of them were not capable of tending cattle they had to loan their two cows and two heifers to someone else. As they have had to liquidate animals in order to meet their subsistence needs the size of their livestock has been dwindling. Although they were engaged in dry land farming they do not usually produce enough for their domestic consumption. In 1997 they were living as paupers.

Although the case of Bonna is an exception rather than the norm it nevertheless is an informative illustrative example, hers is the kind of life that women do not want to lead.

Spencer (1988:40) writes:

For a woman ... her own fertility is uniquely important. It is her own children that give meaning and a sense of purpose to the drudgery of her daily routine. Matapato society offers no secure future for a woman with no surviving sons, and a totally barren women faces an even bleaker prospect. A woman, therefore, prizes her own fertility and fears any threat to this above all else. Throughout her child-bearing years, her constant desire is for the next pregnancy.

Many ethnographic examples in East Africa pastoralist societies document the rare occurrence of divorce. For instance, Evans-Pritchard (1940) inferred that divorce was rare among Nuer particularly after the birth of a child to the union. Two out of three divorcees recorded by him were childless, and the third one was barren. Moreover, like among the Nandi (Oboler 1986), among the Tsamako divorce is regarded as impossible. Oboler (1986:66) contends that "[t]rue divorce with return of bridewealth could only occur if a woman was childless". As among many East African societies widows among the Tsamako do not remarry. With few exceptions, as in the case of Bonna, divorce and remarriage are

not only prohibited in principle but are also rare in practice. Marriage for a woman is viewed as a once-in-a-lifetime event. The prohibition of remarriage and divorce which is tied with rights of access to productive resources sometimes put women in a dilemma and in vulnerable situations, like the case of Oyto below (see Plate 5).

Case 12: Oyto Girma was a young Tsamako woman in her mid-twenties. She was born and grew up in a settlement called Ollo. While looking after her parents' goats and sheep she met a young Tsamako boy named Shelo. He was her boyfriend until she married him in 1993. Shelo's father paid four head of cattle and gave about thirty-five kg of honey and about fifty kg of grain as a gift to Oyto's parents. After their marriage the couple lived together in her husband's place for a year. In 1995 her husband was nominated by the District Administration Office to join the police force and sent to a training centre. After some months of training he was placed in Key Afer, the nearest small town to Oyto's natal place, to serve in the police force. He occasionally visited his wife partly because he feared his fathers-in-law. The next year he was transferred to a market settlement called Weyto. In the meantime his father-in-law passed away. Then he stopped coming to visit his wife. For about a year she was told by her father-in-law and brother-in-law to wait for him. Although she wasn't sure, she suspected him of seeing another woman. When I talked to her in early 1997 about her husband's whereabouts after a long discussion her main question was: "Is he still really waiting for me as I have been waiting to see him?".

In 1998 she walked to Weyto to investigate for herself. She found out that her husband had got married to a woman from Gidole. She also learnt that he had a son by the same woman. She did not get upset by the news at all. In fact she was glad of the news anticipating that her co-wife was going to live with them and share the burden of work with her. She proposed to them that the four of them should live together, as is usually the case, in her and her husband's way. Her husband was happy to acquiesce to her plan. However, her co-wife refused to accept the plan. The co-wife told them that her parents and friends would never acquiesce to such an 'unsuitable marriage'. The case was brought to the attention of some neighbourhood elders but they failed to resolve the problem successfully. In late 1999 Oyto has not yet decided how to get out of her dilemma. Although her husband's younger brothers are around, she finds it difficult to live with anyone of them. To do so for her sounded as if her husband is dead. In 1999 she was looking after livestock. This case has raised many questions. For instance, in the past if somebody abandons his spouse without a sufficient reason his generation-set used to question and punish him. Making such a mistake by individual members of a generation-set was considered to be as a mistake of the entire generation-set of which the wrongdoer is a member. This might probably be taken as one of the symptoms of the decline in the role of the generation-grading system.

I should add my own impression about Oyto. She failed to produce children during the time she was with her husband. Owing to this she was uncertain of her childbearing capacity. Accordingly, apart from the rules that prohibit divorce, which no doubt made her fate look

grim, the last factor seems to have put her in a weak position to pursue the matter further (In another settlement there is a case that established a precedent⁸⁸).

Recalling Bonnas case one can make another point. Bonna's was allowed to remarry, so she is in a slightly better position in terms of social status than widows who are inherited by their deceased husband's juniors. In a similar vein Guyer (1986:202) documented among the Beti of Cameroon: "Childless widows were assigned to an inheritor, but as relatively valueless people they were allowed to gravitate toward a guardian who would treat them well". The case of Dori and her co-wife is a case in point.

Case 13: Dori was the first wife of Mekonnen who died without a son four years ago. Dori and her co-wife had to be inherited by his younger brothers. Dori was inherited by Qogero, the youngest half-brother of Mekonnen. Dori has become Qogeto's second wife although she is older than Qogero's first wife. Dori's co-wife was inherited by Armanie, Mekonnen's younger full-brother and again like Dori she became the second wife. Mekonnen had only smallstock at the time of his death but not cattle as he was not given his nucleus family herd by his father. All the smallstock were given to Qogero, Dori's inheritor. Both Dori and her co-wife expressed the sense that they received some funny remarks and they were considered as people who are ill fated.

"Clearly, lateral inheritance to a junior brother is the most common practice in Africa, and fits well with the demography of polygyny on a small scale" (Guyer 1986: 202). Although the practice of levirate arrangement is a widely documented and rather ubiquitous phenomenon in the literature on East Africa societies, the implication of such arrangements for the socio-economic status of those inherited widows is often overlooked. Widow inheritance should be understood in relation to accumulation and resource control by men

⁸⁸ I heard of a similar incident in another nearby settlement called Turkie. A policeman named Ollie deserted his wife with a child. He got remarried to another woman from Jinka town. The deserted wife's father appealed to the elders council and the latter decided that she should cohabit with Ollie's younger brother. Since then she has had two children by him.

(Guyer 1986). As the case study of Dori and her co-wife reveals, widows without sons are inherited by the deceased husbands' juniors. In the process such an inherited widow, as in the case of Dori who was the first wife of Mekonnen, might be relegated to a lower position - to become a second wife of the junior. She is subordinate to the first wife. Dori as an inherited second wife, for instance, was subject to orders given by the junior first wife. During the rainy season in 1997 she was actively engaged in a reciprocal work party called *wurba*, while her co-wife was largely home bound doing domestic chores.

Although there is no distinct word used to refer to an inherited wife which indicates the process of acquisition, her status is not in any way comparable with others acquired through a normal marriage. The status of an inherited widow should be looked at in relation to a wife and a *heyatie* as we shall see shortly. To be a first wife means to be a 'vice manger' of the household. That also indicates incipient adulthood - an avenue that holds a higher social status and prestige. For an inherited widow to move from the status of first wife to second wife is simply a move from a higher ladder of respect to a lower one. In other words, this is simply a demotion - a move from an adulthood status to incipient adulthood. The status of an inherited widow tends to be worse if she happens to be infertile. This will put her in a much more vulnerable position than a wife or a *heyatie*. An infertile inherited widow tends to be looked down on by others and considered ill-fated and in some ways feared. All of these are indicative of the values attached to those women who have the capacity to produce children.

From the Tsamako perspective, chronological age, contrary to fertility, has very little to do with the status of women. A woman's old age is explained in association with some consideration of child procreation. For a fertile woman menopause marks incipient old age.

However, for a barren woman it is said to begin earlier as soon as she is proved to be infertile. In this sense a barren woman is likely to lose access to livestock produce, in some instances even before she actually reaches the age of menopause.

When women reach menopause they will normally be 'terminally separated' from their husbands (E. Goody 1973). These women are neither widowed nor divorced. Nor are they thought of as widows or as divorcees. Such a woman is no longer sexually desirable. Implicit in the relatively marginal status and value of such women is their proved inability to produce children. However, it should be noted that most of such women continue to have their own houses next to their married sons. They also continue to control and manage their own plots and granaries. In that sense they lead rather an independent life.

Unlike barren women, fertile women in general and those who produced sons in particular enjoy the respect of people and hold a relatively high status. A childless old widow is likely to lead a difficult life although she might not starve. It seems that there are very limited options for a childless widow. Widows are neither allowed to remarry nor can they return to their natal community. Widows have no rights to productive resources of their natal groups. A widow with a son is permitted to replace her deceased husband and become head of the household, and this lasts sometimes for a considerable period of time until her senior son is mature enough to take in charge. This category of 'widows' are referred to by a distinct terminology called *heyatie*.

Heyatie

Very little effort seems to have been made to understand the lives of widows at large (Potash 1986) and their rights to productive resources in particular. Among the Tsamako

widows can be categorised as follows: childless widows who are inherited by their deceased husbands juniors and 'widows' with a son. As childless widows are inherited by their deceased husbands juniors they have more or less similar rights of access to productive resources like wives, although sometimes the former might find themselves in a relatively difficult position as we have seen above. Here I shall concentrate on widows with a son or sons.

A woman locally known as *heyatie* holds special rights of control over livestock or the household property in general after the death of her husband. I discovered that out of a total of one hundred and twenty-five households there were twelve *heyatie* in Luqa in 1997. Unlike widows⁸⁹ who failed to produce sons, widows with sons are not inherited by their deceased husbands' juniors. A *heyatie* gains a special authority over her household, in the sense that she has decision-making power concerning the property of the household. Such a woman can and does replace her deceased husband. A *heyatie* can develop a sexual relationship with her deceased husband's junior, but instead of going to her deceased junior's household and cohabiting with him she remains in her original household with her children. In principle, while her sons are very young, a *heyatie* is expected to work in close association with her deceased husband's junior but in practice in most instances she can and often does operate independently of him. In fact this is a growing trend in part because of the problem caused by junior guardians who often inflict problems upon *heyatie*. Junior guardians are commonly considered as people who tend to put their own household's interest before those of their older brothers. The temptation is great for them to take

⁸⁹ Although I do not have statistical data on incidence of the levirate, it is a common practice. I knew four cases in Luqa.

advantage of their guardian position. The first obligations of a junior are to his own household needs before that of his deceased brother's household.

The status and life of a *heyatie* is totally incomparable with that of a childless inherited widow whose life, without exaggeration, is an ordeal. The status of a *heyatie*, the prestige she enjoys and the economic security she obtains by virtue of producing a son explain the reason why since the date of her marriage a woman aims at producing children particularly sons through whose independence her own status would be affirmed (Guyer 1986). For a man his livestock are his economic insurance, for a woman it is her established sons. Thus, from a *heyatie*'s perspective, I agree with Slater (1986:xxi) who argues "Both emotionally and economically, mother-son bonds supersede wife-spouse bonds". A *heyatie* knows very well that without her son the domains of men will be completely inaccessible to her. In fact, without a son her very household property, livestock in particular, are likely to be liquidated. In some instances the symbolic significance of a son outweighs his actual labour contribution to the household subsistence production.

Far from being passive pawns, *heyatie* shoulder responsibilities far more than wives do. They make important decisions about the alienation and reallocation of livestock and grain. They also decide together with their sons when and what should be planted. In this sense it is plausible to suggest that the rights and status of a *heyatie* be conceptualised as a special category. It is qualitatively different from the rights and roles of wives⁹⁰ and inherited widows.

⁹⁰ I came across an incident where the wife exercised much more authority over the use and reallocation of livestock more than the husband. She was feared more than the husband. She literally dictates

Unlike inherited widows, a *heyatie*'s relationship with her deceased husband's brother, half-brother or classificatory cousin tends to be short-lived. Above all a *heyatie*'s relationship to her husband's junior is often determined by her voluntary desire which is associated to a large extent with her childbearing needs. As far as rights to productive resources were concerned the relationship was seen as important neither by the *heyatie* nor by the juniors. Juniors visited for sexual and childbearing purposes without considerable formal responsibilities. From the point of view of resource control for a woman, therefore, to be a *heyatie* was arguably the best option available for her. In fact *heyatie* are the only category of women who can stand on an equal footing with their male equivalents.

Case 14: Dulla was a *heyatie* in her early thirties. She belongs to the Alaco clan and *bilbilitie* generation-set respectively. Her husband died six years ago. She was visited by her deceased husband's oldest brothers' son occasionally. He was proposed to her by members of her husband's *gende*. She had two daughters and three sons of whom the oldest one was in his early twenties. Her household enjoys a measure of economic independence. She had about a hectare of arable land, twenty-four head of cattle and twenty-five sheep. Dulla together with her son used to decide on the sale of livestock and their management. Her oldest son did the ploughing and all other members of the household took part in weeding and harvesting in the field of grain production. She was of the opinion that when her daughters get married she, together with her son, can acquire brideweath without the need to consult her deceased husband's brother.

Case 15: Gedo was a respected *heyatie* in her late forties. She is originally from the Maale ethnic group. By virtue of her deceased husband she was member of the *Bilbilitie* generation-set. Her husband died about twenty years ago. She was left with two unmarried sons (and two married daughters). After the death of her husband she continued to live in the same house with her young sons. Occasionally she used to be visited by her deceased husband's younger brother. She continued to farm the same land which is about 1.1 hectare. Gedo took control over the management of the household except livestock. Her deceased husband's younger brother was assigned to be the overseer of the livestock. Her deceased husband was the senior son of his parents. By virtue of being the eldest son, he was in charge of livestock reallocations. This was the only role of Gedo's deceased husband which was taken over by her deceased husband's younger brother.

important decisions behind the scene. But such roles of a woman are not acknowledged outside the horizon of the social space of the household while that of a *heyatie* is.

Gedo's sons got married. The first son with two wives constructed two houses for his wives next to hers. The second son was also married and lives with his wife in another house next to his mother. Both of her sons have not received their nucleus family herds but have access to milk. The first son works closely with his father's younger brother not only in livestock management but also in use of draught oxen. While the second son together with Gedo was reallocated a pair of oxen. He does the ploughing both for himself and his mother. In the past sometimes Gedo used to brew beer and call for a work party in order to get her land tilled. Nowadays, her son ploughs for her and she manages the weeding and harvesting part of the work. She has her own granary. Now she lives with her eleven year-old grand daughter. As she was prohibited from milking cows, Gedo used to get access to milk through her sons. When the need arises her son can sell goats and buys her clothes. She also receives gifts such as clothes from her sons-in-law.

These case studies show some of the responsibilities and lives of *heyatie*. Dulla is a *heyatie* who has effective control over the productive resources of her household. The household she heads is economically self-reliant -the household members support themselves. Thus, the socio-economic status of a *heyatie* is secure unlike that of a childless old widow.

A number of common features emerge from these two cases. Unlike inherited widows *heyatie* do not have to change their place of residence. *Heyatie* remain in their deceased husbands' community and protect the interests of their sons. As to property rights a son was a major means of access through whom the mother could gain rights of control over productive resources especially livestock. Both cases show that *heyatie* have managerial rights and authority over their households, although one of them did not have direct effective control over livestock. Both cases show that *heyatie* are in a privileged position relative to inherited widows and even arguably to wives. A *heyatie* is therefore an independent household head and manager eager to see her son established. In old age she will depend on him; he will also carry out her mortuary ritual after death. Thus, the rights of access to productive resources and rights of residence of a widow are tied to her

childbearing capacity. Finally it is tempting to conclude that the lives of *heyatie* reveal that not all widows were inherited and seen as 'objects to be inherited'.

Control over labour

There are many social-cultural and economic reasons why control over labour is so important. It is not only the head of the household who exercises control over the household labour, the one who aspires to have more children; women do too. This is often accomplished through child production. Probably three interrelated factors might explain the reason why children are valued. The first one is to get a heir as a household without a heir was thought as lost once and for ever. Second, the demand for labour makes the household self-sufficient in both spheres of production: livestock and crop husbandry. As men are held responsible for preparing funeral rituals of their fathers and mothers, those who do not have sons will have no one to be in charge of this responsibility. Third, to secure bridewealth payments and relationships with other households both within the ethnic group and beyond through the marriage of children.

Due to the uncertainty of rainfall and its erratic distribution successful households normally plant their fields within a week of the first rain with the use of their own household labour. The use of hired labour for cash was generally unknown. Households relied on their own labour and sometimes on co-operative labour groups - both reciprocal and nonreciprocal ones. This situation reinforces household heads' desire to attain labour self-sufficiency for both livestock husbandry and crop husbandry. This situation again reinforces the significance of co-operative labour at least for those households who were in short supply of it.

Other things being equal, the households' capacity to mobilise labour for both livestock and grain production seemed to be an important indicator of the households' socio-economic status. Households could direct their own surplus grain towards livestock purchases and thereby were able to preserve livestock capital. On the other hand, failure to produce enough grain for household consumption means a household will be forced to liquidate livestock in order to meet grain needs. Even if agricultural production was precarious in good years those who were able to produce grain were able to reduce cash expenditure by meeting grain needs. This allowed them to maintain their livestock by not having to dispose of livestock to buy grain. The ethnographic literature on East Africa is rich in documenting the significance of grain production for livestock accumulation strategies. This strategy of using agriculture to reduce livestock sales has been reported in many areas in Africa (for instance, among the Il Chamus of Kenya see Little 1992; for the Sudan see Mustafa 1980; for eastern Kenya see O'Leary 1980).

Rey (1979) argues that in kinship societies male elders appropriate the labour of juniors. This is done as elders exercise jural political control by delaying young men's marriage. Fratkin (1991) argues against this proposition and asserts that although among the Ariaal young men work hard and longer hours than elders (fathers), this does not involve the total appropriation of the labour of the former by the latter. This is because of the fact that the youth are not irreversibly exploited by the elders. He goes on to suggest that in fact it is the oldest brother who appropriates the labour of his younger brothers, as he is entitled to inherit the lion's share of the livestock produced. Nevertheless young brothers receive returns as gifts or inheritance sooner or later. Following Fratkin (1991), one could argue that among the Tsimako, as the youth of today are tomorrow's elders, the difference is a matter of time. Stressing the point he notes that this situation is qualitatively different from

that of women who do not control livestock in their lifetime at all. In other words young men can and do become elders and thereby control the labour of juniors, but most women never ever do so. Compared to the youth and women, elderly men do hold a privileged position in such societies. However, as we have seen above *heyatie* do manage to hold such a position after the death of their husbands until their sons are mature enough to take charge.

It is widely documented that women marry earlier than men. The data at hand, at least for the present generation, suggest that men from livestock-rich households got married slightly earlier than those in livestock-poor ones. Why men from all wealth categories marry at a later age than women is in part explained by the scarcity of women.

Men gain control over the fertility of women and thereby their labour through bridewealth payments. This strategy which men employ focuses on acquiring women through bridewealth payments. In fact women might be called at one and the same time a source of tripartite resources: women as 'producers of producers', the female labour force, a means of obtaining livestock and other items through bridewealth payments. "The control of women by their fathers and husbands was clearly one fundamental condition of the polygynous systems as it developed. In cultural terms women were conceived of as a part of a man's wealth...and their activities were under their guardian's more or less total control"(Guyer 1986: 199). Donham (1983:79) argues that "[m]arriage was the first step in the process by which young men began to control over their own labour (and that of wives and children) and to assume more independence and political influence". In fact among the Tsamako many young men began to control part of their own labour before the commencement of the marriage contract. Young men at the age of seventeen or so began to cultivate crops on

their own small plots and make hives on a part time basis, whilst they were with their parents. Such grain and honey produce were exchanged for small stock and in good harvest years for cattle. Livestock earned through such mechanisms were controlled by young men themselves. Such labour earned herds were either used to pay bridewealth, by young men from livestock-poor *menie*, or to build their own family herd by those who come from livestock-rich *menie*. Young men, therefore, actually begin working towards achieving their independence in general and controlling part of their own labour in particular before they actually married. Young men expressed the view that they wanted to control their own labour. The date of marriage marks not the beginning of a young man's control over his own labour but rather the shift from a partial control over his own labour to a greater degree of autonomy. Surely it also marks the beginning of his control over the labour of his wife and children. Given the ideal model or framework within which men operate, they began to work to control the fertility of resources as early as being teenagers.

Conclusion

In this chapter the purpose has been to show the pattern of rights of access and control over productive resources using what I call the folk model of success (to be a ploygynist and head of a large *gende* with a large family herd) as a point of reference against which the success of individuals is measured. I have looked at differential rights to productive resources held by individuals based on a combination of ascribed and achieved criteria with a good deal of emphasis put on control over (in the sense of redirecting the reallocation of resources) the productive capacity of such resources as livestock, bridewealth and labour in relation to the three interrelated institutions the patrilineal segmentary system, polygyny and bridewealth. The combined effect of social and ecological factors produced differential rights of control among men and women and within men and women of different age and

social statuses. Generally speaking, most men had greater control than women, and older men than younger ones. Given the ideal aspirations of individuals and the limitation set by social and ecological factors, I tried to show how productive resources in general and the different categories of livestock in particular were actually distributed across households within the settlement according to which they might be defined and categorised into livestock-rich, middle-rich and poor ones.

An attempt was also made to show how the ideal set of goals individuals sought to achieve are the driving force that underlies individual strategies which, in turn, are constrained by a set of social and ecological factors. These factors which limit the fertility of productive resources have not only served as a constraint to the accumulation of productive resources by individuals but also have the overall effect of regulating both the human and animal growth rates. In line with reasoning I have argued that amidst individuals' desire to accumulate more productive resources and thereby social and economic standing there were, and still are, a range of mechanisms designed to regulate directly or indirectly the distribution of these resources with a levelling effect of individual tendencies to accumulate more and more.

In a way this chapter dealt with issues that have to do with key productive resources in relation to important institutions which are at the centre of not only the social and material reproduction but also of the reproduction of society itself. In other terms, the question of increasing the fertility of both the human and the animal populations have been central to Tsamako way of life because other resources have been tapped and redirected towards the achievement of this set of goals. If these premises of my analytical conception are true, then other productive resources (land, savannah woodlands and water) which are the themes of

the subsequent chapters, might be looked at as productive resources tapped and channelled towards achieving the main goals, defined from the Tsamako perspective, in this chapter.

CHAPTER 4: Grazing rights and arable land tenure issues

A point already noted in the opening chapter and pertinent to this one is the nationalisation of land and land-based resources in 1975. In the aftermath of this, Peasant Associations were established, boundaries demarcated and land redistributed among households in the highland peasant societies of the country. Since then the land reform, the subsequent land redistribution and land tenure security issues have been the subject of study after study. Contrary to this the situation among lowland agropastoral societies, the Tsamako included, the contrary has happened; land and land-based resources were nationalised, but neither was the land reform implemented nor have pastoral land tenure issues attracted the attention of researchers. In spite of the *de jure* legally enforceable state rights over natural resources both arable and grazing land continue to be managed by local communities who hold only *de facto* rights.

The Tsamako conception of land rights entail hierarchies. Land as a 'God given' resource is held by communities as a trust and at the lower level of the hierarchy residents retain differential user rights. Not all lands are always productive, for example land without access to water is valueless because water is a critical link between livestock and pasture, and between crops and human beings. Land tenure arrangements and rights of access to land, therefore, are closely tied not so much with the land as a spatially fixed resource but rather with the productive capacity of the land. It is within this line of reasoning that I wish to propose that people make, and alter and adjust tenure rules in accordance with the fluctuating productivity of land both for grazing and crop cultivation purposes.

This chapter consists of two sections. The first one examines how grazing lands are held and how differential grazing rights of access to a spatially and temporally variable pasture

resources are established. It also considers briefly the various mechanisms of creating networks of interrelationships as a means of gaining secondary rights of access to pastures both within and beyond the territorial boundaries of the Tsamako. The second section looks at arable land tenure issues and addresses the question of rights of access to the various categories of arable land (rain-fed and flood-retreat) and factors that affect the reallocation of such rights.

Pastoral land tenure issues and 'idioms' of the Tsamako 'commons'

The literature documenting the land tenure arrangements among pastoral and agropastoral societies in East Africa since the 1950s is rich. To put the discussion into context, but without going into the details of the literature, I shall note the gist of the arguments that run through it. As pointed out in the first chapter there are two opposing views on pastoral land tenure arrangements and management issues. The first one, taking its inspiration from the 'tragedy of the commons' (Hardin 1968), sees land and pasture as open access resources. The second one challenges this assertion and argues that 'commons does not necessarily imply 'unmanaged' but rather 'managed with communal sanctions' (Galaty 1992).

Generally speaking in property rights literature there has been a tendency to polarise property rights as either totally 'communal' or as 'individualistic'. Further some accounts of successful commons fail to address how rights vary from resource to resource and temporally and spatially. A closer examination of the Tsamako range land property rights, in general, and arable land in particular, reveals that the indigenous property rights regime is neither "open-access", nor "free for all", as conceived by some economists who follow Hardin's 'tragedy of the commons' argument, nor is it the romanticised "all-for-one, one-for-all" image one gets in some of the earlier ethnographic accounts. It is clear that we need to

address not only common property regimes, but also rights over specific resources at the individual and/or household levels in historical perspective.

Galaty (1994) argues convincingly that land rights become more diffuse as occupation of a given region becomes more sporadic. Further he notes that as mobility and the magnitude of the pastoral domain decrease in less arid regions and as resource use becomes more constant, territorial claims become more concrete and specific. Following this line of thought, unlike the pessimistic conventional wisdom of economists, the Tsamako case helps us to draw a relatively different picture. It, among other things, is instructive of the need to make a meaningful distinction between arable land and savannah woodlands and within arable land between rain-fed and flood receded lands. Each of these resources can be looked at individually in space and time.

Recently the existence of diverse tenure regimes and/or property rights in range land resources among pastoralist and agropastoralist societies in Africa, notably in Kenya (see, for instance, for the Il Chamus, Little 1992; the Orma, Ensminger 1996) and Tanzania (see the Maasai, Ngadala 1992) have been well documented, with an increasing understanding of the fact that "'commons' does not necessarily imply 'unmanaged' but rather 'managed with communal sanctions'" (Galaty 1992). However, in Ethiopia, with few exceptions (e.g. Helland 1980), there is a dearth of information on this subject.

In Ethiopia several pressing land tenure and land reform issues have been studied by different scholars, (Hoben 1972; Bruce 1976; Bauer 1977; Dessalegn 1994; Teferi 1997), from different perspectives at different times. All of these studies, however, are confined to highland peasant societies of Ethiopia with an apparent neglect of agropastoral societies. A

range of interrelated factors might account for such research bias towards highland peasant societies. Here I shall mention, at the risk of repetition, only three of the most important reasons. First, following the presumption that agropastoral societies subsisted on livestock rather than on grain it has been assumed that land was not considered as an important factor of production. Second, until recently, most agropastoral societies practised crop cultivation based on the hand-hoe tillage system as opposed to the ox-plough system. Third, unlike highland peasant societies, they largely remain unaffected by the land reform proclamation of 1975. The first two assumptions did not tally with the existing ethnographic accounts. It is plausible to suggest that some of these unsubstantiated assumptions, compounded with the constraints imposed by the inaccessibility and hostile nature of these regions, made the topic a relatively neglected area of research. Consequently, in some of the land tenure literature on highland peasant societies, agropastoral land tenure issues are represented rather in the form of a caricature. This representation, as already noted in chapter one, is probably best reflected in the following sentence by Bruce (1976:6), one of the authorities on the subject in Ethiopia: "The entire lowland periphery of the country is roamed by pastoralists and their herds".

Such misconceptions of the customary pastoral land property rights regimes in Ethiopia perhaps reflects the much broader area of confusion surrounding African tenure systems. Under customary arrangements, as Okoth-Ogendo (1989:11), observes "access to and control of power over land are complex phenomena. Thus in any given production unit a number of persons could each hold an allocation of power... expressing a specific range of variety of functions". As this section shows, this complexity is the basic feature of the Tsamako tenure rules. To put the discussion into perspective in what follows I shall first briefly describe 'idioms' of the Tsamako 'commons'.

The Tsamako conceive range land resources as gifts of *waqo*, God, as one of my informants put it: "*Waqo* offers range lands to people so that they graze their livestock and cultivate crops whose fertility depends upon the blessings of ancestors. All *ashie* (mountains) and *dawlie* (lowlands) are all ancestor land which belong to the descendants of ancestors of all the Tsamako people. The relationships between ancestors and their living descendants are mediated through sacrifices." (Interview with Gudie from Luqa in 1997). Gudie's perception of the 'origin' of range land resources and the resultant rights of access suggests, in principle, that all Tsamako have unalienable rights in range land resources within the geographical limits of the Tsamako territory. This moral and ethical foundation, which sees Tsamako as an ideological unit (shared language and culture) is complex in application and gives rise to a set of operational rules. Before we comment on the operational rules another point deserves mention. In oral historical narratives elders repeatedly stress that land has never ever been alienated nor contracted and, most important of all, it was, and still is, not conceived as an alienable asset. Perhaps the key to the land tenure system is its inclusiveness, in the sense that no one who is capable of crop cultivation is left landless (Melesse 1995).

The set of operational rules which govern land rights of access range from the ritual rite of passage to residential membership in a particular territorial section. Actual rights can be categorised as primary and secondary user rights which are based on inclusion and exclusion which vary in space and time. Such grazing rights may be contested and, therefore, subject to negotiations. In other terms, members of a territorial section hold primary user rights over land adjacent to their settlements, while members of distant territorial sections hold secondary user rights to the same land which can be conceived as

dormant until they mobilised them in times of shortage. It is within this context that I will look, in the next two sections, at first rights of access to grazing resources and then to that of different categories of arable land.

Grazing resources and grazing rights

To begin with, among the Tsamako, unlike the Orma of Kenya (Ensminger 1992), the Mursi of Ethiopia (Turton 1986), and the Somali of Ethiopia (Hogg 1997), direct territorial expansion as a means of dealing with shortage of range land resources has never been an option open to them. Instead their low population density, as indicated by the overall population decline, seemed to have afforded the Tsamako with reasonably sufficient range land resources, at least for a considerable part of the year. Tsamako, particularly residents of Luqa, have practical seasonal transhumance. The dry cattle, and sometimes small stock, are sent to grazing with permanent water. This has not normally involved the whole household but only young boys and the occasional unmarried woman, who move either to Banna country in the west or to the Weyto River basin in the east.

A wide range of alliances and networks of interethnic relationships have been adopted as a means of gaining intermittent access to pasture and water resources of neighbouring ethnic groups in times of shortage and/or crises. As pointed out in the first chapter, trade, intermarriage, bond-friendship and occasionally temporal migration play a significant role in shaping and facilitating a reciprocal flow of these productive resources both within and beyond the territorial limits of the Tsamako in general and Luqa residents in particular. An increase in the scope and width of households networks of relationships, which has a direct correlation between livestock wealth and high social status, has wider repercussions ranging from facilitating the intermingling of ethnic groups to paving the way for the transformation

of ethnic groups as well as dictating the reciprocal flow of productive resources between ethnic groups.

With this situation in mind this section dwells on the organisation and variation in grazing along with variation in the availability of pasture and water resources in the wet and dry seasons. The interface between seasonal variations is marked by a host of shifting loci of use of both human and material resources. Seasonal variations in the organisation of grazing and variations in the spatial mobility of cattle are explained by the interplay of ecological and social factors. The dry season destinations of family fallow herd are defined and limited by the availability of water points as much as by the width of a household's network of alliances and social ties with individuals from neighbouring ethnic groups.

Patterns of grazing and dry season grazing rights

Keeping livestock on natural pasture continues to be the main means of wealth accumulation, as we have seen in chapter three. It seems there is a direct correlation between the amount of annual rainfall and the availability of pasture in this region. The fluctuation and variability of rainfall is so great that an attempt to come up with a uniform account of rainfall amount and distribution and the resultant pasture availability and distribution across the territorial sections of the Tsamako country in a given year is in effect impossible. A good year, defined as a better harvest and pasture year, in the southern territorial sections of the Tsamako, might be a bad one in the northern territorial sections. So in response to such unpredictable fluctuations herders need to stretch social networks of alliance and co-operation and include individuals from neighbouring ethnic groups across ethnic boundaries.

As water and to some extent pasture resources gradually become scarce, in the month of November, the family herd needs to be divided into two broad temporary categories namely, milking cows together with draft oxen on the one hand, and the fallow herds on the other, in order to meet the milk needs of the family and the water requirements of the livestock respectively. Even if browsing resources might often be available the need to have sufficient water for all categories of livestock is by far the most pressing problem and ultimately determines the actual time of departure of the fallow herd. Usually the fallow herd has to move before the *dalba* water is exhausted and the crucial questions that the herder has to answer are where and when to move them, in the light of his information on pasture, security and livestock health situations. A reasonably rich household is likely to further divide his fallow herd unit into two sub-units and spread them to different places where they stay from four to six months depending on the water availability back home, which boils down to the amount of rainfall. Depending on the availability of *gende* and other forms of mutual labour co-operation fallow herds are sent to different wet sub-regions.

Although the size and composition of fallow family herds vary from year to year, their destinations are always one of the following: Doribaka, Argo, Alduba and Muqecha. All of these places have perennial rivers. The last three of them are found in Banna country, Argo is some 25 km to the north of Luqa and Alduba about 35 km to the west of Luqa. Although such wet areas are theoretically accessible to all Luqa residents, in practice, only those households equipped with broad networks are actually able to activate their secondary rights of access to the grazing and water resources of their neighbours. Members of large *gende* have more chances of establishing a wide range of social ties, through intermarriage and contacts than those from a small *gende*. As well as this numerical advantage, those

gende with more livestock can loan cows to those in need and thereby extend the range of their network of co-operation and mutual assistance with households from neighbouring ethnic groups.

Because of these differences in networks of relationships, the movement of the herds of livestock-rich households was less predictable than that of livestock-poor ones, for the former have more choices than the latter. This does not mean that potential fallow herd destinations were infinite. On the contrary, potential fallow herd destinations were far from being unknown, and the list, as shown above, was neither endless nor a point of contention among residents. Rather it suggests that within the available range of potential dry season livestock points of concentration, the exact destination was less likely to be known before such herders made their final decision. In sum, the transhumant cycle was regular and forms a pattern over each year but was unpredictable in terms of the destination of any herd as this varied from year to year depending on ecological and social factors.

The pattern of spatial mobility of the family fallow herd might best be understood and explained by a combination of ecological (MacCabe 1994) and social factors (Gulliver 1975). The mobility of fallow herds was influenced by ecological factors in so far as water was, and still is, the main factor that necessitated their seasonal movement to wet areas, but there was a further social factor, in so far as the actual fallow herd destination was dictated by the family's network of alliances and social ties. In most instances, those who travelled across ethnic boundaries with their fallow herds were herders from relatively livestock-rich households with a wife or wives from neighbouring ethnic groups. Since individuals have had free access to dry season grazing land within the territorial limits of the ethnic group in question coupled with secondary rights to their neighbours, the limit set by grazing

constraints on pastoral production was not as high as that for water. To deal with grazing constraints individuals made a kind of 'spiders web' using various social ties and networks of alliances in order to obtain secondary rights of access to the grazing resources of neighbouring ethnic groups.

There were a host of factors that influenced the dry season destinations of fallow herding units, which the individual herder had to take into account while making decisions on such movements. The physical patterns of fallow herd movements were constrained not only by the availability of water, pasture and the presence or absence of a networks of alliances at potential destinations but also by household labour availability. Some *gende* drive their fallow herds out of Tsamako territories into neighbouring territories with permanent sources of water and better pastures when the dry season sets in. This was true particularly for livestock-rich *gende* who have network of alliances and social ties with members of neighbouring ethnic groups. The fallow cattle of *menie* who belong to the same *gende* were pooled together and driven by young boys who take turns to wet areas. A young man at the fallow cattle camp largely subsisted on milk supplemented with bread he bakes from the flour taken from his *menie*. Cattle camps in such wet areas were visited by men and women at regular intervals. Such visitors often took flour to the camps with them and brought back butter for members of their *gende* at home.

The rainy season witnesses the reunification of a given family's fallow herd units coming back home from different dry season camps. The wet season is not only a point of livestock concentration, but also of human concentration that it allows herders to return home and rejoin their domestic groups and participation in crop production.

Wet season grazing and grazing rights: the case of Luqa

Rainfall distribution is so patchy that there are swift changes in water and pasture availability, from season to season and also within the same season. Grasses sprout in a couple of days after the rains fall and wilt within days when rains stop. Within two weeks after the resumption of the main rainy season (March-May) fresh pasture is likely to be abundant with water being available in natural pools around settlement sites, making possible the operation of the rule of communal grazing rights.

Such drastic variation in pasture resource availability seems to have resulted in a set of flexible rules which are also spatial, situation and season specific. There are, therefore, no fixed all year round sets of rules that govern individuals' access to pasture resources. Although there are general theoretical guidelines, oral agreement, as to whose cattle can and whose cannot be grazed on which grazing territories, it depends on the current availability of the resource in question, the cattle holding unit's situation and its relationship to the grazing land controlling unit. Individual outsider's actual access to a pasture have to be negotiated and access in times of crisis will not be denied. This section tries to answer the following questions. Who has access to which grazing land and when, and who has not and why? What are the rule enforcement mechanisms? Why do rules vary from season to season?

Theoretically, every resident of Luqa has inalienable grazing rights within the territorial limits of the Tsamako. However, in practice, such rights are dependent upon water availability during the dry season, and residence affiliation during the wet season. Such grazing rights are premised on the pasture and water needs of livestock. I shall argue that

these grazing tenure rules foster mobility through 'reciprocity' with local institutions playing key roles in co-ordinating action and promoting voluntary support among social actors.

As we have seen in the second chapter each territorial section is attached to a certain area where they have their permanent settlement. Grazing areas adjacent to such settlements are recognised as belonging to one particular section and residents have priority over others, while in other areas they are considered visitors. Yet people from one section can acquire secondary user rights in the area of another section and *vice versa*. Such reciprocal arrangements are so flexible that it defies ones attempts to categorise rights of access neatly. Nonetheless, for a better understanding of rights (both theoretical and practical rights) to grazing and browsing resources, I shall divide the loci of resources into three zones: grazing and browsing resources found within a territorial section (zone I), grazing and browsing resources adjacent to a territorial section (zone II) and grazing and browsing resources outside the first two zones or those grazing areas utilised only during the dry season (zone III, discussed above). The boundaries between these zones are not precisely defined. Rather a zone should be taken as a roughly defined area based on proximity and over which a territorial entity has strong rights of claim *vis a vis* other similar units. I shall concentrate on the delineation of the first two zones and their values during the wet season, that is when they become productive. Zone III grazing and browsing resources are reserved for the dry season as already discussed above.

Zone I: consists of grazing resources that fall within the boundary of settlements which, in turn, are composed of rain-fed lands and open fields used for multiple purposes. Traditionally, grazing resources around the settlement site, that is within the limits of zone I, are meant for calves, milking cows and draught oxen. Often calves and small stock kids

are set free to graze around settlements. The livestock of outsiders are effectively excluded from grazing in this zone, under the presumption that, if cattle of other territorial sections were allowed to be herded in such places they can easily mix with calves and this can result in the loss of the latter.

Zone II: grazing land and land for cultivation are supposed to be kept segregated in order to make sure that crops are not consumed by cattle. Accordingly during the wet season Luqa residents form a separate *gombadie* (cattle camp). The formation of a single *gombadie* is justified on grounds of mutual defence of cattle from potential raiders. The *gombadie* is about two kilometres far from the settlements. What I call zone II is the grazing area that falls within roughly two kilometres radius of the *gombadie*. Affiliation with a specific settlement, and thereby with a territorial section, is necessary to join the cattle camp group. Cattle camps are also restricted from dispersal because of the need for collective defence from potential Maale raiders at night. Only Luqa residents were allowed to be part of such a group and thereby retain rights of access to the grazing and browsing resources in this zone. Outsiders were effectively excluded from joining the camps and thereby from grazing resources in this zone.

The residents' cattle are normally grazed on pasture within the radius of this zone without the need to travel to distant places in search of pasture and water. The end of the wet season, as pasture in adjacent areas begins to diminish, coincides with the harvest season making crop residues gradually available for herds. Then as soon as the crop residues and the pasture in zone II run out, livestock move farther away from zone II to exploit the dry season reserves. During the dry season zone II becomes land without pasture.

Primary grazing rights to zone II are based on residential affiliation and cemented by cattle camp membership. The council of elders' can grant secondary user rights to outsiders and revoke such rights. Likewise, when the residents of Luqa sought access to another territorial section's zone II grazing resources, they had to ask for permission from that territorial section's council of elders. Luqa residents, for instance, had given secondary user rights to their grazing areas within zone II and salt licks to the Banna people who live in an adjacent territory called Argo. Luqa residents in turn also hold coequal secondary use rights to the Argo Banna dry season pasture. The Luqa residents rationale for their differential treatment of the Argo Banna shows their socio-economic interdependence. Luqa residents feel more related and interdependent with the Argo people for dry season resources than they do with some other Tsamako territorial sections, for instance, that of Oro. Some informants said that there was an increasingly tense relationships between Luqa and Oro territorial sections. Such relationships are manifested by competition for some permanent sources of water (see chapter 6).

To windup the discussion about wet and dry season grazing rights two important points should be noted. First, wet season grazing rights granted on the basis of residential affiliation with proximity as a guiding principle are protected generally by oral agreements and at times also policed by residents; these rules may be conceived as representing the normal curve. As the productivity of grazing areas increases, that is when such areas become covered with pasture following the wet season, they come in to place and cease to operate as the resources diminish during the dry season. In short, as pasture availability goes up and down following seasonal variation, so does the degree of protection such resources receive.

Second, grazing rights to key dry season grazing resources vary depending on the width of social networks of alliances created and maintained by the individual, household and groups. High potential grazing areas are generally reserved for the prolonged dry season and for use in times of drought. Many households and other social groups from Luqa retain seasonal rights of access to such resources held by neighbouring ethnic groups beyond the territorial limits of the Tsamako. The most important mechanisms employed by people in order to be granted such rights were intermarriage, trade and livestock friendship. Informants repeatedly stressed that the availability of pasture close to water points in these areas is so unreliable and vary so within seasons and between seasons over the years, that they have to fiddle their rules. This is the gist of their argument in response to the incessant questions I put to them in an attempt to capture the complexity of their rules and come up with a description of a more or less clearly formulated rules and regulations.

Arable land tenure

Since 1975 legal property rights in land reside in the state and farmers have only usufruct rights. Although the state has this *de jure* legally enforceable rights in land, among the agropastoral societies in the peripheries 'de facto control' or socially sanctioned rights continue to operate at the local level. These customary land tenure arrangements are, however, gradually changing in the face of the increasing diversification of the agropastoral economy in general and the changing agricultural technology from the hand-hoe system to the ox-plough system.

The concept of 'entitlement approach', (reworked by Devereux (1996:1) following Sen (1981)), not only as "legal property rights that map commodities or resources onto individual owners" but also to the contexts as "common property regimes, where

overlapping institutions or groups of individuals all exert valid claims over a single resource endowment, and where claims on resources are socially sanctioned rather than legally enforceable". With this insight from the entitlement approach as a point of departure this section describes rights of access to common-property regimes, specifically flood recession and rain-fed arable lands, and tries to identify (1) factors that have been affecting the reallocation of land and (2) those factors contributing to the changing user rights in rain-fed land. It will be argued that the increasing diversification of the agropastoral economy in general, and the adoption of the ox-plough in particular, have contributed to the gradual shift from a temporary to a permanent user rights of access.

Unlike the conventional wisdom of East African range land commons, as 'open-access' or non-property regimes, (as implied in Hardin's 1968 thesis) the Tsamako arable lands have been held and managed by communities. The main objective of this section of the chapter is to show how legally enforceable state held arable land is effectively controlled and managed and socially sanctioned at the local level. In this section I wish to question, based on data drawn from a local-based arable land redistribution exercise, the application of the entitlement approach, as reformulated by Devereux (1996), following Sen (1981). I propose that the Tsamako system of flood recession land right reallocations, which employs 'eligibility rules' and 'prioritisation criteria', aims at an equitable redistribution of such category of land.

To appreciate land tenure and/or rights of access to arable land, such rights might best be described in relation to types of agriculture in space and agricultural technology in time. Until the early 1990s there were three types of agricultural practices: flood recession,

irrigated⁹¹ and rain-fed cultivation. Since range land without water has very little value, all of the three types of agriculture were largely dictated by water availability.

Generally speaking, contrary to the popular perception of pastoral and agropastoral rights to common property regimes in Ethiopia, individual rights over rain-fed plots of land are recognised among the Tsamako. Contrary to the common perception of common property regimes as archaic, I shall show that, they are dynamic and change in response to changing circumstances, such as agricultural technology and resource availability. Until the early 1970s rain-fed arable rights of control were held by territorial sections and, as the system of cultivation was characterised by shifting cultivation, individual households held only temporary land use rights. The 1970s are a watershed in the history of the agricultural technology in Luqa. This date marked not only the introduction of the ox-plough and the gradual substitution of the hand-hoe but also the move from a temporary use of rain-fed land towards securing permanent use rights. The pressure on rain-fed arable land has been felt along with the introduction of the ox plough since this date and it increased the competition for savannah woodlands among different users and for different uses since the early 1990s, as will be discussed in the next chapter. Yet it should be noted that I did not come across a landless household.

The main question this section of the present chapter tries to address is how social actors gain access to both flood recession and rain-fed arable lands. In what follows, I will describe, first, rights of access to flood recession arable land, and second, rights of access to

⁹¹ Irrigated cultivation was no longer possible since the early 1990s following the diversion of the Weyto River for cotton plantations which is discussed in chapter seven.

rain-fed arable land both of which are influenced by ecological factors and to some extent by the technology of agriculture.

Flood recession arable land reallocations

Flood recession cultivation is a form of crop cultivation where people cultivate crops on lands uncovered by receding waters. Opportunistic flood recession cultivation of crops on plains inundated by the Weyto River and streams was not only quite common but also an old phenomenon which dates back to earlier times. Flood receded land cultivation has never been practised on a spatially fixed location and has always varied spatially and temporally. Informants argue that this variation made permanent control over any piece of land by an individual or a household unattractive. On the contrary, this spatial and temporal variation of flood recession land in part allowed the operation of an 'all inclusive mode of tenure' possible. Informants agreed that flooded land has always been redistributed to households and individuals according to a set of criteria set by the elders' council. As the total amount of flood receded land availability varied from year to year so did the size of individual and/or household land allocations year in year out.

Detailed data, on how flood receded land was redistributed, on how actual household land reallocations were determined, on who was included and who was excluded from the land redistribution, were hard to generate from my informants oral narratives and there is no recorded information. So, I must confine my description of the redistribution of land in the past to the general principles, and concentrate on the examination of a flood recession land redistribution which took place in 1997, which are based on my own observations and interviews.

The customary socially sanctioned mechanism of gaining access to flood recession arable land was, and still is, dependent upon 'being' a Tsamako, or becoming a Tsamako, that is passing through a rite of passage⁹² which ultimately marks and determines ones ethnic identity and is also a means of gaining rights of access to range land resources. In principle all Tsamako by virtue of their ethnic membership have rights within the territorial limits of the Tsamako, but in practice such rights have to be realised through membership in a particular settlement. Initiated individuals, by virtue of their ethnic membership, held secondary rights of access to range land resources within the Tsamako ethnic territory (at least in times of crisis) and primary rights of access to a specific geographical territory through claims to residence in a territorial section. Thus, access and entitlement to flood recession land was acquired through ethnic membership and cemented through membership in a residential circle. Once such rights of claims had been obtained through those eligibility tests, a set of prioritisation criteria had to be set by the council of elders', such as age-based seniority and household size considerations. In short, primary rights of access were restricted to those Tsamako individuals by virtue of their membership in a particular settlement and some priority criteria set by the council of elders which, in turn, were dependent on the availability of the resource in question.

⁹² In a more general sense the Tsamako follow an open-door policy to those who would like to become a Tsamako by performing a rite of passage called *gorie*. *Gorie* as an initiation is a rite of passage ceremony that marks one as becoming a fully fledged member of the Tsamako and thereby able to get married and bear legitimate children. This applies to any person irrespective of his/ her ethnic origin, gender and age. Tsamako men, women and wives brought from other ethnic groups invariably have to be initiated and/or reinitiated according to the Tsamako way.

Flood recession land has always been held by adjacent territorial sections. Once again informants maintain that, to date, there has never been any piece of land that would allow flood recession cultivation held by an individual or a household over a harvest season. This is partly because of the limitations set by the nature of the resource in question. Flood recession land availability always varies not only in size but also spatially and temporally depending on the amount of rainfall the region receives. This oscillation of resource availability in part prohibits permanent use and control over any piece of such land by an individual or a household as a unit. Instead, when part of Tsamako plains were flooded and the water gradually receded, such land was divided first amongst adjacent territorial sections and then each territorial section land was again redistributed to households on the basis of a set of prioritisation criteria. Accordingly, informants stressed that the actual size of individual and/or household land allocations at a given point in time was subject to negotiations and therefore it varied in space and time. The discretion of such land redistribution has been vested in the council of elders, while the actual task of land redistribution had always been carried out by members of the *mura* generation-set which had formally assumed the role of defending the society against external enemies at a time. Thus, the *mura*, guided and supervised by senior generation-set members, always measured and redistributed such land on behalf of the community. Now, let us compare this general timeless description with my own observation of the 1997 redistribution of flood receded land in Ero savannah woodlands. But before that a couple of words about Ero savannah woodlands is in order.

About 7 km or so to the south of Luqa there is a savannah woodland valley called Ero, endowed with a range of resources, including trees for honey production. Part of Ero is also open field marginal land unsuitable for rain-fed cultivation. These open fields were, and

still are, lands where people from those territorial sections including Luqa and its neighbouring territorial sections practice flood recession agriculture. In other words Ero is a multipurpose resource use area which belongs to what might be termed as 'the commons' - jointly controlled and managed by three adjacent territorial sections and accessible for their residents and sometimes including households from the Banna and the Hamar ethnic groups when their territories are hit by drought.

In August 1997, some marginal parts of the Ero plain (see map 3), about 30-40 hectares of land, was flooded⁹³ after continuous heavy rainfalls around Luqa and adjacent Banna mountains range. This flooded land remain covered by water for about four months and was then gradually absorbed by the soil. As soon as the surface water began to recede, thereby making part of the land readily available for digging and seed planting, elders' from Babo, Luqa and Oro territorial sections held a meeting to assess the flooded land situation and the possibilities of dividing it amongst the residents. The total flood receded land was divided into three roughly equal parts⁹⁴, each over ten hectares, allotted to each territorial section. Then the responsibility of measuring and redistributing a territorial section land amongst its residents was left to each territorial section's council of elders. Although each territorial section had the discretion to carry out the land redistribution in its own way, in the event there were apparent similarities. Below I shall describe the case of Luqa.

⁹³ This stagnant water became a breeding ground for mosquitoes - the vector of malaria. People, even smallstock and calves, suffered from mosquito bites.

⁹⁴ Some households from Shalla, Aymelle and even some from Banna were given some land.

The flooded land allotted to Luqa territorial section has belonged to the 'commons' and every Luqa resident held primary rights of access to it; but the actual sizes of allotted plots were determined by a set of prioritisation criteria set by the council of elders, which included, the resident claimant's household size, age and recognised ability to cultivate. Members of the Robalco generation-set were ordered to distribute the land according to those criteria. The Robalco *mura* group classified Luqa residents entitled to land redistribution into four categories. First, *menie dama*, large households: these were households with two wives and their children. Second, *menie daga*, middle size households: included in this category were households with a wife and at least four or more children. Third, *menie teka*, a small household: this category was defined as a household with a wife and one or two children or a *heyatie*, a 'widow' with few children. Fourth, is *chifenito*, a bachelor.

The members of the *robalco* generation-set (the *mura* in particular), in the presence of most residents of Luqa began the first round redistribution. Each plot of land was measured in walking steps. The entire first round redistribution of land took the *mura* a day and a half to complete. I checked the size of plots and found that the smallest and the largest household allocations measured about 500 and 900 square meters respectively. While large households and small households received allocations according to size, unmarried young men, *chifenito*, were totally excluded from this round of redistribution. After two weeks the stagnant water receded further allowing the second round land redistribution to take place,

which was similar to the first round, except that even the *chifenito*, unmarried young boys, were allotted a small plot of land⁹⁵ each.

Although all in all the flood receded land redistribution went well, in that it might be called a fair and a just exercise, it was not free from some expressed dissatisfactions. Some elders, for instance, Beni Aykie (case 16 below) and Argo Dulo (case 17 below) who complained about the size of the land allotted to them deserve a special mention. Beni while admitting that he had a small household, went on criticising those who redistributed land on the grounds that fell outside the criteria set by the council.

Case 16: Beni is a man in his late forties with a wife and three children. He is member of the *bilbilco* generation-set which was responsible for public decision-making on behalf of the community at the time. In that sense he was someone who was actively participating in the council of elders. Being a member of this council he could advise members of the *robalco* generation-set who were, and still are, responsible for executing decisions including land redistribution made by the council of elder's. In Ero while sitting in a tree shade with some of his neighbours, who were taking a rest after half a day of digging work of crop planting, Beni mentioned his unhappiness about the first round of land redistribution. Cognisant of his household circumstances, I pressed him on that point. "I admit that I have a small household size, but you see I mostly host many guests. Thus, I need more land than I was reallocated now". He replied. It was easy to sense that he wanted his complaints heard by those present some of whom were members of *robalco*, the group which carried out the land redistribution.

This particular mechanism of expressing ones reaction towards a publicly executed measure is the normal procedure of appealing processes. People take advantage of casual gatherings and face-to-face contacts to make their complaints and dissatisfaction with any matter heard

⁹⁵ Almost all of these plots redistributed to households both in the first and second round were hand-tilled and planted with maize, soya beans, pumpkin and false pumpkin. Almost all individuals (except one household) opted for the hand-hoe which, they argue, conserves soil moisture compared to the ox-plough system. Most of the hand-tilled first round redistributed lands offered good yields, but some of the second round redistributed land harvests were lost due to unexpected early winter heavy rainfall.

and thereby hope to win the support of those who have a say on issues in public meetings. It should be added that normally disputes and/or complaints that seek public intervention have to be talked over with friends, neighbours and elders before a meeting is called and cases brought to the attention of the council of elders.

Another man named Argo, like Beni, also expressed his dissatisfaction about the first round land redistribution.

Case 17: Argo, a married man in his early forties, belongs to the Obzico clan and the Bilbilco generation-set. He had two wives and six children. He was the leader of the Kebele Administration. Like Beni, he also used the casual gathering of people to air his dissatisfaction about the first round flood receded land redistribution. He thought that the plot of land allotted to him was small in relation to his household size. Cognisant of his social standing - an elder member of one of the senior generation-sets and thereby the council, with a big household size his case, taken at face value, I thought his was a justifiable complaint. Given this situation I was curious to know what was going on and I was interested in assessing what had been said and the reality. The next day I went to the site, measured and compared Argo's plot of land with others. I found out that his plot was one of the largest plots given to households during the first round land redistribution. Argo's expressed dissatisfaction about the unfairness of the first round, redistribution seemed to have been made on the ground that he knew that nobody was going to reassess every households plots and compare it with his; and he made his dissatisfaction heard to the people as a means of increasing his chances of getting more land during the second round land redistribution. My impression was that his complaint was intended to use the opportunity to improve his chance of receiving more land during the second round.

Devereux (1996) conceives the allocation of rights of access to common property resource as taking place at two stages: first stage 'screening criteria', or 'eligibility rules'⁹⁶, and second stage, second level 'prioritisation criteria' or 'queuing rules' offer useful insights for

⁹⁶ Devereux (1996) in his analysis of common property regime land in Namibia found out three sets of rules 'eligibility', 'queuing' and 'payment' rules which he calls 'screening' and 'prioritisation' criteria. He conceptualises 'access to rights and resources in common property regimes as being allocated in two stages' - first stage screening or eligibility rules and second stage prioritisation or queuing rules and payment rules.

analysing the 1997 land redistribution among Luqa residents. The first stage screening criteria or eligibility rules show what might be called, rules of inclusion and exclusion at the level of the ethnic group. Only those individuals who have had performed the *gorie* rites of passage and become fully fledged members of the Tsamako ethnic group were generally entitled to land reallocations. This norm of inclusion and exclusion established patterns of 'insider-outsider' dichotomies' that is Tsamako and non-Tsamako, and those residents who live in settlements adjacent to the resource and those who do not. These, first screening rules, were applied to everybody irrespective of his/her ethnic origin, age and gender. But rights of entitlement to land could either be primary or secondary rights depending on ones membership in a residential circle and its proximity to the geographical location of the resource in question. At this stage, according to Devereux the second level 'prioritisation criteria', or 'queuing rules' begin to operate.

The flood recession common property regime arable land was divided by the *mura* amongst the three territorial sections in proximity to the land. Then a set of prioritisation criteria were set by the elders' council: residential membership, household size, age and gender. Households headed by senior men and women of tested hand-hoe tillage ability were given priority and received bigger land allocations while unmarried young men were excluded, but during the second round all of them did get land. Unmarried young women are not entitled to farming land allocations, but most women marry at an early age. These sets of eligibility rules and prioritisation criteria remained the guiding principles of land redistribution in 1997. In the end the actual size of redistributed plots might have varied slightly given the absence of accurate measurement devices and on the negotiation skills and gerontocratic power of land claimants in relation to those who have distributed the land.

Let us see how the entitlement approach accounts for such land redistribution. Devereux (1996:4) claims that:

At the first stage, whether an applicant is entitled even to be considered for certain rights is determined by inflexible criteria of inclusion and exclusion, such as ethnicity and gender... In rural Africa, a number of screening criteria are applied by community members with the preferred combination of characteristics and to decisively exclude others who do not share these characteristics - even though these are often inherited or demographic attributes which individuals are unable to change or modify (their ethnicity, lineage group, sex, age).

The land redistribution we have described for Luqa shows that this generalisation that African societies use 'inflexible criteria' is unwarranted. Firstly, even at the first stage, the screening criteria or eligibility rules of inclusion and exclusion are not only flexible, and temporally and spatially dependent, but also vary depending on resource availability. Secondly, demographic attributes or ascribed criteria do not guarantee entitlement or rights in common property regimes. Rather what actually determined whether an applicant was entitled or not was whether the applicant has become a fully fledged member of the society or not, and that simply meant performing the rite of passage⁹⁷.

Thirdly, at the second stage, 'queuing rules' Devereux (1996:5) writes,

...customary law might state that all adults living in the (ethnically and geographically bounded) community are entitled to an allocation of farming land. But customary norms might dictate that women and young men have lower priority than older men, who enjoy precedence by virtue of their age and sex over all other claimants. These rules of precedence - based in this case on seniority and gender - determine, in effect, the order in which applicants queuing for rights to resources will be 'served'.... queuing might also be reflected in women receiving smaller allocations of land, or their rights over resources might be less secure....women's access to land is often acquired through marriage, and this access can be highly vulnerable to the marriage ending in separation or the husband's death.

⁹⁷ Performing this rite of passage might be considered as an equivalent of meeting the requirements of becoming a citizen, which might not necessarily involve 'inherited or demographic attributes'.

This claim contains some elements of truth but it needs some qualifications on the ground that it fails to account for the rationality and/or philosophical underpinnings of the prioritisation criteria or queuing rules. In the first place, the 'rule of precedence based on seniority' includes, among the Tsamako, both gender and household size as an important factor. Second, the claim that 'women's access to land is often acquired through marriage' holds true for the Tsamako, but where there is no separation nor divorce at all, land rights acquired through marriage are lifelong rather than, as assumed, dependent on marriage contracts. Another point worth noting is that in a society, like the Tsamako, where polygyny is highly valued, there are no unmarried women at all. Furthermore, a 'widow' continues to hold her rights to arable land, after being inherited by the younger brother of her deceased husband. Thus, in a society where marriage is lifelong, and therefore a stable institution, a women's land rights are not precarious.

The 1997 reallocation of rights to flood receded land entailed the interplay of a range of rules and institutions and also showed that a number of informal social sanctions, enforcement mechanisms and power relations at work at intra-territorial section and inter-territorial sections, involving the authority of the council of elders' and the role of the generation-set in executing decisions made by the council of elders' and managing common property regimes. Territorial sections co-operate and compete in managing resources. Further households within a territorial section both co-operate and compete in the redistribution of land. Next I consider how rain-fed land rights are established and change in the face of changing agricultural 'technology'.

Rain-fed land tenure

Changes in agricultural practices and tenure issues among the Tsamako are poorly documented. This makes the possibility of backing up and contrasting oral historical narratives with secondary sources⁹⁸ virtually impossible. Elders' oral historical narratives reveal the informants' tendency towards a 'romantic' view of life in the past. With these limitations in mind, I will describe the hand-hoe-based rain-fed crop cultivation practices and land tenure rules before the 1970s as far as I am able.

Historically, rain-fed cultivation preceded both irrigated and flood recession cultivation and hand-hoe tillage was common to the three cultivation systems. Arable land, irrespective of type of cultivation, was controlled by communities with individuals holding fluid rights of access. The adoption of the ox-plough and the resultant expansion of rain-fed cultivation in the 1970s witnessed a relatively permanent use of a given plot of rain-fed land by households over years.

Until the fourth decade of the twentieth century there was neither permanent settlements nor crop cultivation practices in Luqa, because of the then absence of permanent sources of water for both human and animal populations within close range of these resources. Both the Argo and Weyto Rivers (both of which are over 30 km from today's Luqa and more than 60 km from Shalla, one of the oldest hillside settlements) were the only sources of water in Luqa valley. A reconstruction of elders' oral historical accounts presents Luqa during the 1940s as a savannah woodland endowed with plenty of pasture and wildlife but few big

⁹⁸ To my knowledge the only published early travel account is by Jensen (1959) who devotes half a dozen pages of description of the Tsamako in German with a short summary in English.

trees and without permanent human settlements. This oral narrative assigns a greater share of importance to pastoral products than agricultural ones for subsistence. This is in line with Jensen's (1959:429) observation in the 1950s as he writes:

...the Tsamako have descended from their mountains into the lowlands on the Woito where today the greater part of the population is living. They give the impression of typical cattle-breeders, if one disregards their poor millet-cultivation on the banks of the Woito. However, the chief could still remember that earlier the young men's group herded the cattle in the lowlands while the greater part of the people then lived in the mountains and cultivated their terraces which cover large parts of the mountains and are still visible in spite of decades of abandonment. By giving up these constructions, possibly because of increasing dryness, possibly, too, through the example of the neighbours already settling in the lowlands, as well as through migration into the valleys the character of the culture strongly changed.

As we have seen in the first chapter, permanent settlements were established and settled life began in Luqa in the early 1940s, when the first settlers migrated to Luqa from Shalla were followed by those from Aymelle. The establishment of Luqa as a permanent settlement saw the beginning of the hoe-based rain-fed crop cultivation. Rain-fed crop cultivation has always been a high risk undertaking, because rainfall is extremely unpredictable and crop-failure years are frequent, but it has become an occupation in which everybody indulged. A household using its own labour clears savannah woodland and opens up new land for cultivation and when the wet season sets in, agriculture becomes the exclusive economic activity. However, before the rainy season sets in ditches must be dug and fields fenced both of which have to be kept reinforced throughout this season. Ditches have considerable effect on agricultural yields, the longer the range and the number of ditches the better, because these improve the supply of harvested run-off water directed to the field. Run-off water should be reserved by blocking ditches when it rains heavily and reopening them when it stops. These tasks are followed by tilling and weeding. Household labour, which played an indispensable role in the hand-hoe tillage system was more important than land.

The amount of household labour, including labour drawn through *aylo*, that a household commands sets the limit to the size of rain-fed land a household can open up and cultivate. In principle, a household can put as much land under cultivation as it wants, but in practice this is determined by household labour availability and the technical means of cultivation, the hand-hoe, at its disposal. "An adult can cultivate annually only about 1.25 hectares with the hand-hoe technology; ox-plow farms in highland Ethiopia routinely cultivate two to four times that amount" (McCann 1995:47).

Until recently, when there was no felt pressure on potentially cultivable land, the rain-fed cultivation of the Tsamako used to be shifting cultivation. A newly opened land was cultivated for a few years and then left fallow. Shifting cultivation is thought to be an age-old agricultural practice (Boserup 1965) and is generally characterised by abundant land while labour is the limiting factor (Angelsen 1994). This characterisation of the past accords with the elders' historical accounts on the rain-fed land circumstances of the original Luqa residents. Since there was less competition for the best rain-fed arable land informants maintain that rights to land were less contested. Informants agree that there were three ways of obtaining rain-fed agricultural land namely, inheritance, clearing savannah woodland, and borrowing land from kinsmen or friends for a given period of time. Of these rain-fed agricultural land obtaining mechanisms, informants argue, savannah woodland clearance (until early 1990s) was the modal one. In the past a household or an individual cleared savannah woodlands for the purpose of putting it under cultivation and the right to clear savannah woodlands is determined by membership in a particular settlement.

A savannah woodland which is cleared for the first time is named after the clearer who holds entitlement to permanent use or reallocating the land or transferring the right to others

at will. Once established these rights are transferable from one generation to another and can also be given as a gift or freely lent. The transfer of rain-fed agricultural land rights, like livestock and other household property, is governed by the general rule of primogeniture - from the father to his senior son and thereby to his younger sons. The senior son has the duty to divide and share inherited land with his younger brothers depending on the size of the land in question and their land holding circumstances.

Here it should be noted that arable land which appeared relatively plenty during the era of hand-hoe tillage has gradually become scarce after the adoption of the ox plough. Rights and patterns of rain-fed land rights of access have evolved and gradually become complex in relation to the growing competition for the best rain-fed land. Temporary land use rights replaced by permanently held rights by individuals and households. Furthermore, some households, particularly in the hillside areas, moved towards enclosing land adjacent to their farms to meet the special feed requirements of draught oxen. This, I suggest, is another element of change - a shift from a temporary use to the establishment of a more or less permanent use of the best range lands. How was the ox plough introduced to Luqa? And what are its effects on the over all rain-fed land availability and newly established households access to such land?

It has been argued that the expansion of northern highland cultural dominance is based on the spread of the Amharic language, the Ethiopian Orthodox Christianity and land tenure rules. But McCann (1995:70) argues that "...these features have been secondary to a more

profound social transformation brought on by the spread of ox-plow⁹⁹ agriculture itself". The Tsamako adopted the ox-plough in the 1970s, which is a short time frame compared to some of their neighbours like the Maale and the Gewada, but its emerging effects are multifaceted and considerable. Consequently, the last four decades witnessed emerging transformations ranging from the adoption of agricultural work parties and the resultant change in household labour organisation to a gradual move towards range land enclosure¹⁰⁰ particularly among territorial sections located in the hilltops.

The introduction of the ox-plough to the Tsamako is the result of historical contacts and interethnic relations, as we have seen in the first chapter, mediated through migration and, above all, the open-door policy of the Tsamako which has paved the way for a smooth integration of some households from their neighbours. It should be stressed that the open-door policy has stimulated migrants to Luqa from neighbouring ethnic groups, specially

⁹⁹ Concerning the dearth of information on the effects of the introduction of the ox-plough to south and southwest Ethiopia, MacCann (1995:48) writes, "We have very little empirical evidence on the adoption of plow culture in the societies of Gamo Gofa [now divided into two zones named north and south Omo], Kaffa, and Illubabor, many of which adopted the plow within the last century. The best study of these southern regions is remarkably silent on the issue".

¹⁰⁰ Recently, people have started enclosing range land adjacent to cultivated land around settlement sites during the rainy season. Households, particularly those in the hilltop territorial sections, enclose some grazing lands adjacent to their agricultural land and reserve it for their own exclusive use until the adjacent crops are harvested and reopened for the public. Such enclosed grazing areas are reserved primarily for oxen used for traction. It is very difficult to detect the exact origin of the practice of enclosing communal grazing land and to establish its causes. However, there is some evidence to suggest that the first inchoate signs of the enclosure movement were linked with, and evolved in association with, the tradition of fencing agricultural land.

from the Birale and the Gewada. The adoption of the ox plough is one of the products of these historical contacts and interethnic relationships between the Tsamako and their neighbours. The ox plough was introduced by a Gewada migrant in the 1970s. Warlie Armanie, narrates (a revised version of the original in my thesis 1995: 91-92) the history of the introduction of the ox-plough:

Three decades ago we had heard that the Gewada and the Konso people till their land using ox-ploughs. Our main question and puzzle was do these groups' oxen have hands like human beings or do they dig the soil using their horn? Later on, towards the last decades of the Haile Selassie era, a Gewada man, named Fango Sakuro came to Luqa and settled here to live. The reason why he came here was this. Fango's elder brother died, and therefore, he was supposed to be the husband of his deceased brother's wife. But unfortunately another man (Fango's agnate) slept with her. Fango was offended and decided to abandon his homeland, and came to Luqa together with two of his wives and children. Fango knew the skill of using the ox-plough before he came to Luqa. He brought with him the implements he needed for making and maintaining the various parts of the plough. Soon he started using the plough. People in Luqa saw how it worked. Some people asked Fango to assist them in digging *gabdie*, ditches meant for harvesting run-off water, using the ox-plough. They in turn offered him something to drink and eat. Gradually, people realised the advantages of using the ox-plough rather than *gaitie*, hand-hoe. They even agreed to give him small stock if he tilled their land using his own labour and pair of oxen. People thought that the task was so arduous that the man who handled the plough and tilled the land had to be fed and given drink frequently at either end of the plot. Some years later a man called Ado Aro (a Tsamako), who was a *bel*, livestock friend of Fango, was given a plough and a trained ox. Ado tried to plough using one of his untrained oxen with the one Fango trained, and succeeded to till his plot. Warlie himself also got two oxen trained by Fango and assisted to make the wooden plough. For some time it was not uncommon to see Luqa residents compensating Fango by offering small stock for the labour he invested in training their oxen. Gradually all of us realised that the new ox-plough system has the advantage of saving labour and to till more land than our old hand-hoe tillage system (Interview with Warlie 1994/97).

Importantly, the introduction of the ox-plough gradually replaced the hand-hoe at least in the rain-fed agriculture. Following the adoption of the ox plough the 1980s saw the best range land suitable for rain-fed cultivation increasingly held and permanently exploited by individuals and households. An important point that needs to be made here is the gradual extension of land put under cultivation as a result of the introduction of the ox-plough. The

gradual expansion of ox-plough agriculture from the northern to the southern part of the country brought about a range of transformations, McCann contends:

The conversion of horticultural societies, pastoralists and agrarian systems, which were based on perennial crops, to the ox-plow complex based on annual crops and integrated livestock management, implied more than a simple change of economic base or political authority. The use of the plow meant a transformation in environmental management: a livestock system which produced, trained, and maintained a stable supply of oxen, a reorganization of seasonal labour to fit a new set of crops, and a resource tenure system in which fixed multiannual resources - perennial crops - lost pride of place to annual crop fields. For most areas, the principal transition was multileveled: from digging stick or hoe to the plow, ... from livestock as milk producers to livestock as labor. For most, the change was not piecemeal but, over time, total (McCann 1995:70).

Elders' memory of the state of rain-fed agriculture, involving the substitution of the hand-hoe system with the ox-plough system, shows a gradual increase in the overall area of land put under cultivation year after year. In the past, the hand-hoe tillage system has acted as an important practical constraint on the households' tendency towards opening up more and more savannah woodlands for cultivation. In those days, informants argue, the maximum size of a household's hand-hoe tilled plot, with a good command of labour (household labour and labour drawn through various exchange mechanisms) had rarely exceeded a hectare. As McCann (1995:) observed, for highland peasants of Ethiopia, that "the revolutionary qualities of the ox-plow system reside partly in its adaptability but more fundamentally in its clear savings of labor over hand tillage".

In Luqa, using the ox-plough¹⁰¹ on average, a household ploughed 2 hectares of rain-fed land in 1997/98 harvest year. Households with two or more pairs of oxen ploughed up to

¹⁰¹ In 1994 a house to house census in Luqa showed that 27.76% of the households had two or more pair of oxen, 37.03% of households a pair of oxen and 5.55% of households one ox each.

five hectares of land while those without draught oxen who rely on *aylo* and or *gebere*¹⁰² (labour exchange for oxen power) arrangements ploughed less than the average. This simply means today, unlike in the past, even oxenless households were able to get at least a hectare of their land tilled with the help of kinsmen, friends and/or neighbours by simply organising an *aylo*, a non reciprocal work party. Alternatively, the household head can enter into an oral contractual agreement whereby he can exchange his labour for oxen power. Accordingly today the land households put under cultivation falls between the range of one to five hectares. The ultimate result of all this is an increase in the total land placed under crop cultivation. What is the implication of the replacement of the hand-hoe tillage system by the ox-plough for access to land? The implications of the use of the ox plough might be looked both at territorial and household levels. At the level of territorial section the expansion of agriculture resulted in the decline of the communal savannah woodlands which are meant for other uses. At the household level, those households who had many oxen had the chance to secure and hold more arable land than others. In that some households took advantage of the oxen power to establish permanent rights of use over the best arable land.

Thus, the adoption of the ox-plough resulted in the expansion of agriculture and this directly affected the overall savannah woodlands reserved for multiple-uses. At this point it should be borne in mind that this ox plough-based rain-fed agricultural expansion is

¹⁰² According to this labour for oxen power exchange arrangement two days of a man's labour is equal to the use of a pair of oxen for a day, so that even if not all households have their own draught oxen they can gain access to oxen power and carve land out the commons and thereby increase the size of their rain-fed agricultural land.

coupled with an ecological constraint which puts its own forces of limitation on the total rain-fed land availability in Luqa. To make enough space for harvesting run-off water almost up to one third of the arable land has to be left uncultivated. The combined effect of this ecological limitations and the expansion of cultivation following the system of ox-plough agriculture has been that by early 1990s most prime rain-fed agricultural land in Luqa was in the hands of individuals and households and the demand for land encouraged some individuals to clear some multiple-use savannah woodlands for cultivation. This was perceived as an encroachment upon grazing land and honey production, and met uncompromising opposition from the community. The opposition move gathered some pace and finally led the council of elders to ban the clearing of savannah woodlands for crop cultivation purposes in 1992. This will be discussed in the next chapter.

A final point that needs to be pointed out here is the fact that an increasing number of people using the ox-plough plant quick maturing seeds imported from neighbouring ethnic groups. But whether the increasing adoption of the ox-plough by Tsamako households and their dependence increasingly on agriculture should be taken as an attempt at economic diversification, and thereby as a means of reducing risks of starvation or as a sign of transformation from pastoral-based economy to agriculture-based one is hard to ascertain and establish, for the process is far from being complete. Nor it is easy to anticipate the long-term effects of the adoption of the ox plough on the existing tenure arrangements.

Conclusion

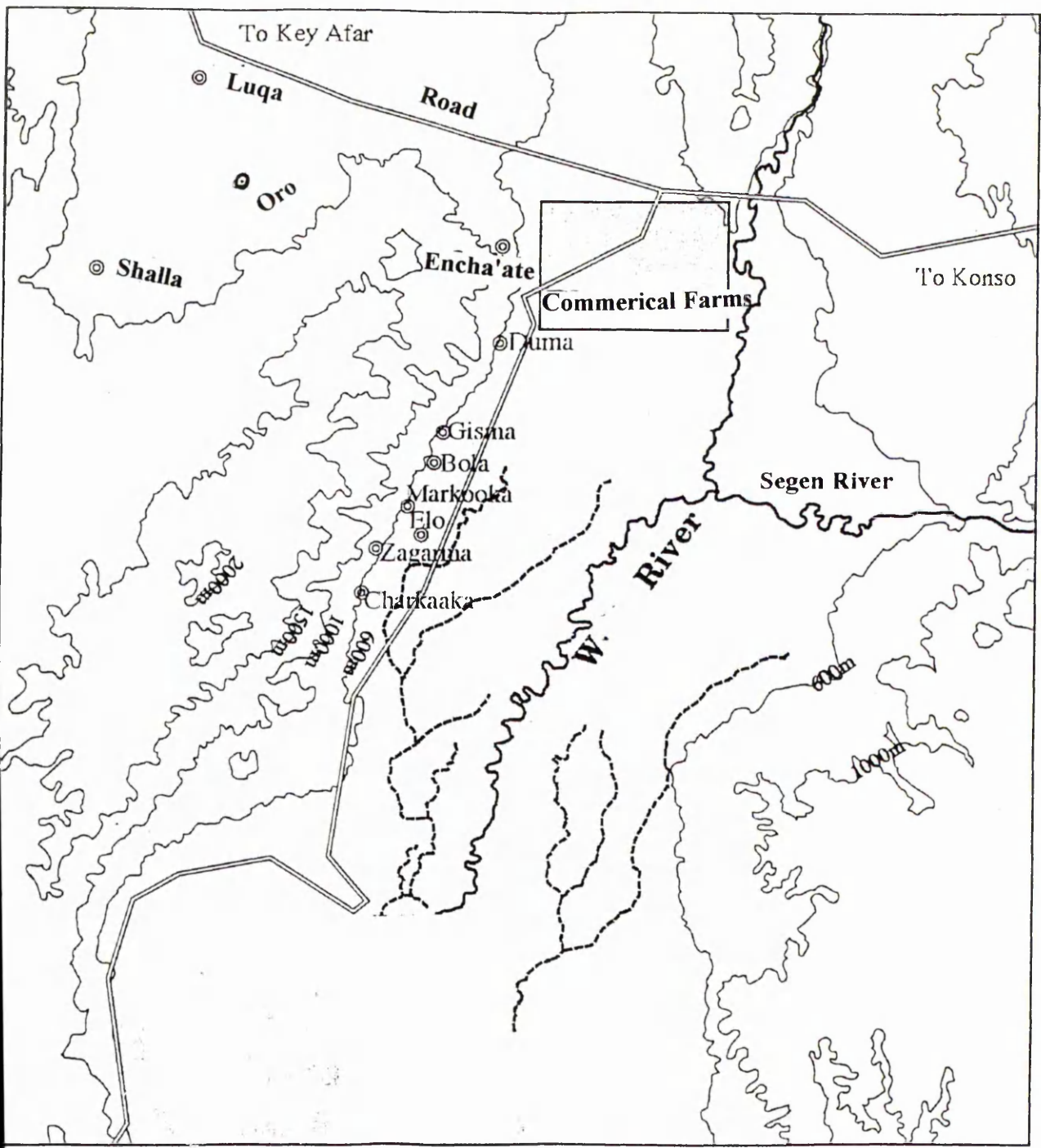
In this chapter I have attempted to examine both grazing rights and arable land tenure issues. Range land resources are locally considered as a 'gift of God' and therefore accessible to all individuals who have become a fully-fledged member of the Tsamako.

That is accomplished by performing a rite of passage called *gorie*. But in practice, for instance, grazing land adjacent to settlements of a given territorial section are held by that section and its members enjoy priority user rights over others while members of distant territorial sections have only secondary user rights over the same land in times of crises.

Arable land has never been alienated by the local people. Moreover there were, and still are, no sharecropping nor other lesser tenure arrangements. In general the flood recession system of land tenure is inclusive rather than exclusive, in the sense that no one who needs land and capable of cultivation was left landless until today. While historically the rain-fed system of tenure rules have been changing from a temporary and shifting land use practice, during the period of hoe-based shifting cultivation, to a permanently held land use rights following the adoption of the ox-plough tillage system and the resultant relative increase in the overall land put under crop cultivation. These two land tenure arrangements coexisted.

It is interesting to note that rights and patterns of rain-fed land rights of access have evolved and gradually become complex in relation to the growing competition for the best rain-fed land. Temporary land use rights were replaced by permanently held rights by individuals and households. Furthermore, some households, particularly in the hillside areas, moved towards enclosing land adjacent to their farms to meet the special feed requirements of draught oxen. This, I suggest, is another element of change - a shift from a temporary use to the establishment of a more or less permanent use of the best range lands. Finally the move towards the enclosure of range land adjacent to rain-fed cultivated plots among hillside settlements might set the trend which might have far more implications for the present systems of land tenure arrangements than those effects produced by the adoption of the ox plough tillage system until today.

Map 4 The Commercial Farms and someTsamako Settlements



0 20km © Settlement

CHAPTER 5: Trees and other savannah woodland resource rights of access

In this chapter I describe resource uses in the savannah woodlands which are controlled and managed by the three territorial sections. The discussion focuses on issues raised by differential rights of access by multiple users for multiple purposes, and on attempts to show the various ways of establishing tree primary user rights as distinct from those held in jointly managed woodlands. Finally, through an examination of the ways in which rules which apply to trees are enforced (both generally and in particular cases), I argue that it is the small sizes of the resource user groups, and the consequent easy acquisition and dissemination of information, which makes policing and protection of tree use cost effective and encourages tree protection and long-term oriented uses.

Ero: savannah woodlands

In a recent literature search, Shepherd (1992a), found two problems that are pertinent to this chapter. Firstly, in the forestry literature there are many species references to the tropical dry savannah woodlands of Africa but they give no information either on land tenure or on indigenous management techniques. Secondly, the ethnographic literature is rich on tenurial arrangements but poor on tree-species identification. Most importantly there has been a confusion as to whether land tenure and tree tenure issues should be looked at as two distinct entities or not (Fortmann and Bruce 1988; Shepherd 1992b). Fortmann and Bruce (1988:11), including some of the francophone literature in their review, argue that "like minerals and water, trees can be a form of property¹⁰³ separable from the land on which

¹⁰³ "People who have been exposed only to the more familiar forms of western law often assume that trees are part and parcel of the land on which they grow. But, like minerals and water, trees can be a form of property separable from the land on which they are located" (Fortmann and Bruce 1988:11).

they are located", whereas the anglophone literature seems to consider the two as going together (Behnke 1980, 1985; Shepherd 1992a). Given that a tree or trees may contain a bundle of rights (Fortmann and Bruce 1988) and that fluidity is the essence of indigenous tenure rules (Behnke 1995), I propose that, even if tree tenure rules are affected by land tenure, analytically and practically they can be separated and examined in their own right. As Fortmann (1988:35) writes, "It is often thought... that once biological distinctions have been made, a tree is a tree is a tree.", but she argues to the contrary that attention must be paid to the 'social meanings' of trees. Furthermore, Fortmann and Bruce (1988) argue that three interrelated factors affect rights to trees: land tenure, the nature of the use to which they are put and the type of tree. As we shall see in chapter seven, the *de jure* state held rights to natural resources have a wide range of repercussions, here I will focus on how rights in trees located in and around settlements and also those in savannah woodlands adjacent to territorial sections are managed and how rights are established and change in response to the emerging commercialisation of honey.

From the outset it should be made clear that the analytical separation of land and tree tenures is necessary not only because they each have different philosophical rationales, but principally because the establishment of rights are different in form. Rights to trees are established by a combination of factors that have to do with labour investment, spatial and utility related considerations and through inheritance. Using insights from the critics of the entitlement approach (Devereux 1993), I try to show how entitlements to trees are established, legitimated and change in the face of changing circumstances, in particular, and how rules of dry savannah woodland use rights are enforced, in general.

Here the phrase savannah woodland¹⁰⁴, (*wero* plural *weradie*, the Tsamako equivalent) refers to a land covered by a wide range of species of trees, shrubs, herbs and grasses. One can talk of three class of savannah woodland resource right holders at various levels: the state, the ethnic group, and territorial sections with household and/or individuals. My concern is how rights of access to state held resources are obtained and how they are actually managed¹⁰⁵ by local groups and individuals.

Users rights to *wero* resources are fairly complex. Theoretically all savannah wood resources belong to the ethnic group, but in practice, primary user rights are held by a section or sections in spatial proximity. Many territorial sections co-manage savannah woodlands adjacent to their settlements whilst other distant sections have only secondary user rights in times of crises, which are negotiated by the council of elders' of those sections which hold primary user rights. Arrangements pertaining to the sharing of such resources reflect shared group understandings about who holds what rights and in which resources and when. Rights to resources are socially sanctioned rather than enforced by specialised agents, and joint exploitation, co-operation and at times competition among geographically adjacent sections were, and still are, quite common.

¹⁰⁴ A number of phrases are employed in the literature: such as dry forest; tropical savannah; wooded savannah; dryland forest. *Wero* the Tsamako equivalent for these terms is also a common male and female personal name. Individuals so named were those who happened by chance to be born in such a place.

¹⁰⁵ My attempt to make a meaningful distinction between people's deliberate resource management measures and the daily resource use turned out to be problematic and in most instances such attempts were futile. Such distinctions if they exist at all tend to be temporal and at best blurred.

Here I restrict my description to a savannah woodland area which begins at a place called Gura (which is about 2 km. to the north of Luqa), and extends about 7 km. or so to a place called Ero. I shall use the name Ero to refer to this area that falls between Gura and Ero, but locally the name Ero is used to refer to a wider area. At Gura there is an artificial water pond which marks the *sabanco*, the boundary between the land reserved for cultivation and the savannah woodlands meant for honey production, hunting and gathering, as we shall see later.

Ero is jointly controlled and managed by three adjacent territorial sections namely, Babo, Luqa and Oro; each section is represented by its council of elders when decisions as to the use of Ero woodland resources have to be made. The three councils of elders' are coequally responsible for the regulation of the use of Ero resources, but here I will only examine the issue of resource user rights in relation to Luqa and its residents.

The vegetation cover in Ero consists of a range of trees and shrubs. Some informants were able to identify more than sixty species of trees, shrubs and herbs, each of them with its own local name and its predominant use. This last reveals the peoples' knowledge about which species of trees need to be managed and in what way, depending on the season and specific requirements of the tree. People tend mostly to identify plants by their distinct names and sometimes classify them on the basis of their uses and/or functions such as good honey barrel trees, fruit producing trees, fodder producing trees, trees as a leafy vegetable and trees that tolerate lopping and those trees which can be multiplied by means of budding. Ero is perceived as a savannah woodland consisting of roughly six different categories of resources: the land itself, seed pod producing trees, leaf and fruit producing

trees, medicinal plants and flowering plants and trees for situating beehives. Some of my informants considered the resources of Ero as linked directly or indirectly to: honey production, gathering supplementary source of wild food and items for sale, wood for house construction and agricultural tools, kitchen utensils, browsing for livestock, source of firewood, and grass for thatching purposes.

First I describe hunting and gathering rights - wild food, fuel wood, and items for sale, and this will be followed by a description of tree felling rights.

Hunting and gathering rights

Control over savannah woodland resources is vested in communities and households and individuals in them hold use rights. Households and individual household members who live in Babo, Luqa and Oro have inalienable rights to hunting and gathering in Ero savannah woodlands. Historically, hunting and gathering practices are probably the oldest of the daily routines especially for women and children. Hunting is the special domain of men, whether the game animals are consumed or not. Successful hunters enjoy societal respect¹⁰⁶ apart from the immediate benefit they obtain from the game animal's meat and skin. Rights to hunting have always in principle been open to all Tsamako but, in practice, only those who live in settlements adjacent to Ero are eligible. However, today, informants maintain that there are no longer big game animals and even the number of small ones are also diminishing. Some of the reasons are associated with external intervention, as we will see

¹⁰⁶ Jensen (1959:430) states that "[t]he killing of enemies or of big game and the honour connected with it for the killer is very much developed and occupies an important place in the culture of the Galla and the other East Kushitic tribes. It is also known to the Tsamako".

in chapter seven. For that reason the hunting of small game animals has become highly sporadic since the early 1990s. Accordingly hunting has increasingly become a thing of the past.

Gathering wild food has been a commonly used major means of obtaining daily food supplements. Food processing and management are the prerogatives of women so, given the gender and age based division of labour, gathering is their role often assisted by children. With their rights to savannah woodland resources secured by virtue of residence, women and children gather a range of wild food and fuel wood almost everyday and sometimes other items for sale. Women and children normally carry a *haltie* (half a gourd or calabash as a pannier) whenever they leave home. When asked about the purpose of carrying a *haltie*, they often reply: 'Who knows what you might come across in the *wero*'. People tend to be always on the alert while walking in the *wero* and to gather wild food such as fruits, roots and leaves for supplementing the daily household diets. Sometimes gathered food, particularly fruits, were consumed outright and the leftover seed collected and taken back home and mixed with maize, then boiled and consumed. The availability and variety of gathered food is highly seasonal, for instance, *ediye* (a fruit collected from the *Balanites rotundifolia* Blatter), is confined to the dry season. This temporal variability of fruits, roots and leaves, one supplementing or replacing the other, allows gathering to be the daily routine of women and children the year round. The intensity of gathering, however, varied not only spatially and temporally but also in relation to the gatherer's household economic status, in particular, and with the crop harvest year situation, in general. In a more general sense, the intensity of gathering wild food and a household's degree of reliance at one point in time is an index of food availability and the grain production situation in a territorial section in a given year.

Women informants provided me with a list of ten different types of plant leaves and five types of fruits which they usually collect for human consumption from the community *wero*. Such leaves were largely collected for household consumption but fruits, and sometimes their seeds, apart from domestic consumption might also be sold at the local market. Although there are no secondary sources of information to compare the past with the present, today the amount and the range of roots, fruits and leaves collected by women and children for supplementing daily household food consumption is considerable¹⁰⁷. In the lean months of the year almost all households must resort to the *wero*. I have argued elsewhere (Melesse 1995), that such gathered food constitutes one third of household consumption, particularly during the rainy season, when most households have often run out of grain.

Apart from collecting wild food, women and children also gather certain herbs¹⁰⁸ for treatment and items for sale. Women and children, particularly those from poor households, gather a flower called *deraytie* (used for making mattresses (see Plate 14) and incense, which they sell at the local markets and earn some income. Incense, during the dry season, is collected from *Boswellia neglecta* (see Plate 15) and sold at the local market. Incense is also used to smoke beehives. In times of abundance, on average, an individual could collect eleven kilograms of incense per day. During the time of my field research incense fetched

¹⁰⁷ Calculating the exact amount of daily gathered wild food stuff is a daunting task. But in an area where people neither grow vegetables throughout the year, and there is nor a permanent supply from outside, a *wero* means a lot to the local people.

¹⁰⁸ Women informants were also able to list more than six types of herbs (note that these women are not herb specialists) which are used for treating certain human illnesses.

2.25 Birr per kilogram in Luqa which was somewhat less than the prices at the other local markets (see the table below).

Table 7. The price of a kilo of butter, honey and incense in Birr (March-April 1997)

	Weyto	Key Afer	Arbore	Addis Ababa
butter	4 - 6	5 - 6	4 - 5	22 - 32
honey	5 - 7	6 - 7	4 - 6	16 - 24
incense	2 - 3	3 - 4	--	12 - 16
salt	4 - 5	3 - 4	3 - 4	1 - 2

Although gathering incense is a means of generating income for the poor and incense is an essential element of honey production, the idea of carrying out the systematic tapping of trees for collecting resin is as yet unknown. Nor have incense producers moved towards establishing strong rights of claims over such trees. Incense trees remain under the category of territorial sections joint control and management of natural resources. But, unlike incense collectors, honey producers have moved from a joint territorial-based use of trees towards the formulation of tree tagging mechanisms, thereby establishing their primary user rights to them. I will return to this point shortly.

Of importance to the establishment of rights to trees and harvesting their products are: the eligibility rule which is based on membership in a residential circle and labour investment in trees which entails marking and protecting them. In general, rights to trees among the Tsamako can be distinguished between planted trees and wild trees, on the one hand, and, within the latter category those producing fruits and seed pods, and the spatial proximity of trees to houses and household farms on the other. In other words, labour investment, spatial proximity, and functional considerations affect rights to trees. Accordingly, three major components of rights in trees can be identified: rights in trees in farms whether planted or

otherwise and those found around the home area; rights to wild trees for honey production; and rights to fell trees.

Trees in farms and around houses

A cultivator usually retains some wild trees in his cultivated fields. Such trees left during in the sense of opening up new fields, perennial and planted trees belong to those who hold the field. Mostly people plant the drought-tolerant perennial, *Moringa olifera*, whose leaves are used (as a cabbage) for human consumption. Moreover, sometimes branches of some species of plants which multiply through budding are cut and replanted around farms and kraals with the intention of reinforcing fences. These trees on household and/or individual farms are used entirely by the 'landholders'. These rights reside in the household and are retained by them even after a move to another settlement. Without the permission of the household nobody uses the products of such trees. Rights to planted perennials are normally transferred from one generation to another or given to a relative or a friend as a gift.

The second category of trees is those wild trees found around home areas. By virtue of proximity the household establishes primary user rights to fruits and seed pods of such trees, which include not only harvesting fruits, and collecting seed pods for fodder but also lopping and cutting branches for constructing fences. Since such rights are usually retained until the area is deserted, the right-holders might be termed as the guardians of the trees. In fact other people normally do not reoccupy such deserted residential places without the permission of the original settlers. Yet it must be said that applications for the reoccupation of deserted places are not likely to be denied. In that sense once the original settlers change their place of residence their rights to trees located around a previous home area is a fringe one.

Another important distinction made about tree rights in and around home areas is rights to those wild trees that are located at a place that lies between houses, which might be called a buffer zone. Primary user rights to such buffer zone fruit producing trees are secured, at least for seasonal use, by leaving ashes under them. People collect dry leaves burn them and leave three to four dots of ashes around trees. Such dots are acknowledged as symbols marking primary user rights. Informants maintain that, apart from the symbolic importance, smoking trees also decreases fruit damage by insects.

Honey production and tree user rights

How do people gain access to big standing trees for beekeeping purposes? And how do people know whether a given tree is held by someone or not? In what follows I will try to answer these questions. It has been argued that changes in rights to trees, like other common-property regimes, are the product of commercialisation and demographic pressure (Cernea 1988). The history of tree tenure goes with the increasing commercial and exchange values of honey. To put the discussion into context, before discussing the evolution of tree tenure rules in relation to honey production, I will give a brief account of the local system of honey production and the increasing commercial value of honey, which has important implications for the shift in rights in some categories of trees from a widely shared group user rights to a primary user rights held by a household and/or an individual.

Oral narratives have it that in the past Luqa was the land of milk and, therefore, there was not a considerable demand for honey nor was it produced regularly in an organised way. The collection of wild honey for domestic consumption, instead of honey production both for domestic consumption and exchange, was the order of the day. Although I find it

difficult to establish the exact date when wild honey collection was replaced by a systematic way of production, today there is ample evidence to suggest that the former has ceased to be the main form of obtaining honey. However, systematic honey production in the area entails relatively unsophisticated mechanisms. Beehives are carved out of wood or made of tree bark and are coated with cow dung and smoked with incense so as to attract bees (see Plates 9 & 10). Two to six, depending on size and suitability, beehives are normally placed in a tree and remain there with and sometimes without bees - repaired and polished as time passes by. It is widely acknowledged that for many reasons beehives need to be kept at a reasonable distance from cattle kraals and settlements. This points to the importance of trees located in the savannah woodlands compared to those in and around settlements, a point that should be kept in mind.

One of the by-products of the shift from wild honey collection to systematic production is associated with the growing social and economic values of honey. Honey is widely brewed and drunk as a mead (*horengo*). It is also the major constituent of bridewealth payments, as we have seen in chapter three, and one of the main sources of cash income which can also be directly exchanged for smallstock and sometimes even for cattle. Furthermore, from the regional perspective, the Tsamako have become the main¹⁰⁹ producers and suppliers of honey for the Key Afer and Hor local markets. It is important to decipher the growing

¹⁰⁹ The production of honey is prohibited among some neighbours of the Tsamako, for instance, among the Hor. The Tsamako, the Hamar and to some extent the Watta Borana have been the chief honey suppliers for the region. Taddesse (1999:323) has this to say: "Hor desire honey and use it for ritual and to make honey wine but will not handle beehives. Indeed any Hor who does so would be punished by the Jal'aba elders".

productivity of some categories of trees and the growing interest in establishing primary user rights in them.

I pointed out earlier that in the past big standing trees were held by territorial sections with households and individuals within them holding more or less 'equal' user rights. The peoples' interest in such categories of trees were very sporadic. The reasons for this are twofold. First, informants stressed that within the reach of their living memory Luqa had more grass, and a wide range of species of wild animals, but there were fewer scattered standing trees during the first quarter of this century than today¹¹⁰. The question of establishing whether there were less trees and more grass in the 1920s than today or *vice versa* is impossible, for there is no recorded information on the subject. One point is beyond doubt, however, that is at the moment Luqa is well covered with trees (see Plate 2), but grass is a scarce resource when the dry season sets in. The second reason, already alluded to, is the absence of an organised way of honey production and the low demand for honey itself make the productivity of such trees low.

There is ample evidence to support the fact that the commercial value of honey was low during the establishment of Luqa as a permanent settlement in the 1940s. The region, for instance, was totally isolated from other regions and markets until the construction of all weather roads in the 1970s. Today, contrary to the past, following the emergence of a

¹¹⁰ Most of my informants argued that the increase in the land covered with trees since the establishment of Luqa as a permanent settlement has been enhanced by livestock, particularly goats and sheep, who consume, for instance, acacia pods and spread seeds widely with their dung. (Often such seeds are not thoroughly consumed by goats and sheep).

systematised and a regular production along with an increase in the commercial value of honey, almost all big standing trees suitable for honey production were, and still are, permanently held by either individuals and/or households. These social actors have primary user rights over others and such rights are handed down from generation to generation. Nevertheless, as we will see later, such rights do not include rights to fell such big trees.

Before I begin to describe the manner in which big standing trees are marked and reserved for individual or household uses, I shall point out a couple of findings that emerged from the 1997 house to house survey carried out in Luqa, which revealed that more than 70 percent of households were involved in honey production as a sideline occupation. However, as to the degree of household involvement (measured in terms of number of beehives) in this economic sector, the same census showed that there is an inverse correlation between size of household livestock holdings and number of beehives. I found that livestock-poor households invest more labour and time in honey production than livestock-rich ones. Informants stress that this sector of the economy is an important pathway for livestock-poor households to rebuild family herds and to pay their bridewealth debts. This points to the relatively higher degree of reliance on trees by the poor than the rich. This finding is in agreement with the assertion that trees are important particularly for the rural poor (Chambers and Leach 1987).

Finally, the exchange and commercial values of honey are increasing along with the emerging integration of the local economy into the region. This process is partly facilitated by a growing number of itinerant traders in the region that bridge the gap between the former and the latter. The growing economic value of honey and the expansion of this sector means an increasing demand for trees. Primary user rights to trees for beekeeping

purposes and the mechanisms of establishing and maintaining them are issues that I seek to describe below.

Big standing trees, suitable for hanging beehives, display a set of marks denoting the fact that they are controlled by someone. Trees are often branded with one or a combination of three types of marks which are devised for the establishment of primary user rights over standing trees. I shall briefly describe these three tree tagging mechanisms one by one. The first, *hash'o*, is made by the removal of a patch of bark about ten centimetres by ten centimetres square. This easily detectable mark is usually made during the later stages of growth and, though it may gradually shrink, remains on the tree throughout its life. The second *hoko/loro* (*toradie*, pl.) is a temporary mark made by banging pegs into the trunk to indicate it has been booked for a honey barrel. The third way of marking is by lopping (*likaso*), which may be done before a tree is grown enough to take a barrel. Lopping needs to be carried out by a knowledgeable man who knows a tree the right time of year and stage in the growth of the tree to carry it out; proper lopping may accelerate growth but bad lopping may threaten the tree's survival. A man who marks a tree should do it with a witness and also show neighbours and friends in case someone else challenges his claim. Marks may need to be remade from time to time so that they remain clearly visible. Once a honey barrel has been hoisted up a tree the need to maintain marks ceases.

The first person who to make any one of the three marks secures his primary user rights over that tree which also includes the right to cut branches for fence construction. Once such a right is established, the right-holder has the right to transfer it to other individuals or groups at will. A right-holding unit can be either a household or an individual. The right-holder can also grant temporary or secondary user rights to others. The modal form of this

tree right transmission is commonly governed by the general principle of property transmission - primogeniture. That is to say that in most instances primary user rights are transferred from generation to generation through the prevalent form of property transmission from the father to his senior son and thereby to his younger sons.

Secondary user right-holders, as the name implies, are those who hold the right of use for a certain period of time. This varies from case to case and from one condition to another. Members of the same generation-set and neighbours are most likely to offer secondary tree use rights to one another. Secondary rights can only be obtained from those individuals who made the first tree mark and consequently hold effective control. A secondary user right-holder can lose his rights at any moment when the primary user right-holder revokes his rights. Secondary use rights are not transferable.

Rights to fell trees

Individuals, independent of the type of use rights they hold, however, have public responsibility to protect and conserve trees and to use them in the best interests of themselves and their children. This public responsibility in trees which were controlled by individuals and households is expressed by communities as represented by the council of elders. As we shall see below, there are compelling reasons for the public to keep an eye on standing trees in general. Every resident, irrespective of his status in the community and the existing forms of tree utilisation, is prohibited from cutting down big standing trees of any species and all fruit producing trees of all sizes. Even when people used to clear woodland for cultivation, they were expected to retain such trees. Every resident is expected to abide by this rule, independent of his/her utilisation of the resource in question. This is simply because big standing trees, irrespective of their location, are meant to serve people just as

they are. The list of the major purposes such trees serve includes, shade for both the human and animal population, for honey, for seed pods and fruit production.

Given this public vested interest in trees, the maximum limit of the use of trees, for other purposes, seems to be defined and governed by the satisfaction of 'essential needs' which have a great deal to do with the moral values of the society. Constructing houses, granaries, kraals and carving out honey barrels and some simple hand tools and tool handles are the main reasons that justify the need to fell some species of trees now and then, but few require big wood as the common house type is a small hut with a simple architectural design (see Plate 11). "Their [Tsamako] houses are of the 'tukul' type with no plastering and partition. Typically a 'tukul' measuring 2 x 4 metres is used both for cooking¹¹¹ and sleeping" (Halcrow-ULG 1982: Final Report Summary: 8). The most common kitchen utensils are, half-calabashes made from false pumpkins, clay pots and one or two iron and stone pans (see Plate 13). The only wooden carved household utensils that require tree cutting are stools (a specially designed dual purpose stool to sit on and for use as a neck rest while sleeping), spoons, milk containers, and small musical instruments. The number of such items per household is kept to the barest minimum. There was very little expressed need for more material possessions, according to oral tradition, when there was a relatively higher degree of dependence on the pastoral sector of the economy until some four decades ago.

¹¹¹ Except during the wet season women cook in the court yards.

Fruit and fodder producing trees

People want to preserve the savannah woodland primarily due to its importance as browsing for their livestock and for beekeeping. How much inhabitants care for trees is demonstrated by the sheer volume of standing indigenous species of trees both in residential and savannah woodland areas. This does not mean that there are no contradictions and competition between different uses and among different users. Due to the tight communal control in Ero the felling of trees without an absolute need was, and still is, rare and if it happens is strongly sanctioned. A system of sanctions protects the trees; there is a general ban on cutting big standing trees, and areas are symbolically closed for some activities but open for others (e.g. beekeeping). In some areas, for instance Luqa, it is no longer possible for residents who want to remove savannah woodland at Ero to create arable land. The strict territorial divisions reflects the council of elders command.

To understand the present problems of savannah woodland control and management in Luqa one needs to look at changes occurring during at least two different stages: (1) the period when trees were relatively abundant in relation to the low demand and (2) when scarcity was becoming evident following the expansion of crop production since the 1970s, as we have already seen in chapter four. During the first period, almost all tree species could be used freely by residents and, since savannah woodland was relatively plentiful, people often cut trees to make room for fields. But this situation drastically changed following the increasing demand for agricultural land and resulted in the demarcation of land for cultivation and savannah woodlands for other purposes in the early 1990s. The boundary between Ero, the savannah woodland area, and arable land was delineated by the council of elders' at a general meeting held in Luqa in 1992. Since then the question of clearing savannah woodland for purposes of cultivating crops is no longer an option open

for young men in general. As discussed in chapter four, at the moment almost all potential agricultural land is in the hands of people who have settled in the area since the early 1940s. Now new migrants have to beg land from relatives and friends. The following account shows how and why a resolution banning clearing of savannah woodland was passed in 1992.

Council of elders resolution on clearing savannah woodlands for cultivation

Case 18: In January 1992, three Gewada men and two men from Luqa began clearing savannah woodlands at a place called Gura. Gura is about 3 km. from Luqa proper. Some elders in Luqa were informed about the land clearance project in progress. This piece of information was disseminated across adjacent territorial sections and became a subject of discussion for two and a half days. In the meantime, some Luqa elders instructed those five men in question not to carry on with their land clearance project until they received permission from the elders' council. Soon elders from Babo, Oro and Luqa felt they needed to call for a general meeting to consider the cases. Most elders were gathered and also some young boys. The five men's savannah woodland clearance project was the main issue on the agenda. Those who advised the five men to stop clearing until the elders' council decided on the matter, informed the meeting about what had happened. Some young boys who had also witnessed the land opening up project in progress put forward their own account of the situation. Then this was followed by a kind of court hearing of the five men's cases.

All of the five men presented their own objectives in the land opening up project to the meeting in turn. The meeting found out that all of them are landless. The two Luqa residents are unmarried young boys - one lives with his father and the other with his elder brother. Also the meeting learnt that both of these young boys intended to open up new fields for cultivation. As people did in the past their aim was to produce grain, exchange it for livestock and begin to build their own family herd. While the three Gewada migrants case was slightly different. All of them were married men but they had left their wives back home, over 60 km to the east of Luqa. They informed the meeting that they all do not have enough land at home. Their stated intentions were to clear savannah woodlands, establish fields and bring their wives and children here soon after the first harvest. These were all perfectly acceptable cases from the elders' point view as there were precedents where many Gewada migrants settled here.

All of the five cases were acknowledged and elders felt that these were legitimate reasons for clearing woodland as they all did in the past. But now the savannah woodland is diminishing, soon it is going to be converted into farms. Elders felt that honey production, browsing for livestock, gathering wild food and so on are all at risk. Above all, their children will be left with no wood resources for constructing houses and making tools at all. Given this situation the meeting decided that there should be no further savannah woodland clearance. The council ordered all the five men to give up their plans to open up new fields. Instead they were advised to borrow a piece of land from those residents who have more

land. Finally after a daylong deliberation the elders passed a resolution. This resolution bans clearing savannah woodland beyond Gura. Gura became a *sabanco*, boundary between farms and Ero - the savannah woodlands. In the end one of the three Gewada migrants went back home, whilst the rest of them managed to get a piece of land each from their relatives, and friends (Interview with Surqa July 1998).

It is interesting to note that two species of trees are often talked of and considered as standing crops one for people and the other for livestock. These are: *Acacia tortilis* (Forssk.) Hayne and *Balanties rotundifolia* Blatter locally known as *dataco* (plural, *datanie*) and *kuyato* (plural, *kuyanie*) respectively. Felling big standing acacia trees is prohibited though they may be lopped. This rule is imposed by the council of elders and is internalised by everybody in the community. The acacia tree is often talked about as, *mango* - grain for livestock, because the acacia produces seed pods that are very important fodder for sheep and goats during the dry season. Acacia seed pods are collected and stored from acacia trees around homesteads (see Plate 17). Sick smallstock and calves (and to fatten selected castrated ones) are fed such pods bit-by-bit to assist them in surviving the prolonged dry season. Being one of the most valued and conserved trees roughly half of the vegetation cover of grazing lands, including settlements, is composed of Acacia trees.

Next to acacia, *kuyato* (*Balanties rotundifolia* Blatter) trees are ubiquitous. Any cutting *kuyato* trees is entirely banned. In principle no one has the right to cut this tree at all. The rule requires that this tree be treated, and often is talked of, as a grain, and people only have use rights to this species of tree which produces dry season fruit for human consumption. People consume the flesh of the fruit and the seed is boiled with maize and prepared for consumption too. Moreover, informants maintain that this seed, apart from its nutritional value, is also presumed to have a medicinal value used for treating stomach ache.

Social values attached to trees

Trees are valued for the multiple-uses and purposes they serve in day-to-day life. But the notion of their importance goes beyond their immediate material importance. Apart from the valuable welcoming shade they offer during the dry season and being a means of meeting seasonal food shortages, they also have certain ritual and ceremonial importance. Elders councils meet under the shade of big trees and make important decisions and settle disputes. Important ceremonies and rituals are prepared and held under big trees. Above all green grass and /or a bundle of sticks symbolise peace, growth, good wishes and prosperity. As a result, whenever rituals of societal importance and ceremonies marking the rites of passages of individuals are prepared, those who take part in ceremonies should be blessed with green grass and/or a bundle of sticks.

Some of the symbolic values of trees and grass deserve mention here. Green leaves are believed to mediate relationships between human beings and supernatural powers. For instance, at times when there is no rain elders gather and pray for it holding green leaves in their hands. While mediating between the parents of marriage partners an elder holds a stick (not yet dried) with his hand so that he will be respected and succeed in the dispute resolution. When generation-set members are initiated and handed over the responsibility of maintaining law and order in the society, each member will receive a bundle of sticks from senior generation-set members wishing them success. If a person begs for something holding a handful of green leaves and grass he should be offered it.

When a person exchanges livestock for grain, the former will give a bundle of sticks to the latter symbolising and/or wishing him/her to multiply *zeqitie* (blessing); when an individual

performs the rite of passage to get married and bear legitimate children, s/he puts a strip of bark with baboon skin on her/his wrist. So does a man when he kills an animal for a *gilo* ritual (see Plate 3). Among the Tsamako big trees are sacred. If, for instance, somebody beats his/her child who is found guilty of a misdeed, and if the child embraces a big tree with his hands that person has to stop beating him/her. Beating a person while s/he is holding a big tree is forbidden.

Monitoring and enforcement mechanisms

Infractions are sanctioned in the light of their seriousness as well as by the willingness of the accused to admit guilt and submit to penalties. For instance, individuals judged guilty of felling big trees will be flogged and fined *parshe*, local beer, small stock or even cattle. The animal will be butchered and the meat and the beer shared out or will be served to those who took part in the meeting as the following cases show.

Case 19: One day in mid 1980s a man called Wado Geda cut two big trees for fencing his farm. Some elders talked to him and convinced him that what he did was wrong. They reprimanded him and left it at that. Some years after he was also found to have cut all the branches of a big tree. Some months later the tree dried. Then his case was brought before the elders' council court. He tried his best to defend himself. He admitted that he had cut the branches of the tree. But he had no intention of causing the tree to dry. The elders' council reached a consensus. He was found guilty. The council decided he should be fined a cow or a bull. Members of the bilbilco generation-set, the then responsible age group for executing the council of elders' decision, were ordered to *zaqa*, pierce with spear, one of the best cattle of Wado's friend. Wado's friend's bull was speared and killed and eaten by the entire community. Then Wado's friend appealed to the council of elders' for compensation. Wado knew that he had to make up for the loss. Elders' gathered and after long discussions focused on weighing the value of the slaughtered bull against Wado's, they decided the bull was equivalent to a cow. Wado gave his friend a milking cow (Interview with Beni, February 1997).

Case 20: In 1988 Weraqie, then a young boy, in Luqa territorial section wanted to cut a tree for carving out a beehive. Weraqie thought that the tree was suitable for that purpose. The tree was located at Luqa but fell on the buffer zone between two homesteads and therefore belonged to the entire settlement. Late in the afternoon he made, with an axe, a mark on the tree and left, planning to come back the next day. Some people who saw him making the mark with a stated intention of cutting the tree reported it to the elders in the community.

The next morning he was approached by a couple of elders. After a brief discussion he was told that elders would not let him cut the tree. He was warned and instructed not to cut such a tree in the settlement in the future. This tree is still there carrying the scar of Weraqie's attempt (Interview with Weraqie, February 1997).

Case 21: In March 1997, members of a household, headed by an old man called Balla, were discovered to have fenced their farm with branches of *kuyato* and acacia trees - trees producing fruits and pods respectively. Two elders Argo and Beni, members of the bilbilco group, went to Balla's household to approach them. It was early in the morning. They greeted the household head and his wife. They sat on each others' *kerie*, stools, next to each other, chit-chatting about the standing crop fields laying in front of them. Then they informed Balla and his wife about the purpose of their visit. Balla and his wife learnt that elders wanted to enquire about the reason why they had cut branches of those special trees. The wife started to make them coffee. While drinking coffee they carried on talking about it. Balla, as an elder member of the *nelbasco* generation-set, stressed that he had not done it. The field was fenced by his two young sons. Balla himself acknowledged that his sons should have gone to the savannah woodland and brought branches of other species of trees. He was convinced because the elders had a lot of points to make. Some of the questions, among other, elders put to him were: Don't your goats and sheep eat pods? Don't your family collect and eat fruits? If you want to cut such trees you should drive your livestock away from here. Finally they told him that it is in the best interests of the community to care for such trees. If his sons were found doing that again they should be brought before the council of elders and be fined (Interview with Argo, April 1997).

As these three cases show, punishments are not confined to those who have felled big standing trees but are also applicable to those who have cut a branch of a tree unwisely i. e. in a way that affects the future growth of a tree. In the latter case, however, first time offenders will simply be reprimanded. If this happens for the second and third time, the offender will be flogged, fined *parshe* (local beer) and/or small stock respectively. The worst punishment that could be given to such an offender is social isolation. Members of the *mura* often identify violators and turn them over to the violators respective generation-sets or council of elders for judgement and sanctioning. Cases are tried and decisions made publicly. In most instances, the *halie biyatie* exercises the final authority. Territorial sections do not have appeal processes in cases where an accused refuses to accept the decision of council of elders.

Here one needs to ask a question: How does one explain this relatively successful community management of savannah woodlands? I shall outline some of the key features, social and residential settings, that have paved the way for the effectiveness of such rule enforcement mechanisms. The territorial section has the relative advantages of a small group size. Almost everybody knows everybody else in the area. Whatever one does with trees, for instance, is subject to supervision as people keep an eye on each other. This situation makes spotting wrongdoers very easy. Easy acquisition and dissemination of information is another advantage that makes the implementation of decisions and rule enforcement cost effective. A wide range of overlapping networks of relationships such as generation-set membership, neighbourhood, friendship, kinship and affinal relationships link people together. These networks of social pressure and control mechanisms make the application of negative sanctions much more effective.

Conclusion

This chapter has shown, how access to savannah woodland resources and different species of trees are obtained. People manage trees on farms and in the savannah woodlands. Big standing trees have been considerably valued among the Tsamako for the multiple purposes they serve in people's day-to-day lives. Wild trees on household and individual farmlands are held and utilised by those who hold the land, while those trees found around settlements are primarily used by the residents with proximity which gives primary user rights. Trees outside household and individual farms are considered to be what are referred to as common property regimes. Some species are considered much more important than others and meant to be used as they are and therefore protected through restrictions on felling. Accordingly, the protected species of trees such as, *Acacia tortilis* (Forssk) Hayne,

Balanites rotundifolia Blatter and *Boswellia neglecta* S. Moore (incense tree) and *kuyato* (*Balanites rotundifolia* Blatter) are still fairly common. Irrespective of the communally held land on which the trees are located, however, primary user rights can be established over such standing trees for honey production. Those who sought to establish such rights did so by tagging trees in which their labour investment, in terms of protecting and policing, legitimated their rights which can also be inherited.

More generally the use of savannah woodland resources, such as fruits and seed pods for fodder and trees for multiple uses is diverse and entails a set of rules and enforcement mechanisms. Tenure security and sustainable use of savannah woodlands and products, in general, and tree use, in particular, is reflected by the extent of rule enforcement. The enforcement system is controlled by a council of elders which imposes fines on those who breach rules.

CHAPTER 6: Water rights of access and control

In this chapter, I will describe the various strategies adopted for establishing rights of access to different sources of water, defined in part by their forms of availability and show the temporal variation in water use regulations. Water use (particularly livestock watering) shifts from free access in times of abundance during the rainy season to a situation in which it is subject to a range of restrictions and regulations in times of shortage during the prolonged dry season. I shall show that in the absence of a defined water user and/or control unit marked by labour investment in its procurement, maintenance and upgrading work in general, and the regulation of water use in particular, water management tends to fail. I shall argue that like the other productive resources a good deal of effort is channelled towards control over the productive capacity of water which is articulated by the fact that the scarcer water becomes in the dry season the tighter the regulation of its use becomes.

First I present a brief account of types of sources of water which is followed by a history of harvesting rain run-off water which consider the difficulties of managing some categories of sources of water. Next I describe the tasks involved in harvesting run-off water and how rights of access are obtained and how water uses are regulated by the defined resource holding and user unit itself.

Types of water sources

As we described in detail in chapter one, the Tsamako inhabit an economically marginal semiarid territory which receives only 600mm mean annual rainfall which most importantly, is erratically distributed. There is a high rate of evaporation as shown in the Table below. Water is a scarce resource and limits both crop and livestock production. In fact water is by far the scarcer resource which sets arguably the limit to pastoral production

as it does for other spheres of production. In that sense it is the main productive resource which underlies most of the issues that run through the thesis. Thus, the need to focus upon water sources and access to water points is simply because this represents a critical link between the herds and pastures, just as it does between arable lands and crops.

Table 8 Measured evaporation (mm) at Weyto bridge in 1980

Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
218.5	230.4	233.7	204.3	158.5	162.5	164.1	199.2	196.4	209.6	248.37	201.2

Annual = 201.2

Source: Halcrow-ULG (1982:E28).

There are two types of sources of water in the area: natural water sources (a perennial River and seasonal natural ponds), and man-made water sources (artificial pools locally known as *dalba* and pumps). The first category of water sources is a gift of nature without the application of human energy to harness them and therefore they are readymade resources easily accessible to every resident in the area. Since there are no streams in the study area I shall concentrate my description on the use and regulation of the artificial sources of water. But before that I need to make a couple of points about the only perennial River known as the Weyto, situated about twenty-five kms from Luqa, the main dry season livestock watering point. It also used to flood parts of the valley which allowed flood-retreat cultivation for a number of users until the land was alienated for commercial plantations in 1990. Following this land alienation and damming the multiple uses by multiple users of the River was brought into question, which is the subject of the next chapter.

Rivers and lakes were nationalised in 1975 with individuals and/or different interest groups restricted to usufruct rights. Given these legally enforceable rights held by the state one expects an administrative system to be developed which could allocate the right to use water to the intended users according to some set of prioritisation criteria. In line with this thought the Water Resources Development Authority was put in place in the early 1980s.

Yet the identification of water uses and users, and the quantification of the available water, setting priorities and regulating competing users is a process still at an inchoate¹¹² stage, at least as far as the experience of the south-west region is concerned. In the absence of water management strategies the monitoring and regulation of River and Lake water uses are left for local users with their own devices. Such water uses are increasingly exposed to external threats and competition for such resources for different uses (at times contradictory to one another). Different users often by individuals and groups are, as we shall see in the next chapter, emerging in the region. Here I shall focus on the artificial sources of water use and regulations.

A brief history of harvesting rain run-off water

With only one perennial River sedentary life in Luqa was not possible before 1940s. It is reasonable to suggest that the history of harvesting run off water might best be described in association with the history of the establishment of Luqa as a permanent settlement which traces its origin in the 1940s. Until this date Luqa, a Valley blessed with grass and other savannah woodland resources, was not attractive as a place to settle down due mainly to a lack of a permanent source of water. The pasture and savannah woodland resources of the area used to be accessible for seasonal exploitation with the risk of contracting malaria. The establishment of Luqa as a settlement was associated with the development of a water source, which played a catalyst role by inducing population movement and redirecting the northward population movement from two of the oldest hillside territorial sections of the Tsamako, Shalla and Aymelle.

¹¹² The Water Resources Development Authority has embarked on a research project in this region called Omo-Gibe River Basin Development Master Plan Study since the early 1990s.

The first dry season water supply, by harvesting run-off water locally known as *dalba*, was later augmented by the construction of pumps. The history of the first artificial water pool probably goes back to the first quarter of the 20th century. Informants, whose parents lived in Shalla, claim that their parents were inspired and took the idea of making harvesting run off water from wild animals in general and from elephants in particular. My informant, Warlie, contends: 'It was common to see elephant [*arafco*] foot prints and sometimes small holes dug by elephants and other wild animals in the bush. After heavy rainfall we used to see such holes being filled up with water which lasts for days and sometimes for weeks. Such water served occasionally as wildlife watering points. This observation was the source of our idea and inspiration for digging *dalba*'. Although the inception of this idea of digging a *dalba* and reserving water for the dry season traces its origin to the first quarter of the 20th century, there is no information suggesting its fuller materialisation until the 1940s. An entrepreneur, named Ado Ayaydo, was said to be the first man who managed to have a *dalba* of his own in the area.

Elders' oral historical narratives support that, following Ado's success, the early 1940s saw the foundation of Luqa as a permanent settlement with the set up of the first three huts to accommodate three households. Since then harvesting of run-off water became a salient preoccupation of Luqa residents. Until recently *dalba* used to be the only source of water for both human and animal consumption and its availability gains critical importance as demonstrated by strict water use regulations during the prolonged dry season of the year, as we shall see shortly.

Water has to be harvested from run-off water after heavy rains during *berco*, the main rainy season (from March to May) and to some extent during *hagaytie*, the short rainy season (from September to October). This requires a lot of hard work year after year (see Plate 19). The main rainy season has a galvanic effect on water availability. A few hours of heavy rainfall is most likely to make water abundant. Dry streams and natural pools can be filled up and last for days. This category of sources of water belong to 'common property regimes' and are accessible to all residents.

Table 9 Mean monthly rainfall in mm (1976-1996) for locations in and around Weyto Valley

Location Altitude (masl)	Dimeka 1170	Key Afer 1650	Sile 1190	Weyto* 550
January	48.90	34.80	17.32	11.9
February	57.41	37.74	35.03	1.0
March	72.00	98.20	86.02	26.3
April	122.10	140.60	116.33	113.0
May	100.10	120.50	163.17	114.2
June	72.30	86.80	73.42	91.0
July	50.68	63.70	36.48	0.0
August	14.12	58.50	55.71	0.1
September	60.77	85.30	60.37	14.0
October	65.44	76.95	93.93	29.7
November	58.32	73.75	74.30	74.6
December	73.50	42.38	34.12	0.0
Total	795.64	919.22	846.2	475.8 (annual)

Source: Ethiopian National Meteorological Service Agency

*This information is for the year 1980 and recorded by the Halcrow-ULG (1982:E12).

The amount of run-off water one can harvest and reserve in a *dalba* varies spatially and temporally depending on a range of both ecological and social factors. The specific geographical location of the *dalba*, and thereby the water retention capacity of the soil, is one of the factors that sets the limit to the total amount of water one can harvest. Consequently *dalba* sites have to be carefully selected. I am not going into the details of the elders' meticulous descriptions of how using years of shared intimate knowledge of the landscape in general and the specific location of the site in relation to flood routes is

important in site selection. Suffice it to say that since the water harvesting system is based entirely on gravity flow an intimate knowledge of the physical environment and climatic factors is an essential element to a successful venture. Apart from these agroclimatic factors the amount of water harvest also has a direct correlation with the amount of labour investment in ditch construction and maintenance works. A number of ditches, locally known as *gabdie*, have to be dug for rerouting flood run-off water to let them flow into the *dalba*. The more and the longer such ditches are the better. They have to be upgraded every year often before the beginning of the main rainy season and monitored and checked throughout this season. In sum, the labour requirements of digging a *dalba* coupled with making *gabdie* and maintaining them year in year out determine a social unit's chance of having its own *dalba*.

Success in water harvest production can be converted into a reduction of risks involved in livestock husbandry. Other things being equal having a *dalba* means one's livestock, at least the emaciated ones (often milking cows and calves), do not have to travel long distances in search of water during the peak dry season. This means that livestock will not lose weight due to long distance travel and also reduce the risk of exposure to communicable diseases and tsetse fly infestation.

In terms of control and regulated water use man made water sources can be subdivided into two: those which are 'without defined users' unit and those which are held by a defined unit namely, *menie* or *gende*. The first category of water sources consists of three sub-categories named after the forms of project initiation and technical means, *dalba biyatie*, *dalba*

*maheberatie*¹¹³ and *bolo* (pumps). Two important features distinguish the last three sub-categories of sources of water one from the other. The first was initiated and sponsored by the local people themselves while the last two were initiated and sponsored under the auspices of different programmes by outsiders. Irrespective of these differences, including the technical means employed, all of them share the common feature that, in terms of water user rights of access and use regulation, they lack a defined user unit and therefore can be grouped together. But for convenience I shall describe each of them separately in descending order: *dalba biyatie*, *dalba maheberatie*, pumps and finally *menie* or *gende held dalba*.

Dalba biyatie

The phrase *dalba biyatie* can be translated as a water point which belongs to a 'country'. *Biyatie* can mean a 'territorial section' but here in this context the use of the term is elusive. It could mean many territorial sections or even the Tsamako ethnic group as a whole. Historically *dalba biyatie* is one of the oldest types of water sources in the area. Two *dalba biyatie* (one of them named Gura) were dug in the 1940s; all the first few settlers took part in the labour gang organised to carry out the task of digging them. Some people also contributed something to eat and drink. Some even hunted game animals and served meat to the work party. The project was entirely locally driven with locally pooled skill and material resources. The *dalba biyatie* is a perfect example of an auspicious locally initiated

¹¹³ The word *maheberatie* is the possessive form of an Amharic loan word and its root verb is *maheber* which means 'association'. A *maheber* in the highland part of the country denotes an organised group of people in the name of a saint for whom a monthly festivity is dedicated. During the socialist era by adding a prefix to it the term was widely used to refer to different types of organised groups of people at various levels and for various purposes.

and sponsored 'community' project. Unfortunately this was a short lived success due to an increase in the number of users along with the expansion of the settlement, as we shall see shortly. Yet it should be noted that when these water sources were exhausted some household members used to travel to the distant Rivers, Argo and Weyto to fetch water for domestic use.

Gradually, following the expansion of the settlement, the demand for these water sources increased and the duration of water availability dramatically reduced, which was said to be one of the factors that initiated some households and agnatic groups to embark on digging their own *dalba*. The most important outcome of an increase in the number of settlers was that it proved to be morally and practically difficult to exclude the new settlers from using these water sources. Although both the two *dalba biyatie* are still in operation nobody upgrades and fence them nor regulates the water use. Thus, they no longer last as long as they used to and, since nobody monitors their day-to-day use, they are left to the mercy of all users. This brings us to a similar story with a similar content but with a different feature in terms of the manner of project initiation, labour mobilisation and sponsorship. Next I shall try to account for the latter category of *dalba* water sources locally known as *dalba maheberatie*.

Dalba maheberatie

The suffix *maheberatie* denotes that the concept of such water sources were initiated and sponsored from outside, by the Catholic Mission at Jinka under the auspices of a food-for-work 'development programme'. All able bodied individuals in need of food participated in digging such a *dalba* in return for some relief aid, when there was shortage of grain caused by crop failure in 1984. Although two of these water sources are still in operation three of

them turned out to be useless simply because of poor site selection. When the sites were originally selected (by the Ministry of Agriculture employees) much attention was given to the question of proximity, to make sure that they are easily accessible to settlements, and whether the sites were well fed by flood run off water. This was done at the expense of other important factors such as the water retaining capacity of the soil.

Most important of all the errors made by the project co-ordinators was the ill definition of user units. The *dalba maheberatie*, as the name implies, were meant to be held and used by all residents of settlements' vaguely defined as a 'Peasant Association'. However, the Peasant Association (renamed Kebele Administration in the early 1990s), consisted of many territorial sections, none of which held the means to legitimise its rights of control over these water sources. One could argue that proximity gives rights, but in practice that is not the case, because in order to restrict access to water sources they have to be fenced. To do so one needs to legitimise the fencing, but that could not be done. Those individuals who took part in digging the *dalba* were from different territorial units with very little to share in common. Accordingly the common answer for the question I put to informants 'Do you use the *dalba mahberatie*?', was "Yes, I do use them like others since I did take part in the digging'. In fact some go on to say: "I use those ones until the water dries and then I start using my own *dalba*".

The two *dalba maheberatie* are access resources for members of all territorial sections in and around Luqa and, as a result, they usually run out of water before they reach the peak dry season when they are needed most. Besides, they receive less attention than *menie* or *gende* held ones and little maintenance and upgrading work is carried out, which to a greater extent can be explained by the absence of a well defined unit with control over the

resource. Such units are, therefore, devoid of the customary ways of legitimating rights of control and thereby they are not subject to a regulated water use. People take advantage of these and reserve theirs for the peak dry season. This is a problem associated with the use of *dalba biyatie*, *dalba maheberatie* and pumps which are the results of community and NGO sponsored projects respectively.

Pumps (Bolo)

Many pumps were drilled by NGOs which covered all expenses and were made available for use in many areas in the region in late 1980s. Three pumps were constructed in Luqa, specifically in Luqa¹¹⁴ proper, Selya and Tsantsara settlements. These pumps were dug up to 60 metres depth using a modern bore hole machine and operated manually. They are locally called Bolo or 'China'. The pumps were fenced with bush thorns by free labour mobilised from different territorial sections using the vaguely defined government administrative set up that is Shalla-Luqa 'Peasant Association'. The pumps were meant mainly for domestic consumption, but without any attempt to define user groups or rights in them. This vague user group definition meant there is no unit which hold rights of control over the pumps and, by implication, there is no group which regulates water uses and is responsible for covering their maintenance costs.

Identifying who is and who is not entitled proved to be difficult. Residence and thereby territorial affiliation could not be used to draw the line between users and nonusers for the territorial unit in question lacks the customary means to justify its de facto right of control over the pumps, because it neither invested labour nor money in their construction. Neither

¹¹⁴ The third pump was constructed in mid 1990s and it is, unlike the other two, wind driven.

the territorial unit nor any other social group could restrict outsiders from using the pumps. Both the people who might have been considered insiders and outsiders compete for the water. These pumps are, therefore, accessible to all the people in and around Luqa and the actual water use has been a subject of contention. The net effect of this is that the pumps are often misused and broken down. Repairing broken down pumps was difficult due to lack of technical skills and the necessary equipment. In fact the root of the problem, however, lies not in the dearth of technical knowledge nor equipment but rather in the lack of a well defined user unit. In that sense it is more of a social problem than a technical one. This was proved by the fact that recently a couple of local individuals were trained and given some equipment to help them repair broken pumps which they can do now. Yet the problems have not abated.

Water use is guided by the simple principle of 'first come first served'. The use of the pumps during the dry season is still contentious, and it is not uncommon to see pumps running twenty-four hours day in day out. To water emaciated livestock and at times to fetch water for domestic use queuing for long hours is quite normal. The frequency of mishandling and misuse are high. Hardly a day passes by without recriminations being heard. Further the water use is often associated with the tense relationship among members of different territorial sections notably between Luqa and Oro residents.

In the next section, having the difficulty of managing scarce resources without a defined group of users and lack of the customary means of legitimating rights to such resources in mind, I will attempt to answer two questions. How are *menie* or *gende held dalba* water uses regulated, and how are rights of access established? I shall look closely at how

different categories of *dalba* are held and how different rights of access can be obtained and legitimated and how they can also be reclaimed or lost.

Menie or gende held dalba

There are some category of *dalba* which are held by either a *menie* or a *gende*. These *dalba* are normally named after the name of the head of the *menie* or core *menie* of a *gende* unit who made the site selection and initiated the project. This process entails a range of activities and takes years. Here I shall briefly describe how and why this category of *dalba* tends to be named after the names of persons who initiated them in relation to the duties and privileges attached to it.

Once again rain run off water has to be harvested during the wet season and reserved for the dry season and this is accomplished by digging *dalba*. The task of digging and enlarging *dalba* requires not only a lot of labour but also takes years. At the beginning people dig a small hole which can contain a limited amount of water that lasts for a short period of time. The small water hole marks the beginning of the construction of the would-be big *dalba*, and is called *bahco*. One has to keep on expanding and upgrading the *bahco* from year to year. After eight years or so of hard work the *bahco* will be enlarged and become a *dalba*. A *dalba* could cover an area from as small as 150 square meters to as large as 300 square meters and be up to 20 metres deep. Once the *bahco* has become a *dalba*, it will be named after the person who initiated the project, consequently the authority of granting or denying rights of access to the *dalba* water is vested in him and his household or *gende*. The name will be kept even after the death of the project initiator.

The project initiator and members of his household have not only unrestricted and primary rights of access but also regulate, monitor and grant or deny outsiders' use. They could also transfer such rights to their descendants. Nevertheless it should be noted that although a man, for instance, can inherit such rights and lay a claim to such resources, his active constant participation is the only means that legitimates actual constant use rights. In this sense to be born of such a *dalba* holding unit does not necessarily guarantee outright constant use rights in such a water source.

As already pointed out in chapter two, kinship relationships provide *gende* members a range of rights and responsibilities over productive resource reallocations and uses. Many *dalba* are, for example, controlled by *gende* each depending on the *gende* of the person who constructed it. The person who constructed the *dalba*, or someone from his *gende* in his absence, has to be consulted when access is sought by members of other *gende*. Access to *dalba* water is mediated by the ideology of common descent more specifically by *gende*. This ideology is therefore invoked not only for the organisation of ritual activities and defence purposes but also in the use of a *dalba* water. As there are a wide range of corporate group rights so there are of individual ones. The ideological basis for *menie* or *gende* control is labour investment in digging and enlarging the water sources. Members of the unit are not only primary users with unrestricted right of use but also have the right to exclude others from its use. The latter often happens when the water level is only sufficient to satisfy the needs of the unit's own herds.

Almost all household members interviewed aspire to have a *dalba* of its own, but in practice only those households who command sufficient labour managed to have one. The extent of the peoples desire for this source of water is supported by the house to house

survey result, which showed that almost all household members interviewed expressed their aspiration to have a *dalba* of their own. Yet, in practice, the labour requirements of digging and maintaining such *dalba* sources of water is so high that only eleven social units (*menie* or *gende*) managed to have a *dalba* of their own. Most of these were units who were able to command a great deal of their own unit labour and/or were able to sponsor work parties. The *dalba* holding units capacity to command a good deal of labour, as shown in Table 10 below, is in part articulated through the high incidence of polygyny (in nine out of eleven households there were two or more wives) and the resultant relatively larger sizes of the fathers' households of these units. Furthermore, as the same Table below shows, most of these households tended to be relatively livestock-rich compared to those without.

Table 10 Number of wives, children and livestock holdings of heads of *dalba* holding units

Household Head	No. of wives'	No. of children	cattle	goats	sheep
Aweno	1	5	37	31	30
Baho	2	4 + 2*	107	66	70
Gago	2	2 + 2*	69	35	33
Galo	1	3	42	24	19
Mengesha	1	3	32	18	15
Mengistu	2	4	52	27	35
Ollie	2	8	84	39	34
Surqa	4	4 + 3*	96	46	43
Tunco	2	4 +	60	35	31
Wado	3	11	56	32	37
Warlie	3	7 + 6*	57	44	39

Source: author's house to house census of 1997

*These are married sons and set up their own households but continue to co-operate with their fathers' households'. Since married daughters leave their natal places they are not included in these figures.

I have already referred to the *dalba* control units as being associated with livestock richness which is supported by the data at hand. Ten out of eleven of these core households within *dalba* holding units had a livestock holding of more than twice the average which can be explained, other things being equal, by these households relatively better access to water. All the core households of the *dalba* holding units controlled livestock twice as large as the

average holding in Luqa in 1997. In general terms there seems to be a direct correlation between the pattern of *dalba* control, a man's wealth and the number of his wives and children. By taking advantage of their easy access to water this category of people were, are and will probably be less likely to lose large numbers of emaciated livestock each year compared to those without their own *dalba*. In contrast to this the latter category of households lost on average more than seven head of livestock per annum for the last five years. Most of these animals were calves, milking cows and emaciated ones which are the most vulnerable to the dry season.

Table 11 Mean monthly air temperature (degree centigrade) at Weyto bridge in 1980

Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
28.8	29.6	30.3	28.6	27.8	26.5	26.1	26.5	27.0	27.6	26.9	27.2

The maximum and minimum temperatures were 41.5 (February) and 13.5 (December) respectively.

Source: Halcrow-ULG (1982:E5)

As we have seen in chapter three, given the individual's high aspiration for livestock accumulation backed up with the underpinning ideological orientation of the ethnic group in question, the livestock sector plays a central role. One of the key limiting factors of this sector, I suggest, is water. Many households strive for securing a regular source of water for their livestock. And a successful livestock production can be converted to long-term security. So far the success rate does not look considerable but this is an emerging process far from being complete; above all it might in the long run initiate other kinds of harvesting and storing water.

Access to water becomes critically important when scarcity sets in during the peak dry season. The water use regulation of this category of *dalba* represents two opposing poles of the spectrum that is shifting from being accessible to all residents at one end to a strictly regulated use only by a defined group at the other during the main rainy season and dry season respectively. At one end of the continuum we have no water that is during the dry

season and therefore there are no rules in operation. Nor are there fences that surround the *dalba*. This, on the other end of the continuum, will be replaced by a strictly regulated use of water as soon as the dry season sets in. During this period only those households which hold-rights of access with a diverse span of time can use the water. Such restricted rights of access might fall between the range of temporary and extended - oral contract dependent - rights of access, depending upon the participation of the user in the construction and maintenance of the resource in question.

During the rainy season almost all *dalba* in the area are accessible to everybody, but when the rains have ceased water supplies near settlements are soon exhausted. They are fenced off as soon as the other categories of *dalba* dry out and water becomes scarce. Fences will be constructed restricting access to the water point through a couple of gates - one for human beings and the other for livestock. The construction of fences marks the beginning of the operation of a set of rules that regulate individuals' access to *dalba* water. Once the *dalba* is fenced off, the use of water both for human and livestock consumption has to be with the prior permission of a member of the unit. In general the person who dug the *dalba* has to be consulted or anyone in his group when access is sought by non-members of the unit. A concomitant issue with *dalba* control is rights of access to such a water points held by other individuals outside the *menie* or *gende* unit. Apart from members of the *dalba* control unit, there are two categories of water users: temporary and extended period use right-holders.

A man who has a *dalba* may not refuse watering livestock for a day or two to his neighbours though they may not belong to his kingroup. Equally, a *dalba* holder may allow another person to fetch water for household consumption or to water his livestock for a day

or two because they are members of the same territorial section. Even a person who is outside all these circles of relationships might be allowed to water his livestock for a day due to a mere moral obligation. (If a man begs for something holding a handful of grass in his hand he should be offered it. To turn his request down is conceived to be like a sin.) A given *menie/gende dalba* unit might either grant extended or temporary *dalba* users rights, depending on the amount and duration of labour contribution to its construction and maintenance. However, the criteria that *dalba* units employ to ascertain temporary and extended period *dalba* water users vary from one *dalba* unit to another. Here I shall confine myself to outlining some of the common and different features of extended and temporary *dalba* water use right-holders, and I will also look into the criteria that individuals have to meet so as to be granted extended period of water use rights. The Tsamako make only a distinction between what I call extended and temporary water users, but have no distinct terms that they use to refer to them. Here I use terms extended and temporary to refer to the time duration of water users which is in line with the Tsamako notions of making a meaningful distinction between two categories of water users.

Extended period *dalba* water user right-holders

Extended period *dalba* water user rights of access often lasts two years or so. Such right-holders are persons who have made a substantial labour contribution, not only during the first period of *dalba* construction but also during the ongoing maintenance work year after year. Such right-holders including members of their household are supposed to work on the *dalba* as much as they can. The kind of work they usually perform ranges from maintenance and periodical enlargement to policing and regulating the day-to-day use of the *dalba*. Policing and regulating a day-to-day water use involves tasks such as making sure that the water is not polluted by livestock dung and urine while they are watered.

Extended period *dalba* water user right-holders have regular access to water on a day-to-day basis. They might also have a significant role to play in regulating who should be allowed to use the *dalba* in the absence of the actual owner. In other words, in the absence of the owner, an extended period water user right-holder can be totally in charge of the *dalba* and thereby he can provide permission for temporary *dalba* users without necessarily securing the consent of the person who holds the right of control over the *dalba*. In doing so they may require temporary users to carry out a piece of work in return for the service they receive. The extended *dalba* water user right-holder rights can be revoked by the *dalba* unit.

Case 22: Tunco, being the eldest son inherited a *dalba* from his parents. He allowed Muda, his father's sister's son, to use the *dalba* on a day-to-day basis. Muda has been involved in upgrading and monitoring those who water livestock. He was also used to organise work parties for enlarging the *dalba*. His household and livestock have had a regular access to the water. After years of joint work and exploitation of the water source Muda decided to terminate his oral agreement for the maintenance work is demanding. He thought that he has small livestock compared to Tunco yet at times his household was expected to contribute more labour than it can. He joined another *dalba* unit with small livestock holdings. He was of the opinion that his household together with the present household can meet the labour requirements of the *dalba*.

Temporary *dalba* water user right-holders

Temporary water user right-holders, as the name implies, are not entitled to use the *dalba* on a day-to-day basis. They always have to obtain permission from the *menielgende* unit members. Besides they have to have sufficient reason for requesting such permission. Once they have satisfied the expectations of the *dalba* unit representative who is in charge of monitoring livestock watering on a given day they can be granted a specified number of days of water use rights and type of livestock they may water. They are often given a set of tasks to carry out in return for fetching water for household domestic consumption or for watering livestock. This work ranges from reinforcing the fence to cutting the soil and removing it from the *dalba*.

There are a number of factors that determine the frequency of applying for temporary water use particularly for watering livestock. The availability of water, the physical condition and health of the livestock of the applicant and his relationship to the *dalba* unit are the major ones. It can be surmised that a temporary user is supposed to request permission for watering small stock and calves and the frequency of such requests is expected to be kept as low as possible.

Individuals who come to fetch water for human consumption and those who come to water their livestock are required to contribute labour to such maintenance and upgrading work. To be specific when the *dalba* water level begins to recede, following the dry season, people cut the soil and clear the mud so as to enlarge it (see Plate 19). So people who do not have *dalba* of their own have to carry out some *dalba* maintenance work in return for watering their livestock and fetching water for human consumption. The amount of maintenance work one has to carry out in return for using *dalba* water varies from one *dalba* holder unit to another. Members of some *dalba* units assign work in proportion to the size of livestock individuals want to water. Others do not make such a distinction at all. They simply assign a more or less equal piece of work to anyone who comes with thirsty livestock for water irrespective of their size. When it comes to type of water use, however, almost all interviewed members of the units tended to make two broad categorisation: that is those who fetch water for domestic consumption and those who water livestock. In general, the former category of people are often expected to work less than the latter. At this point I would like to mention an example from my own observation of water uses, users and exchange of labour for water use on the spot which highlights some of the points raised above.

Case 23: I was sitting with a man named Ollie around his *dalba* conducting interviews. The water level of the *dalba* was receding day-by-day - it was the month of *Saso*, the Tsamako name for August, in 1997. Three men, one from the household which control the *dalba*, were digging and removing soil from the *dalba* - a usual *dalba* maintenance and upgrading work people carry out during this time of the year. On the other side of the *dalba* some calves were being watered, which belong to one of the men (I realised this later) working on the site. Three women arrived at the site to fetch water. I wondered whether Ollie, head of the household which control the *dalba*, was going to inform the women about the kind of work they should carry out in return for fetching water. *Negayco, negayco*, (hi, hi) greeting us, they put their calabash on the ground one after the other and joined the working men. The men digging the soil and the women removing the mud from the *dalba* worked for about twenty minutes while chit-chatting and some making funny remarks about petty men-women affairs -some laughing others showing woebegone faces. Then they (the women) washed their hands, fetched water and left for home, while the men joined us. I resumed questioning Ollie, redirecting the focus of our discussion to what I observed that is who was who and about some of my lingering doubts as to his relationships with the women.

Instead of calling the names of each of the women, he listed them one after the other as follows. One is *gantie* (wife) X1, the other is *gantie* X2 and third is *gantie* X3 (X representing the first name of the husband) - the common way of addressing a woman. He explained to me further that except for one of the men the rest belong neither to his lineage nor to his clan. However, all of them are from Luqa, and of course all of them Tsamako. Our discussion, centred on *dalba* water use, users and the like, went on and on. A synopsis of our discussion is offered below. But first a couple of words about Ollie's socio-economic profile is in order. Who was Ollie?

Ollie was a middle-aged Tsamako man, who lives in Tsantsara - a sub-settlement of Luqa. He belongs to the *Uzibico* and *Robalco* clan and generation-set respectively. He had two wives and seven children. He was born and grew up in Shalla where his parents still live. Later he moved to Luqa primarily to obtain better access to sources of water and pasture.

He has a *dalba* of his own. His household organised a work party for the purpose of constructing this *dalba*. He bought four litres of *araki* (alcoholic spirit produced by neighbouring ethnic groups for sale and or can also be exchanged for small stock). The problem of obtaining permission to water sick and weak animals from *dalba* units; long queues of thirsty livestock hankering for water are some of the situations that encouraged Ollie to work hard towards having his own *dalba*.

He was of the opinion that anybody who needs to water livestock has to perform some maintenance work irrespective of the size of the livestock he wants to water on a specific day. This actually depends, he contends, very much on the water level of the *dalba* at the time. If the water level is low then only calves, feeble livestock and milking cows might be watered. He was also of the opinion that women who come to fetch water for human consumption might not be required to work as much as those who need to water livestock. Furthermore, if a woman expressed the fact that she is busy then she might even be exempted from carrying out any sort of maintenance work at all.

An important tentative conclusion that can be drawn from this case study is that the availability of water at one point in time is a defining factor for a regulated use of water, whilst labour is the key factor which determines the rights and obligations of users.

Conclusion

In this chapter I have attempted to show the significance of harvesting rain run-off water and reserving it for both human and animal consumption during the prolonged dry season. For most households this has been an expressed major concern which traces its origin to the establishment of Luqa as a permanent settlement in the 1940s. Taking his inspiration from elephants an entrepreneur managed to dig the first artificial water pool locally known as *dalba* during this period and others followed his example. To dig, enlarge and maintain a *dalba* requires many years of hard work. Because of this reason in 1997 there were only fifteen of them. Four out of these fifteen *dalba* had no clearly defined management units while the rest were managed either by *menie* or *gende* unit. The first category of sources of water (*dalba biyatie* and *dalba maheberatie*) including water pumps, were freely accessible to people who live in and around Luqa, but they were not constantly upgraded and/or protected like those held by defined units because the authority of managing them is vested in nobody.

While these sources of water without a well defined management unit were unmanaged and left at the mercy of every potential user the rest, eleven out of the fifteen, of them which were held by *menie* or *gende* units were well managed as reflected by the fact that they were subject to a strict water use regulation. There are three types of rights of access to a *menie/gende dalba*, namely constant or unrestricted, extended period and temporary ones. Unrestricted rights of access are obtained generally by virtue of being born from the

resource holding unit and legitimated through participation in monitoring and maintenance works and such rights can be inherited. Extended period rights of access are granted on the basis of a constant labour contribution and they are often cemented by oral contractual agreements. The temporal rights of access as the name implies are intermittent use of water often in return for a piece of maintenance work.

Nine out of the eleven of the water sources were held by those units which were polygynous and thereby commanded a great deal of labour and they were also considered to be relatively livestock-rich. Given the inaccessibility of the advanced technical means which can be employed to dig *dalba* for harvesting rain run-off water the extant labour intensive system has proved to be extremely labour consuming. Yet it is deemed to be the main avenue to reduce the mortality rate of livestock in general and emaciated ones in particular. Finally, given the relatively low population density and the low livestock pressure on grazing resources and the climatic conditions of the region under review, water will remain the limiting factor of livestock production and the success and failure of the livestock sector in the foreseeable future lie on the availability of improved technical means of harvesting water in general, and means of reserving it in particular. To conclude, water is the lifeblood of all the diverse economic activities in and around the Weyto Valley.

CHAPTER 7: Contested formal land rights: old ambiguities and new uncertainties

In chapter one, we saw that land was nationalised in 1975; and in 1990 the mixed economic policy of the Derg marked a divergence from socialist ideals and the beginning of a new era involving the practice of leasing out land to individuals and groups by the state. This date is a watershed. It marked the turning point, after almost two decades, of a socialist ideology and a socialist oriented centrally planned national economy and a consequent range of other societal upheavals; it also, as far as the Tsamako and some of their neighbours are concerned, marked the transition of the local peoples understandings of national land policy and natural resource rights: old ambiguities were replaced by new uncertainties, as we shall see in this chapter.

In this chapter I examine how the alienation of high potential Valley resources and undue outside interventions and threats, armed with those unsubstantiated assumptions about pastoral societies discussed in chapter one, have eroded the legitimacy of customary property-rights systems and have resulted in converting common-property regimes into non-property regimes. Attempt will be made to single out reasons why there was a marked rise in land and other resource use conflicts and tensions between the local people and Commercial Farmers (hereafter CFs), and to identify the effects of the CFs on the socio-economic lives of the people in general and on resource use regulation in particular.

Since my central concern in this thesis is with productive resource rights, in this chapter, I concentrate on the local people's loss of control over high potential grazing and agricultural land and savannah woodlands since the early 1990s. Although recent developments in and around the Weyto Valley and beyond are to a large extent shaped by the CFs, I shall confine my description to two Tsamako territorial sections adjacent to CFs and refer to others when

necessary. I shall begin with a sketch of the history of the establishment of the CFs and its aftermath. The second section deals with the policy context and official views of the CFs, the immediate consequences of the establishment of a new market settlement and a brief account of the tensions and the outburst of violence that happened between the local people and the CFs as instigated by land loss. Finally, the last section presents a brief account of the constitutional rights of pastoralists or often called 'minority ethnic groups' and ends with a concluding remark.

The history of the establishment of the CFs

The 'Afar ethnic group, who live largely in north-eastern part of Ethiopia, were probably the first to be subjected to land alienation for individual investors or government sponsored large-scale mechanised commercial farming since the imperial times. Since then resource use conflict between the 'Afar and the commercial farms has been the subject of discussions (see, for example, Ali 1998; Gamaledin 1993; and Helland 1980). During this period those pastoral and agropastoral ethnic groups in the lower Omo and Weyto basins, in the south-western part of the country, were saved from such high potential grazing and agricultural land loss primarily due to the remoteness of the region and compounded by poor development of infrastructure. When the imperial rule gave way to the military rule, following the first all weather road construction that runs from Arba Minch to Jinka and Omo Ratie, in late 1970s the Dassenetch, who inhabit part of the lower Omo basin, saw the establishment of the Ethio-Korean cotton plantation on their soil. Again the region saw the establishment of Omo and Mago National Parks whose effect had raised great concerns for many ethnic groups, most notably for the Mursi, the Kwegu and the Bodi, (see Turton 1995 and Pankhurst 1998) who live in and around these 'Conservation Parks'. The region registered the third, and perhaps with a more alarming effect, the establishment of a private

commercial plantations named Birale Private Agricultural Development Lit. (it has already been simply referred as commercial farms (CFs)) in the Weyto Valley in 1990. As we have seen in chapter one, this Valley, a multiple-use land, and one that has been exploited by more than a dozen ethnic groups (Banna, Birale, Borana, Gewada, Hamar, Hor, Konso and Tsamako) and at times disputed by the Tsamako and some of their neighbours (Borana and Konso) since the early part of the 20th century.

During the 1980s, when State Farms were mushrooming all over the country, the Weyto Valley was also designated as a high potential irrigated agricultural development area. Nevertheless the inception of the idea of developing the Valley traces its origin to the early 1970s. In 1973 a preliminary survey undertaken by the Land Resources Division of the Ministry of Overseas Development, UK, identified the Valley as one of those valleys with considerable potential for irrigated agriculture development. Five years later, in 1978, the UK based company, Halcrow-ULG Ltd., together with the Valleys Agricultural Development Authority of Ethiopia (later assimilated and replaced by the Water Resources Development Authority) and with the financial assistance of the FAO carried out a review of potential irrigation project sites in the country. Out of a total of 49 project sites the Weyto Valley was ranked tenth. Again in 1979/80 a team of researchers, from the FAO and Valleys Development Authority, carried out a pre-feasibility study of the valley and recommended further studies for the development of 4,500 hectares under irrigation. Following this in February 1981 Halcrow-LUG Ltd.¹¹⁵ was assigned to undertake a full feasibility study of the Valley financed by the FAO.

¹¹⁵ Sixteen expatriates and some Ethiopians in various fields of specialisation constituted the feasibility study team, one of them became a Commercial Farm share-holder, took part in the feasibility study.

This study included:

...hydrometreological analyses, semi-detailed soil survey and land evaluation; assessment of agricultural potential and marketing ; examination of irrigation and drainage requirements; preparation of outline designs and cost estimates of engineering works; topographic surveys; study of the organisation, management, environmental and social aspects of the development; a study of the hydrology of the Weito Valley with a view to exploitation of groundwater to augment the river water at times of low flow; and financial and economic appraisal (Halcrow-LUG 1982 Vol. 2, p. 1).

The feasibility study was carried out in 1980/81 and its final report released in January 1982.

This study proposed the establishment of two State Farms and one 'Co-operative settlement' in the Valley. A total of 4,500 hectares of land was designated, part of it for a run-of-river irrigated development and the rest for settling about one thousand households who would be employed by the farms. The total development cost was estimated at 101.62 million US Dollars (210.4 million Birr). "It has been assumed that detailed designs and tender documents could be prepared in 1983 with construction starting in 1984, and scheduled completion in 1988" (Ibid Vol. 1 p. 2). This proposal, however, was not put into practice for reasons yet unknown. In 1990, this land was leased out by the government to private investors, as we shall see shortly. First, let us see some of the major recommendations made by the feasibility study team.

The document states: "The Weito valley is used by groups other than Tsamai including the Benna, Hamer, Male and Borana. This has led to considerable over-lapping of traditional rights to land use, with a tendency for agricultural activities to promote co-operation and pastoral activities to result in competition and dispute" (Halcrow-ULG 1982 vol. 5 p.H2). Cognisant of this situation, the project proposal anticipated a set of unintended outcomes that the proposed irrigation project might bring about to the local people. The document states:

In order to anticipate such problems, the consultants were requested to pay especial attention to the perceived needs and attitudes of the local population in the Weito valley. Accordingly, extensive discussions were undertaken with Tsamai village groups, ... As was anticipated by the study team, Tsamai consider their priority problems to be shortage of food for themselves and water for their livestock. The benefits which they would most like to see from a development project are (a) improved health of their cattle, (b) greater reliability of water supplies, both for their livestock and, if possible, for their crops (Halcrow-ULG 1982:Vol. 7, p. k 9).

Further, they underlined the need to carry out further studies on the socio-economic impact of the proposed irrigation project and the need to start with minor development activities as a kind of pilot project, before embarking on the huge irrigation project. The research team outlined the following as the essential measures in the first stage development: "allocation of a proportion of the irrigated area specifically for local Tsamai; improvement of pastures and other measures to assist local livestock development including access to the Weito river for stock; access to basic health and education services by the local population" (Halcrow-ULG 1982:Vol. 7, p.k18). Among other things, they emphasised that the proposed socio-economic study should look into issues like land use and rights, livestock seasonal movements, watering points and the attitudes and the likely responses of the Tsamako and other ethnic groups who exploit the Valley. With regard to the attitudes of the Tsamako towards the proposed irrigation agricultural project the document (Halcrow-ULG 1982, Vol. 6, p. k 9) contends:

At the village meetings, the outlines of the proposed project were explained, accompanied by "sand maps", and discussed at some length. The spokesmen declared that they have no objection to the project. Indeed, they indicated a cautious welcome and initially expressed, in principle, the hope that they would participate in it. At the stage of the discussions, however, it is doubtful if any of the local discussants fully understood the implications of the irrigation agricultural project, either for an individual who chooses to be a settled/labourer, or for their society as a whole.

In summary, the document states that "the ecological impacts on the Weito valley as a whole would be limited" but "the social effects on the local people would be significant and

provision would be made through sub-projects and a social development unit to encourage this impact to be positive" (Ibid p. iii). Such sound recommendations were not translated into practice. It seems that once the technical feasibility of the project was demonstrated and it was judged to be economically viable, none of the investors seemed to have been worried about the side-effects of their undertaking on the indigenous people's means of subsistence.

In early 1990 the former regime leased out four thousand hectares, out of a total of four thousand five hundred hectares (proposed by the feasibility study team for the establishment of State Farms), of high potential agricultural and grazing land to private investors for thirty years. The farm, called Birale Agricultural Development Private Limited Company (CFs), came into existence in 1990, soon after the issuance of the Derg regime's economic liberalisation policy. The government rents this land out to private investors at roughly £10,000 a year. This farm, held by a couple of private investors, produces mainly cotton and some tropical fruits primarily for the international and domestic markets respectively. The level of production, particularly of cotton, is on the increase. For instance, during the 1995/96 and the 1996/97 harvest years they produced 26,000 and 40,000 quintals of cotton respectively. Technically it could produce more than thirty quintals of cotton per hectare of land. It is worth noting that this commercial farm is a mechanised irrigated farm using modern agricultural tools like tractors along with the application of pesticides and other chemicals. The use of such chemicals and pesticides is not without certain costs that the local people have to pay as we shall see later in this chapter. Due to a shortage of water, for the first two years they only managed to put two thousand five hundred hectares of land under cultivation. Since a large water pool reservoir was prepared the land put under

cultivation has been increasing¹¹⁶ year after year. The farm was so big that in March 1997 it employed 104 permanent, 800 semi-permanent and over 2,000 casual labourers. Most of these labourers came from Konso and Walaita Sodo areas where population pressure on agricultural land is very high. This high influx of population migration has had its own far-reaching repercussions on the environment and on competition for natural resources between local peoples. We shall return to this point later. The investors have been making profits¹¹⁷ at the expense of the environment and the resource base of the ethnic groups, as we shall see below. What is the policy which support the CFs?

The policy context

The history of government policies that encourage large-scale commercial agriculture in Ethiopia goes back to the 1950s¹¹⁸. Since this date, the life of large-scale commercial farms in Ethiopia is very much tied to the rise and the fall of governments. As the strategies of socio-economic development changed along with changes in policies, so did large-scale commercial farms; as policies have shifted from feudal to socialist and then to market liberalisation ones. So have the forms and contents of large-scale commercial farms. The first private large-scale commercial farms were introduced during the imperial times in the 1950s. Such farms were promoted and enjoyed the support of the government as reflected

¹¹⁶ According to the CFs manager, potentially 16,000 hectares of land in the Valley can be put under irrigated cultivation.

¹¹⁷ Because of lack of data on the running costs of the CFs I could not calculate the amount of profit they made.

¹¹⁸ The first private large-scale mechanised farms were established in Awash valley. These were probably the first ones that marked the alienation of pastoralist land for irrigated cash crop cultivation in the country (see Fecadu 1990; Gemeldin 1993; and Helland 1980).

in the third Five-Year-Plans (1968-73). For instance, "...N.V. Handelss Vereeinging Amsterdam (HVA), which operated two large sugar plantations in the upper Awash Valley, was allowed to repatriate as much as Birr 8 million, a five year tax holiday, as well as import and export tax exemptions" (Gavian and Gemechu 1994:150). After the 1974 revolution almost all of these commercial enterprises were nationalised along with the land. Then, these farms were converted into State Farms¹¹⁹. Following government change in 1991 most of these farms have been sold out to private investors, although there were still more than a dozen of them under state ownership.

Despite such radical policy shifts there were basic similarities in the content of these policies. Since the imperial times such policies saw large-scale farming as the main avenue to increase agricultural production to feed the growing population and generate foreign exchange earnings. A cursory view of policy documents of past and present governments demonstrates that a package of incentives has been given to large-scale farmers and not to small-holding farmers. The Derg regime's mixed economy policy and the present government's investment policy are cases in point. The March 1990 mixed economy policy of the Derg, except with a few minor details, is similar to that of the 1992 investment policy of the present government. Let us very briefly outline the cardinal elements of the policy in relation to investment in general and rural investment in particular.

¹¹⁹ Both the private farms of the imperial times and the state farms of the Derg time were large-scale mechanised, all of which alienated pastoral range lands, therefore, it was an encroachment upon pastoral range lands. "Their negative consequences by far out-weigh their indirect benefits"(Fecadu 1990:208).

Two major pieces of legislation provide the basis for large agricultural investments. As part of its package of economic reform, the TGE [Transitional Government of Ethiopia] laid down its investment policy 1992 in Council of Representatives Proclamation No. 15. In the following year the government repealed the previous Mengistu legislation pertaining to agricultural investments, incorporating most of those earlier provisions with Proc. 15 to derive a new agricultural investment code (Pro. 120) (Gavian and Degefa 1994:147).

As stated in the investment code, the main objectives are to stimulate economic growth, to improve the level of technical know-how and to "activate, protect, develop, enrich and utilise the natural resources of the country" (Council of Representatives, 1992). Further, this document stipulates that a set of investment incentives should be given to those who want to invest in the field of agriculture. These incentives include improved access to credit and hard currency; exemption from duties and taxes of imported capital goods, equipment and the like, and a three to eight year exemption from income taxes, depending on the region and area of investment. The reason why proclamations 15 and 120 are geared to paving the way for large-scale commercial farming is not surprising, given that the economic sector in question is the hub of the nation's economy. The rationales for encouraging large-scale farmers over small-holding producers are manifold. Large-scale farmers (a) have a presumed capacity to make the country self-sufficient in food production, (b) they create jobs and (c) they increase foreign exchange earnings. It seems that this has been done without giving due consideration to their superior potential for overexploiting the environment given the short-term nature of their leases and interests. Thus, although some economies of scale may accrue to large-scale mechanised farmers, there seems no evidence to suggest that they are more efficient and effective producers than small holder producers.

Large-scale investors in general are required to have investment certificates issued by the Investment Office of Ethiopia - a new institution recently set up for this purpose. Investors are expected to meet a set of criteria of which the following are pertinent to our discussion

here. They are required to relate their project proposal to environmental protection and show the impact of their project on the natural resource base. When investors acquire land they must prove that the proposed site is free from other holders by producing a signed approval from the *kebele* zonal council. In short, the revised proclamation number 120 requires the protection of the rights and interests of local people. Given these policy environments, what were the official views of the CFs?

The administrators' views

The process of elite formation and the consolidation of more or less a social category of its own in the region is in the making, although it has not yet received the attention it deserves. Until the early 1990s, *awraja* and *wereda* administrators had mostly come from other regions. Invariably during the imperial and the Derg times, administrators came from cultural backgrounds different from those of agropastoral ethnic groups. Furthermore, administrators who worked in *awraja* and *wereda* levels were appointed by the government.

Unlike in the past since the early 1990s most of the administrators are high school graduates and/or school dropouts from different ethnic groups in the region. Following the institution of a federal state political structure, local administrators have been in principle elected by the people themselves, but in practice appointed by those in power. A feature common to administrators past and present is that all of them are appointed by those who are at the top of the political hierarchy. However, unlike in the past, the present administrators come from the region itself which is a qualitative difference between the political appointees of the past and the present. To be appointed to an administrative post, one needs to meet at least three identifiable criteria: those who come from 'ethnic minority' groups; those with a level of qualification of a high school certificate or even less (the

minimum being knowing how to read and write and having some knowledge of Amharic to ease communication), and loyalty to the government. Loyalty to the government is arguably the most important criterion which determines an administrator's duration of stay in a post. Administrators are well aware of the fact that their job security is constant as long as they are loyal to the government, but the degree of security of such posts has turned out to be very low. Since the early 1990s, there has been high administrative turnover, particularly for top posts. Without going into the details, such political posts are increasingly becoming a means of securing jobs and thereby achieving economic goals more than anything else. Apart from the allowances, fringe benefits and unlawful means of acquiring material resources, the salary¹²⁰ of an administrator is considerable.

Who were these administrators? As already noted many of these administrators were high school graduates. Many of them who were working in various capacities at zone and *wereda* administrative levels were missionary sponsored students who were put in youth hostels and go to government schools. As a result, they were isolated from the day-to-day agropastoral values, activities and lifestyles of their parents. (Further, the educational curriculum was designed in such a way that the needs and socio-economic realities of people in the region were not incorporated.) During their school years at Jinka¹²¹ which last

¹²⁰ For instance, the salary of an administrator is twice that of an agricultural expert with a bachelor's degree and many years of experience. The lifestyle of administrators is comparable to that of successful merchants who export coffee.

¹²¹ Jinka is the administrative centre (South Omo zone) of part of the southwest region. Although the Ari probably constitute the majority in Jinka town, there are also many people whose parents are originally from Wollo and Gojjam. In this Zone Amharic is both the official language and the medium of instruction in schools.

for a decade or so they acquaint themselves with the 'town way of life'. As soon as they graduated from high school many of them took up whatever job was available and continued to live in towns. Even those who have dropped out of school for one reason or another did not go back to their birth place. Although almost all of them were born and grew up with their parents in agropastoral societies, by the time they graduated from high school they were totally divorced from the values and norms of their parents. Many of them whom I knew in Jinka abandoned their natal areas simply because of the lure of the town way of life.

Miyawaki (1997:4) describes the situation in a similar vein: "They [students from agropastoral ethnic groups] stay in a dormitory, get along with highlanders whose ancestors migrated from the North. ... Most of them whom I know became fond of eating *injera* [highland Ethiopians bread] and *wat* [stew] they spread grasses on the floor, drink *talla* at [sic] holidays and want to marry bright [sic] skinned girls. They think it [is] impossible to return and live in their homeland. But the chance to get a job is very scarce [sic]". He goes on to say that only a few lucky ones got the chance to work for NGOs as drivers and garage technicians. A good number of them were unemployed in the 1980s. The situation has slightly changed following the change in government in 1990. This government changes and shift in policy created many jobs particularly for high school graduates of 'minority groups'. Many of these high school graduates were appointed to various key posts at various levels of administrative offices: Regional State at Awassa, South Omo Zone at Jinka and *Wereda* at Dimeka. "The political change in 1991 thus brought them a big chance. The salary of government officials is extremely high. However, their position is very unstable" (Ibid: 4).

The attitudes and opinions of the present administrators were shaped not by their agropastoralist parents who live in semiarid rural areas but by those which prevail in towns where they went to school. Here I need to spell out the prevalent opinions and attitudes held by town dwellers towards agropastoral societies. Town bias in relation to rural life and peasant bias in relation to 'pastoralism as a way of life' are widely-known phenomena in the development policies of governments and public prejudices against agropastoralists. These two seemingly opposing dichotomies: rural versus town and pastoralist societies versus peasant societies, with an implicit assumption that the former are technically less advanced than the latter is a pervasive public opinion in the country. This is due in part to differences in types of agricultural tools. Until today, the ox plough and the hand hoe have been the two predominant forms of agricultural implements among agriculturalists and pastoralists respectively. The former is assumed to be technically advanced and more sophisticated than the latter. The corollary of this is that the highland way of life associated with the plough is assumed to be superior to lowland pastoralism as a way of life.

The opinions and attitudes of those who work at zone and *wereda* levels of administration and agricultural extension workers alike seemed to have been shaped by those unfounded assumptions and prejudices against pastoralism discussed in the first chapter. Yet, it is quite difficult to trace the origin of those stereotypes and prejudices. Nevertheless, the reign of the ideologically socialist oriented military regime, backed up by its urban biased development policy¹²², seemed to have given a fresh impetus to these public opinions and

¹²² For instance, the Villagisation Programme of the Derg clearly reflected the urban bias of development policy of the 1980s. The objective of this programme was to bring sparsely distributed

prejudices. Such attitudes and prejudices persist until today. Pastoralism as a way of life in Ethiopia has, therefore, been considered not only as simple or less sophisticated than the highland peasant way of life but also as 'backward and archaic'. In other words, pastoralism and its activities are deemed as categorically lower honour than those of agriculturalists. To date, this has been the most popular view held both by many policy-makers and politicians alike. In a similar vein Fecadu (1990:205-206) writes:

Until recently, most policy makers displayed limited knowledge about pastoralists and their habitat. There are various misconceptions about the mobility and lack of crop cultivation of pastoral nomads. The widely held assumption is that the pastoralist lacks knowledge of crop production and that he does not farm and does not want to settle down in one place....It is often assumed that the pastoral nomad is devoid of any rationality concerning outsiders, that he attacks them without good cause. Lastly, there is the notion that the pastoral nomadic area is suitable for crop cultivation and, if and when it is so used, the pastoral nomadic group will not be affected. Hence, approaches to the development of the pastoralists often seek to settle them and to use their unused land as much as possible.

Implicit in such assumptions is the fact that pastoralist forms of land use and resource management are 'irrational' and therefore should be replaced by agriculture and other forms of resource management. These assumptions, for example, seemed to have been justifying the tacit acceptance of the land lease policy - originally formulated by the Federal State - by the Southern People's Regional State. The overall effects of such public attitudes, opinions and above all policy environments were considerable.

High potential grazing savannah woodlands of pastoralist and agropastoral ethnic groups in the south-western part of Ethiopia were considered a no man's land, or 'open access resources' and presumed therefore to be 'wasteland'. Little attempt has been made to make a distinction between common-property regimes and non-property regimes. Failure to make

rural households together so that they would be provided with education, health and other services, but the result turned out to be a socioeconomic and environmental disaster for the people.

such a distinction meant that any piece of land outside the category of a household plot of land was considered to be open access resource. Given the poorly developed infrastructure in the region, such woodlands were not often easily accessible to local administrators and employees of the Ministry of Agriculture regional offices. Many administrators, including agricultural experts, paid only short visits to these semiarid areas. Most visits were confined to areas accessible by vehicle. Many administrators expressed the difficulty of staying longer than a couple of hours in these areas because of the hot weather. Administrators and even agricultural extension workers who were supposed to know better had very little direct exposure to the values and life styles of the indigenous people. To show this, I shall spell out what I observed about agricultural extension workers in the Valley during my fieldwork period.

Case 24: There was a high turnover of agricultural extension workers in Luqa during my fieldwork period. In less than a two years period, three extension workers were assigned in Luqa, one replacing the other. All three of them were born and grew up in towns within the region. The first one was already working in Luqa when I went into the field in November 1996. He was engaged in petty trade, such as *araki*, (alcoholic spirits) as a side business. Within two months of my arrival he was replaced by a new graduate from Agarfa Training Institute. He was born and grew up at Key Afer where his parents run a restaurant. He is originally from the ethnic group of people who live in and around the town. This ethnic group is an agropastoral one with similar value orientations to those of the Tsamako. He stayed most of the time with his parents and visited his place of work now and then. He rarely stayed more than a week in Luqa. Even in those short periods of stay he never cooked for himself. His parents sent him meals with lorry drivers who passed through the valley. Although he grew up in the town with a similar situation he knew very little about the values of those people and showed very little interest in learning from the new groups of people either. In principle, he was to reside with the people for the purpose of teaching indigenous people improved ways of animal and crop husbandry. However, in practice, his knowledge in the field is far less than that of the people themselves. This is partly because of his lack of practical experience, but also because of his unwillingness to learn from the people. He was heard to say: "The indigenous people know best how to sow corn seeds in a line [see Plate 7], a knowledge that I gained from my training at Agarfa Training Centre a year ago". When his bosses learnt that he was not staying in his place of work, they transferred him to Arbore Tabya and assigned another person in his place.

The third one stayed at Luqa for two weeks. He was alleged to have been staying with his fiancée in a place called Alduba. Although officially he was supposed to be working at Luqa, he never came there during the period of my fieldwork. It is interesting to note that unlike these agricultural extension workers, all-round agricultural extension workers, as

they are locally called, veterinary workers who were placed in Luqa never lived there at all. The common excuse they put forward was that 'we do not have proper facilities in Luqa to discharge our duties'. To date, the only government employees who lived and worked at Luqa were health assistants and elementary school teachers.

As my observations of the situation over the last two years show even agricultural extension workers who were expected to live and work with the local people rarely did so, let alone well qualified experts and administrators. The situation described in Luqa was applicable not only to areas in and around Tsamako country but also beyond in many semiarid areas in the region. The physical hardship factors especially the climate, malaria, lack of infrastructural amenities and town amenities were reasons that figure prominently for not staying long in Tsamako country. Extension workers disliked their postings and often found all forms of excuses to stay in towns, visiting their place of work for a week or so. For these reasons, their knowledge about the life, work and values of the local people was limited. In fact there were some incidents where some experts did not even know what set of field equipment for their field visits they needed during one season or another, let alone the mundane problems and day-to-day life of the local people. Here is an incident that may illustrate this:

Case 25: On May 20, 1997 *setie* (army worms) were damaging standing crops and grasses in Luqa. This was reported to the *wereda* administrative office by the agricultural extension worker (It was reported very late because he was not around at the time.), and through the former to the zone administrative office. Three Ministry of Agriculture employees from Jinka came with pesticides. They were so ill prepared for the fieldwork that they brought with them only sleeping bags. They forgot to bring mosquito nets. Since it was the rainy season, there was much stagnant water all over the place making the situation conducive for mosquito¹²³ breeding. In the evening they were badly bitten by mosquitoes. They were

¹²³ The mosquito attack rate was so intensive that residents were forced to build platforms on tree-canopies and sleep there. Malaria is one of the major communicable diseases in the region. The peak periods of transmission appears to be June through August. Further the most severe malaria species *plasmodium falciparum* is quite common (Personal communication with health assistants at Luqa).

unable to go to sleep because they could not stand the mosquito bites. Consequently they had to keep on moving to protect themselves. They spent the whole night wandering in the settlement.

In sum, the hostile physical environment and the lack of town amenities were the main conditions which discourage agricultural extension workers, let alone for administrators, from remaining in the area. Given these circumstances, the knowledge¹²⁴ of administrators and experts alike about who uses savannah woodlands in the area, and when and for what purpose remains largely obscure. In the eyes of such 'insider outsiders' these categories of land, looked at from a distance, while travelling on their way to and from urban centres, were untapped resources awaiting big investors. Given the policy environment and the opinions of zone and *wereda* administrators, the CFs were praised for developing this 'wasted' land into 'productive' land. Often this act was considered to be an act of converting the desert into a green oasis. Besides, the farms managed to create a market settlement which made available a set of services that labourers and officials need. The development of towns and urban centres were often associated with 'modernity' and a 'better way of life' - an opinion widely shared among officials in most parts of the country. Apart from the common services like restaurants and bars one could find in any urban settlement, the CFs had a satellite TV- certainly the first one, and perhaps still the only one, in the entire south Omo zone. Some officials were able to watch the 1996 football World Cup on TV, some of them probably seeing a world cup game for the first time in their life. Thus, the CFs were often cited as the best example to be followed by other investors in the region.

¹²⁴ Zegeye and Pausewang (1994: 9) have this to say: "It is a sad fact that local knowledge [in Ethiopia]

is appreciated neither by the bureaucracy nor in the academic circles. Administrators believe that they are supposed to know what is best; scholars easily take it for granted that a report not written in a scholarly style and not properly documented is shallow and unworthy of serious attention".

Given these perceptions and attitudes of administrators towards the CFs, there were no places where the indigenous people could appeal and tell their side of the story. There were several incidents when visiting administrators failed to listen to the local people's appeals. A couple of them are worth quoting here. As the shortest path to the river is blocked by the CFs, people from Duma and Encha'atie have to drive livestock a long way to water them. They pointed out this problem to a visiting administrator, who was originally from a neighbouring ethnic group. He answered them, as documented by Miyawaki (1997:5), "You have to get accustomed to it." Miyawaki goes on to say that the administrator was no longer in a position to appreciate the problem these people encountered. Another visiting administrator from Jinka Zone office was quoted as saying "The CFs belong to the State. Those who do anything against them will be severely punished". For these and other reasons, the local people consider the CFs as a State run farms.

The perceptions and beliefs of officials are clearly in line with the general agricultural policy objectives of central governments. As already pointed out above the need to improve the performance of the agricultural sector and thereby improve export earnings and to feed the ever increasing national population has been the nub of, at least on paper, the government policy past and present. For a considerable number of officials, developing this sector means putting more land under cultivation with a large-scale mechanised farming without necessarily considering the long-term implications of the application of artificial fertilisers, pesticides, chemicals and so on. Viewed from this perspective the CFs have met the 'basic requirement'. They have managed, in the eyes of these officials, to convert the 'desert' into an 'oasis'. However, from the indigenous people's point of view, they have done more harm than good. It is to these negative consequences of the farms that we now turn.

Off-farm effects¹²⁵ of the CFs

What does the history of large-scale mechanised commercial farming in the Ethiopia tell us? As Bruce, Hoben and Dessalegn (1992: 28) point out large-scale commercial farming in Ethiopia has many faces: "It has often been credited with opening up 'unutilized land' for cultivation, providing off-season employment to peasants, and making some contributions to the country's export drive; it has also been faulted for land grabbing and for large-scale eviction of peasants from the land". Since the 1960s large-scale farms have changed their form and content along with changes in government, and so do not lend themselves to generalisations. However, they seem to have shared one thing in common i. e their interest in profit maximisation. The Ethiopian experience has shown that large-scale commercial farmers or investors, as they are often called, have a short-term interest in profit maximisation. Dessalegn (1994:15) summarises the role of large-scale commercial farmers or investors in relation to development and resource management as follows:

The experience of the country since the 1960s [shows that] the commercial farmer in the pre-revolution period, [sic] state agriculture during the Derg has not been a salutary one: large scale investors were solely concerned with high and rapid rates of return on their investment, showed very little interest in investing on [sic] the land and on resource and environmental protection, and siphoned the agricultural surplus out of the rural areas. The "external" investor, in brief, simply mined the land. In contrast, the peasant entrepreneur (the "internal" investor) will have a long term interest in investing on the land and enhancing its productivity, given tenure security and security of land transactions.

¹²⁵ The off-farm effects of the commercial farm are not limited to the Tsamako territory, but extend to some other ethnic minority groups namely, Hor and Birale. A brief sketch of the off -farm effects of the Birale Commercial Farm on the means of subsistence of such minority groups is given in Melesse (1997). Taddesse (1999:180) writes, "More information is needed on the range of difficulties for local people caused by the plantation."

What does the situation look like at this moment in time? How are large-scale commercial farmers doing today in the Weyto Valley? To answer such questions one needs to closely examine the development and the outcomes of the CFs in and around the entire lower basins of the Weyto River, but, in what follows, I shall confine my description to those outcomes of the CFs, as an example, on those indigenous peoples who live in two territorial sections adjacent to the CFs. Some of these outcomes were unintended or perhaps anticipated, but not given due attention.

The Weyto Valley¹²⁶ has been accessible to many Tsamako territorial sections located near the river downstream. Such sections include Aymelle, Bolla, Gisma, Merqoqa-Zegerma, Duma and Encha'atie of which I shall take the last two to illustrate the effect of the CFs on the local people. These two sections are adjacent to the CFs and their residents' livelihood has been by far the most severely affected consequently they reacted robustly.

Here are a couple of words about Duma and Encha'ate territorial sections. In 1997, Duma was composed of 198 households with a total population of about 780, of which 470 were male and 310 female. The livestock population was estimated at 4,540 cattle, 5,441 goats, 4,682 sheep and 300 beasts of burden. In Encha'ate, on the other hand, there were 93 households with a total population of 550 of which 340 were male and 210 female, and there were about 3,853 head of cattle, 4,445 goats, 2,440 sheep and 350 donkeys. Below we

¹²⁶ The name Weyto Valley in this context is used to refer to areas which are located to the west of the River. Part of the Valley that is the area to the east of the River has been inaccessible for the Tsamako. Most of this land is inaccessible because of their hostile relationships with the Borana and a small part of it (in and around Birale territory) is due to tsetse fly infestation.

shall consider in turn the effects of the CFs on the indigenous people and their loss of income in the field of agriculture, livestock production, honey production and hunting and gathering of wild food and items for sale. In other words, since prior to the establishment of the CFs the land used to be a multiple-use area and therefore the effects of the CFs are manifold.

Up until 1990, part of today's CFs used to be a place where people from those sections practised some form of flood recession and small-scale irrigated agriculture and livestock grazing which used to be common age-old phenomena in and around the Valley. The area utilised by the Tsamako was to the west of the river as movement to the east of the river was constrained by the Konso and Borana. The local people's form of irrigated agriculture was exclusively gravity-flow from the river. They were able to divert water from the river and cultivate a variety of maize and sorghum using local means and labour. For instance, in 1980, according to the Halcrow-ULG feasibility study team, downstream of the then proposed project area adjacent to Duma and Encha'atie settlements, there were two water diverting points from the river. The total area of the irrigated cultivation fed with water from these diversion points was estimated at 50 hectares (Halcrow-ULG 1982). According to the research team report, the yield of these farms falls to 5-10 quintals per hectare. For the people from these areas both flood recession and irrigated crop cultivation used to serve, next to livestock, as an insurance scheme or a standby in times when the rain-fed often drought-prone agriculture fails.

There has never been permanent control over any piece of both flood retreat and irrigated land by individuals or groups as a unit. This was, as discussed in chapter four, partly because of the nature of the availability of potentially irrigable land and land that allows

flood recession agriculture. As the water level of the Weyto River oscillates from year to year, depending on the amount of rainfall in the highlands, so does the size and location of flooded land available for cultivation. When the River floods and recedes some areas will be available for cultivation every year. This land is divided among each household on the basis of household size and ability to cultivate. The *mura*¹²⁷ guided and supervised by members of the senior generation-set, measure and distribute such land on behalf of the community (Melesse 1995). Appreciating the local system of land redistribution the study team wrote:

A sensible and socially just arrangement for the allocation of a family plot operates. The more fertile areas are divided into roughly equal family plots, so that every family in the village is likely to farm some of the better land. The same procedure is adopted in the less well-watered fields, so that an individual may have two or even three fields. This is a commendable communal response to the shortage of good cultivable land"(Halcrow-ULG 1982: Vol. 6, p. K8).

In sum both irrigated and flood recession cultivation were halted in and around the Valley after the damming which drastically reduced seasonal flooding downstream.

Prior to the CFs development part of the area was also used by the local people as a livestock grazing point during the high dry season of the year. Since this area is located on the lower bank of the Weyto River, it used to be wet for a considerable period of the year i. e. during the most pronounced dry season of the region. Beginning from November to the end of February livestock used to be grazed and watered in the Valley year in year out. This high potential dry season grazing area was accessible to more than half a dozen Tsamako settlements and other people from neighbouring ethnic groups at times of drought

¹²⁷ How the *muradie* in Gisma section used to divide irrigated land and how they used to distribute water diverted from the River among individual plots is documented by Melesse (1995).

(Halcrow-ULG 1982, Vol.6, p.6). Since 1990 there is no longer such a dry season grazing reserve. Accordingly, this situation has increased the number of livestock who become emaciated during the prolonged dry season of the year. Many such emaciated animals do not survive the heavy and windy rainfall during the inception of the main rainy season. As the shift from the dry season to the wet season happens so swiftly, and as there are no livestock shelters to protect them from heavy rainfall, they die in the first week of the rainy season. For example, here is what I observed in the valley on October 20, 1998. It rained heavily from 10 a. m to 4 p.m. The next morning I saw many cattle, goats and sheep carcasses. The general impression I got was that in Encha'tie an average household lost roughly four head of cattle and over six smallstock. This reflects the indigenous people's grim day-to-day struggle for survival. Yet it is far from capturing the long-term pastoral economic sector's prospects for the local people, which seems to be gloomy. The CFs continue to expand while the dry season grazing land is diminishing. To protect their crops, the CFs imposed fines on people whose animals trespass. Until now the rate of fine was in the range of 30 - 50 Birr per head of livestock. This land alienation has, therefore, resulted not only in a shortage of pastures but also disturbed the organisation and utilisation of pastoral space at large. Thus, it is plausible to suggest that the loss of the dry season grazing land has made the survival chances of emaciated animals very grim.

The CFs' form of land use has driven out other uses such as beekeeping and has the potential to exhaust the resource quickly. The application of pesticides¹²⁸ on cotton fields

¹²⁸ The CF's manager admitted that they apply a lot of pesticides but they have not started using artificial fertilisers. He also said that they never carried out any assessment of the consequences of applying

has brought about unintended outcomes. Pesticides are sprayed using aircraft which according to informants, has adversely affected places in and around the Valley. For instance, bees were severely affected and the age-old practice of honey production in settlements adjacent to the farm is no longer possible. This means loss of a major source of cash income. Since there is no information on the exact number of hives¹²⁹ held by households before the establishment of the CFs, it is impossible to make an accurate estimate of the loss of income. With this limitation in mind, however, it was possible to estimate that an average household used to harvest honey twice a year and earn over 440 Birr per year. For example, a middle aged man from Encha'atie, whose name I do not want to mention for security reasons, explains the current state of his honey production as follows: "I had twenty-five hives full of bees until recently. Now I have only five hives with bees that are located on the hillside far from the CF. From the five hives I produced five calabash of honey last year. I sold the first calabash of honey for forty-five Birr and paid the annual income tax¹³⁰ to the government. I exchanged three of them (one for a quintal of maize and two of them for two goats) and I gave one calabash to my Gewada parents-in-law". Another informant says: "I have stopped making hives because there are no longer bees. Nor do hives serve their original purpose. Now I use them to store grain".

pesticides in the valley. He was of the opinion on the basis of pure assumption that since they use very expensive pesticide the likely negative effects are limited.

¹²⁹ I was told that the hives of many households were burnt down by the CFs staff.

¹³⁰ During the Derg time each household used to pay a poll tax of 20 Birr to the government. According to the new tax regulation, every household has to pay a tax based on the assessed level of income of the household. In 1997, the tax households paid fell within the range of 20 -50 Birr. Many people complained about the new rate saying it was on the high side.

In other territorial sections, far away from the CFs, honey production has decreased substantially. For example, in 1997 my own survey carried out in Luqa, roughly 22 kms from the CFs, revealed that from two thirds to all of their hives were empty. Informants spoke of the decline of honey production in association with the spraying of pesticide by aircraft. The application of pesticides has therefore registered the end of honey production in the immediate vicinity of the Valley and a decline in the rate of its production in distant territorial sections. Here it is important to mention that the use of pesticides, chemical fertilisers or other chemicals was, and still is, unknown among indigenous people.

Another side effect of the CFs is loss of savannah woodland which has resulted in the disappearance of many species of wild animals and trees, which, in turn, led to the termination of the practice of hunting and gathering in these areas. Hunting and gathering were, and in some sections still are, supplementary sources of food. Gathered items like incense and *deraytie* (see Plate 14) were, and in some sections still are, a source of cash income particularly for the poorest community members in general and women and children in particular. Again measuring the amount of loss of supplementary food for those people who live in these sections adjacent to the CFs was very difficult. Yet one can get a rough impression of the amount of wild food lost by looking at how much those people in other territorial sections who have access to savannah woodland at the moment rely on wild food to supplement their daily food intake. In 1997 in Luqa, for example, roughly one third of people's diet consisted of gathered fruits and leaves. This for Duma and Encha'ate people is something of the past. Many elders were nostalgic about the disappearance of wildfood and wild animals as a result of woodland clearance for cotton production.

Another aspect of the aftermath of wild food loss is the declining possibility of accessing wild animals at large and game animals in particular. Informants argue that the Valley accessible to them was rich in fauna before the woodland clearance. This claim is corroborated by the feasibility study report compiled by the team in 1982, when, exactly ten years before the establishment of the CFs, the Valley was characterised as a unique place endowed with a range of large and small wild animals. The study team has this to say: "There is a considerable wildlife population in the Weito valley with numerous gazelle, oryx, buck, gerenuk, kudu, dik-dik, zebra, warthog, monkeys¹³¹ and baboons. Lion, jackals, hyena and ostrich have also been observed. There are also a large number of crocodiles in the Weito River. The avifauna is also rich.... tse tse flies are numerous close to the river after the rains and termites are also vigorous" (Halcrow-ULG 1982, Vol. 5 p. H2). Today, one hardly finds such wild animals in and around the Valley in general and to the west of the River in particular. Wild animals disappeared along with their habitat, trees and the woodlands.

As to deforestation a comparative view of the CFs system of farming with that of the local ones says it all: "We normally leave some large trees when we open up fields, but the CFs did not leave a single one in the field"; stated one informant from Encha'atie. Bushes and trees, both small and large, were bulldozed to make cotton fields (see plate 22). This is not the end of the story. The remaining trees in and around the Valley were and still are being

¹³¹ The presence of colobus monkeys is said to provide a favourable ecology for sylvan yellow fever. A survey carried out in 1981 reported the existence of *Aedes aegypti*, a vector of yellow fever. The first yellow fever epidemic in the country was reported in 1959 from this region, particularly from the Omo River Valley where 30,000 deaths were reported. The 1969 serological survey in the Omo Valley (about 100 km. from Weyto Valley) indicated that yellow fever had been active (Halcrow-ULG 1982).

indiscriminately cut by highland migrants for a range of purposes, as the indigenous people's rules that prohibit their felling go unobserved. The net result of this is that trees and other productive resources in and around the Valley become open-access resources, as we shall see below.

The establishment of a new market settlement and its aftermath

The establishment of the CFs resulted in the influx of immigrants into the region. The CFs have actively attracted casual workers in order to meet the labour demands of their farms. Three residential areas and a market settlement were established all of which have contributed to the rapid exhaustion of the savannah wood resources and impacted on the general multiple-use resource base in the Valley. In spite of the combined effects of all of these developments I shall depict only the aftermath of the new market settlement in relation to the local people. My interest with the new market settlement is with its role in setting the stage where the various social actors and actions can be plotted.

At the beginning the CFs offered economic incentives for those migrants who stayed and worked for the CFs or made services available for those who worked for it. Economic incentives included the provision of housing and transportation facilities free of charge. For instance, two houses were built by the CFs to let two highland migrants run restaurants free of charge. Further lorry transportation services to and from local market places were provided to transport goods, foodstuff and drinks free of charge. Given the provision of these economic incentives provided by the CFs, some migrants were more than happy to settle down in the area on a permanent basis. This amounts to the establishment of a new market settlement, Weyto named after the Valley under review. The settlement is composed of migrants mainly from Arba Minch, Konso and Walaita, places known for high

population density and high population pressure on agricultural land. Most of these people were school dropouts and whose parents were poor and/or landless in their respective natal areas.

The logical outcome of this non-grain producing population conglomeration is the need to ensure the existence of a supply to meet those needs. This boils down to fixing a market-day and making people aware of the service. Sunday is fixed to be a market-day at the new settlement. It was entirely crafted by the CFs with the permission of local administrators in 1997. Since then on this day from 10:00 a.m to 5:00 p.m some people from Tsamako, Gewada, Birale and Konso including traders from Key Afer bring, sell and buy a range of produce and goods in the open market. The Tsamako sell *parshe*, beer honey, goats and sheep, butter, gourds and grain produce. People from Gewada and Konso also bring grain produce, vegetables and fruits, butter, honey, gourds, bullets, pottery, cotton blankets, *araki* spirits, coffee husks, salt, sugar and chilli. Traders from Key Afer also bring and sell salt, clothes, tobacco, cowries, metal bracelets, beads, hoe blades, etc., whilst some people from the new market settlement who run restaurants and cafes serve food, alcoholic drinks, tea, bread and so on. The media of exchange used in the market including small shops and restaurants are cash, bullets, and small stock.

Other measures were also taken by the CFs to discourage the early departure of migrant casual workers. During the first years after the establishment of the CFs, most of casual labourers came and worked for the CFs lasting only for a cotton picking season. Since the Tsamako refused to work for the CFs, as will be discussed below, the CFs suffered from severe seasonal labour shortage. To tackle this problem, apart from the general plan of attracting more people to the area, they had to devise a mechanism that makes labourers

stay longer. To make them stay longer than they planned cash payments¹³² are delayed and postponed as long as possible, thereby discouraging their earlier departure. Instead of timely payments they were offered meals and foodstuffs on a credit basis. All these new developments have a wide range of implications and impact on many aspects of the local people's livelihoods.

The years shortly after the establishment of the CF witnessed an influx of migrants into the area, some of whom have ended up settling down. Some cut wood in the area and constructed their own houses for both purposes of living and running bars and cafes, whilst others are engaged in charcoal production as a side-business. Except for their interest as job seekers in search of economic opportunities and fortunes, immigrants have very little in common and, therefore, they are far from being a social group with shared values and norms. They have different social and religious backgrounds and they speak different languages. Settled immigrants, therefore, do not form a cohesive social group with a set of shared values whose members observe a set of social norms. Apart from being economic fortune seekers and sharing the physical space, they have very little in common that brings them together as a social group with a vested long-term interest in the natural resources in and around the Valley. Many economic immigrants interviewed stated that they had neither aspired to settle in the area on a permanent basis nor were they interested in integrating themselves with the local society. Their assertion is reinforced by their lack of interest in learning the language of the local people. After all why should they learn their host's

¹³² On 17 April 1997, About twenty labourers had barricaded the motor way and forced us to stop. We were mistaken for people from the CFs whom the labourers wanted to press for their pay. It took us half an hour to convince them that we had no affiliation the CFs.

language as both parties have very little in common. Members of the migrant community are not, therefore, under any obligation to abide by the social rules of the host community. The former expected neither a reward for their observance of social rules nor a punishment for transgressions of the rules of the local people. In short, migrants and the local people are two 'groups' of people with two sets of interests working in two different social settings.

Migrants both as temporary and permanent employees of the CFs, are approached with suspicion by the local people. From the local people's perspective, the migrants are part and parcel of the CFs which, in turn, is seen as an agent of the centre - the state. For them the state, as represented by the police force, is perceived as very powerful and therefore feared and to be avoided at any cost under normal circumstances.

The market settlement not only has some rudimentary facilities but it is also a settlement with a police post - the first to be established on the soil of the Tsamako. Here a set of issues deserve mention. The most prominent, and perhaps with a long lasting effect, is that the market settlement has become a host not only to the casual labourers and commercial sex workers but also serves as a social milieu where neither the local peoples nor the immigrants' rules govern the use of natural resources. In short, it has become a playground for transgressing the social rules and a social field where those who breach those rules can go unpunished. The intervention of the CFs and the police force in the course of affairs between the local peoples and the migrants is not uncommon. Migrants take advantage of their knowledge of Amharic and their material possessions to garner support from policemen. Offering beer and food in return for preferential treatment and the like is quite common. In principle the policemen are supposed to serve both communities impartially. In

practice social rules and their violation are defined in relation to the migrant community. By the same token, the policemen treat CFs staff preferentially.

Owing to this frequent external pressure the *halie biyatie* has been forced to cede authority to the local police force and the CFs. "We have been subjected to hundreds of meetings organised by the CFs and the police. Now, some of us have begun thinking with Tsamako hearts and some of us with *girgito* [highland Ethiopians] hearts. We [members of the elders council] do not have time to get together by ourselves for ourselves as we used to do in the past" (a statement by an informant from Encha'atie). This quotation characterises the present development phase in the history of these sections where, as a result of external interventions and threats, group cohesion and collective action began to give way to confusion. The statement that 'Now some of us have begun thinking with Tsamako heart and some of us with *girgito* heart' is a telling one which conveys an important message. My informant meant that some of the local people feel like doing things according to the Tsamako ways, but some of them are beginning to act according to the outsiders' ways. Further, he noted that the unity of local communities is being eroded by too much intervention in the internal affairs of communities. The local people have been frequently called for general meetings by the CFs, and divisive ideas, information and threats, from outside are being inculcated. My informant also stressed that the group cohesion is growing weaker as reflected by the growing difficulty of mobilising people for collective actions.

Collective actions, rights and obligations are beginning to disappear. As we have already seen in chapter five, for instance, local communities had previously had the power to prevent access by outsiders and establish restrictions on felling trees. Those people who breached rules were warned, beaten, fined beer and/or livestock. The most severe of all the

punishments that a norm violator has to face was social boycott. All of these rules were, and in other territorial sections still are, enforced not by a specialised third party enforcement agent but by all the people themselves.

The remaining trees and other natural resources in and around the Valley have become open access resources. The local peoples' general ban on cutting large standing trees is often broken by CFs and immigrants. Trees have been indiscriminately cut down to construct houses to shelter casual labourers (see Plate 24). Such houses have to be repaired and some even have to be rebuilt every year as they do not last long due to the fragile nature of the soil and problems associated with termites. This increased the demand for poles. Moreover, among immigrants logging trees for charcoal-making and other purposes has become a common occupation to supplement their cash income from petty trade and CFs work (casual labourers were paid 4 - 6 Birr/ a day). Immigrants were the ones who introduced charcoal production into the Valley for the first time. The very skill of charcoal making and the demand for it was totally absent up until the establishment of this new immigrant settlement. For these immigrants, trees are meant only for charcoal production and serve only a limited purpose. Apart from being a source of firewood, of construction poles and agricultural tools and household utensils, trees for the local people were supplementary sources of food, fruits and leaves and fodder for their livestock. Migrants on the other hand neither herd livestock nor are they used to extracting wild food from the woodlands.

The relationships between the local people and the CFs

The CFs promised the inhabitants of Duma and Encha'atie to develop one hundred hectares of land and distribute it to the peoples as a compensation for what they had lost. The CFs

manager claims that they have developed 100 hectares of irrigated land for the local people who live in communities adjacent to the farms free of charge. According to the CFs every household from Duma and Encha'atie has been reallocated half a hectare of developed land free of charge. However, in practice, out of a total of 291 households about 200 households received half a hectare of land for a payment of six to ten Birr per year. The CFs argue that households who were not allocated land were those who were not originally from the two sections entitled to receive compensation. Those households who are denied access to developed land claim that they are permanent members of those sections.

What is striking is not the fact that some of these households were denied access to developed land, but rather among those who received reallocations only a few of them were given enough water to cultivate crops. The rest (one-third) of them were complaining about shortage of water. For instance, during the 1988/89 (Ethiopian calendar) harvest year these households' crops were left to wilt primarily due to lack of water because the CFs refused to let water go to the local people's fields. Again another complaint is that the quality of the soil on the irrigated land distributed to the indigenous people was said to be very poor. Informants claimed that this land was once put under irrigated cultivation by their forefathers but the yield was insignificant. Thus they infer that this land had already proved to be unsuitable for agricultural purposes. The land some households got allocated was so marginal and the quality of the soil so poor that it did not retain moisture. In spite of this they have been toiling at this almost barren land simply because they have lost access to the high potential flood recession and irrigated agricultural lands and had no other choices.

Moreover the CFs claim that the local people are allowed to use crop residues free of charge. In practice, however, they were prohibited from crossing the commercial farm, which used to be the shortest path, to water their livestock in the river during the dry season, let alone to graze them on the farm after harvest. Informants argue that they have been denied their rights of passage to the River watering point which is a serious problem, particularly during the dry season. There is ample evidence that indigenous people are subjected to fines whenever their livestock enter the farm. For instance, three individuals whose livestock damaged the CF crops, were fined and at a different rate for different categories of livestock - the first, 30 Birr for calves, the second, 50 Birr for goats and the third one was fined two rams for beasts of burden.

The CFs have been encouraging the local people to work for them as casual labourers specially during the cotton harvesting season, but the response has been slight. So far, the CFs managed to attract only three Tsamako men to work for them. Two out of these three individuals were tractor operators working for the farm on a permanent basis with a 500 Birr monthly salary while the third one worked only for six weeks as a daily labourer. The reason for the very low turnout for work for the CFs as a daily labourer is accounted for on two grounds. First, the rate of payment for daily labourers is very low, and second, most importantly many indigenous people saw working for the CFs as daily labourers as denigrating themselves.

The CFs have been using divide-and-rule tactics so as to suppress those who might stand against its interests. Many measures taken by the CFs testify to such allegations. For example, the CFs first strategy has been to use Dalle Armar, a 'priest' whose role is to bless

rituals and protect the peace and fertility of the Tsamako and the Hor, as a mediator. Many informants claim that the priest has been receiving financial assistance and outright gifts from the CFs. In addition to gifts in kind, he has allegedly been receiving more than five hundred Birr per month. Some who ran bars and restaurants informed me, this is also supported by Miyawaki (1997), that the drinking bills of the priest are settled by the CFs on a monthly basis. Miyawaki goes on to comment further that the priest makes use of his close association with the CFs as a means of boosting his image to demonstrate how he is respected even by outsiders. But recently because of his close association with the CFs many Duma and Encha'atie people have accused him of selling their land to the CFs. The priest admitted that when originally the CFs sought his permission to embark on their irrigation project he had agreed with them because the land they proposed to irrigate was very small. However, he never thought that they would put so much land under cultivation. He was against the expansion of the farms. His relationship with his followers, particularly with those who live in Duma, was growing tense and sour day-by-day. His role as a go between the CFs and his fellow people became extremely contentious so that his power, horizon of influence and degree of respect he used to enjoy are increasingly being eroded. Second, some households from Encha'atie¹³³ were not only allocated relatively fertile developed land but were also redistributed enough water for growing crops. Heads of these households were accused of supporting the CFs measures. Like the priest, two men from Encha'atie were also closely associated with the CFs who were particularly suspected of

¹³³ Expressing his view about these individuals, an informant from Encha'atie noted that "We do not talk with these individuals about issues that have to do with the CFs. When we meet any of them, we look at the ground like children." (Interview conducted in Encha'atie in Oct. 1997. For security reasons I do not want to disclose the names of my informants in this chapter.)

spying for the CFs in return for 50 Birr per month. It is striking that the priest and the two men were the only ones from the indigenous people whose position on the commercial farms was said to oscillate depending on where and with whom they are at a time.

In spite of the measures taken by the CFs to handle the priest and some men with the intention of bridging their relationship with the people, the results, on the contrary were tension and feelings about the CFs were running high. In fact the attitudes of the people towards the CFs developed from a mere indifference at the beginning into hatred in under half a decade time span. The interests of the two parties seemed irreconcilable as the tense and soured relationships gave rise to outbursts of violence in 1995. The whole affair was an utter disaster but I will not go into the details of the violence as for the case is still in the hands of the court¹³⁴. Here I shall only highlight the incident¹³⁵.

Case 26: A CFs staff member allegedly killed a calf trespassing on the cotton plantation. This was communicated to the Duma people by a herds boy. Men who were around were said to have come together to see the incident. They were said to have quarrelled with the CFs staff. The indigenous people were said to have shot dead nine and injured two CFs staff. Then police men and administrators from Jinka and Key Afer came to investigate the incident. Upon their arrival, the inhabitants of Duma, except the very old people, were said to have gone into hiding. These older people were made to disclose the secret. When police men were trying to arrest a man, he was shot dead. It was said. Eight people were allegedly driven by police vehicle towards Key Afer town. They were said to be taken for detention. The next day a herd boy is said to have found blood and a rope in the bush. He informed the elders of this and showed them the place. Eight corpses were said to have been dug out. The corpses were said to be those of the people detained by the policemen.

¹³⁴ The case was brought before the court in late 1995, but as the people concerned do not have either the financial means or the knowledge about the legal court procedure, the case is most likely to be delayed and might even be left unresolved.

¹³⁵ A similar elders account of the incident was given by Miyawaki (1997: 1-3).

During the incident and subsequent events associated with it, more than eighteen people belonging to both parties were allegedly killed. Half a dozen local people were put in jail in Jinka - the zonal administrative town. Despite attempts by the zone administrative office to mediate in the violence, the problems have not abated. Since the incident, the opinions of many people on the CFs have been negative and turned to hatred, unlike the impression I got during my first fieldwork in 1993/94. This is reflected by the following statements from two informants: the first one puts it, "They [the investors] should either leave our country or kill us all and cultivate our land". The second one, was made in the afternoon on February 15, 1997 in the driest season of the year, when maximum day temperature reaches 40 or more degrees centigrade. We were looking for a shady tree to sit and conduct interviews. But there were no trees near the farms. "We fell into the trap of having burning sun rays from above and lacking a path to the river on the ground". This is a statement by another informant, who lives in Encha'atie adjacent to the CFs, while explaining how the measures that have been taken by the CFs were a deathblow to the local peoples livelihood. This statement by my informant meant: there are no more trees for people to sit under for their shade and protect themselves from sunburn, and there no longer exists a path to the river to water their livestock. This is because wood-covered land was converted into a large-scale commercial farm and the path to the river was blocked by the farms. Commenting on some incidents that have happened between the local people and the CFs, another resident of the same territorial section with the second informant contends:

They [CFs] said this to us: 'If you [the local people] allow us [CFs] to till a piece of land in return we will teach you how to plant bananas and sugarcanes'. Then the Peasant Association leader of Encha'atie-Duma [he was allegedly killed with eight fellow men by policemen because of their alleged involvement in the 1995 conflict between the local people and the CFs], accepted their request; and said 'Let us allow them to cultivate this small piece of land and see.' They cultivated that small piece of land and we were on good terms in those days. Now, look [pointing to the farm with his stick at hand] they have cultivated such a huge amount of land and they have become the ultimate controller of the

Valley who can divide and reallocate small pieces of land to each of us. Then we realised that what was thought to be a 'temporary' arrangement has proven permanent.

He added that:

One day in 1996 all of us [men residents of Encha'atie and Duma] were called for a general meeting by the CFs, but we refused to turn up. In retaliation for that they took some of our livestock hostage and drove them to the Weyto market settlement. Some of us went there. Oh that was a sombre occasion. Some of us went there to get our livestock back. Armed policemen surrounded us. 'Don't you know that this land belongs to a man called Getachew?', A question put to us by someone from the CFs. He repeatedly solicited our reply but we remained silent. We were reticent about the land issue, because we were scared of the policemen. Finally we were asked to clap our hands as a signal of our approval of Getachew's possession of the land so that our livestock would be released. We did it, because we had to do it, and got our livestock back.

These sample quotations from informants of the two territorial sections adjacent to the CFs show the problem people have been dealing with. However, the effects of the CFs are by no means limited to these sections. The negative aftermath of the CFs has made people in and around the Valley extremely suspicious of outsiders. The reaction of Oro people, from another Tsamako territorial section, towards a team of researchers deserves a special mention here. It reflects not only the peoples' suspicion and deep-felt frustrations but also their vehement opposition to outside intervention. The next sketch of this incident is based on my own observation and a heated discussion I had with members of the team.

Case 27: In March 1997 a team of researchers arrived at Oro from Addis Ababa. Tension replaced calm. The team was composed of Ethiopian and German experts in the field of agriculture, forestry and livestock. Given the experience of people in Duma and Encha'atie which have lost over four thousand hectares of high potential grazing, agricultural land and woodland resources, this team of researchers was considered as another group of people looking for a high potential land for large-scale farming.

Armed with rapid rural appraisal research techniques the team had no time to spend on the gradual painstaking process of 'getting to know research subjects'. The elders of Oro gathered together. At the meeting they were briefed about the objectives of the study and the background of the research team. Permission to work with the Oro people was sought from the people. People expressed their willingness to give information to researchers cautiously. They granted the permission in part because of fear of the team as seen from its logistical organisation. The team was equipped with three brand new Four Wheel drive Mercedes and a range of field equipment. This for the Oro people was enough to convince

themselves of the fact that the team is backed by the physically distant but powerful centre - the state. The state for the local people is a 'ghost' whose shape or structure is difficult to comprehend, but is represented often by the Ministry of Agriculture employees and the police force who often pay short casual visits for one reason or another. It is feared and tackled tactfully. The research teams arrival was seen as one of the state representative bodies, no more no less.

Large tents were put up. Camp beds, sleeping bags were redistributed to researchers, interpreters, drivers and cooks. Another ample piece of evidence for the Oro people that their own prophecy was being fulfilled. In the evening, tension mounted and rumours circulated. Attempts were made to grasp the stated intentions of the team in relation to what had been displayed. The next morning, researchers dispatched each of them looking for informants to interview. Given the research agenda, 'a study of savannah woodland management', questions posed by researchers centred on natural resources, rules and regulations, division of labour, gender issues and so on. Such questions increasingly fuelled the already existing fear and suspicion. Rarely used terms *girgito*¹³⁶ and *ferengito* (a white person) were frequent. This *girgito* asking about that and that *ferengito* asking about this become a common subject of discussion.

People tried to still their doubts and fears for a week. A week of information collection using a range of data collection techniques suggested by rapid rural appraisal techniques, had gone by. The Oro people thought they had given the research team not only what it needed but also all they knew. Then each researcher was refused access to information, and most were challenged and advised to leave for their natal home. The Oro people tacitly made a decision not to give further information to the team. Gradually the negotiations between the team and the Oro people reached an impasse. The tacit decision represented an overt expression of dissatisfaction with the team. In sum, as an informant put it: "We have told you all: about the responsibilities of men and women, children and elderly, about livestock herding, crop cultivation, honey production and about trees, you name it. And that is all we do here for a living. That is all we know, that is all you said you needed to know from us. If you want to see with your own eyes how we actually make hives, cultivate fields, and so on wait and see". The invitation that you can wait and see was not a sincere one. The tone of voice told researchers to leave rather than to stay for more days with the Oro people. The team was suspected by the Oro people to be commercial farmers who are looking for fertile land for development. The team stayed one more week but not without price. A few young men co-operated with it and worked as guides. As it was the dry season, they took advantage of their free time to get the chance to taste an exotic food. Surprisingly enough, the final outcome of the research report, turned out to be positive, far from the expectations of the Oro people. As the research component of the study was to identify the needs and problems of the people, the Oro people put water first on their problem

¹³⁶ The word *girgito* is used to refer to people who come from the highland, central Ethiopians, beyond

Arba Minch while the term *ferengito* is used to refer to white people. People and places beyond Arba

Minch and Jinka towns are often undifferentiated and often referred to as *girgito* and *biye girgito*

respectively.

prioritisation list. Six months after having consulted the research report of this team and after personal communication with members of some of the team members, the Catholic Mission at Jinka dug a water well for the Oro people. The people were very pleased with it.

The point I am trying to make here is that the external threat at large, and the negative consequences of the CFs in particular, resulted in a situation where people become extremely suspicious of strangers who come from urban areas. Not only the Tsamako people but also many ethnic groups in the region were all on the alert. They realised that the natural resources they controlled are no longer secure. The common knotty question people raised was: What will happen next? The local peoples situation can probably best be described by the English proverb which goes: 'once bitten twice shy'. Fear of external threats and insecurity of tenure are issues that were running high among these ethnic groups at the moment. The local people were on the verge of losing total confidence in the state as represented by the regional offices of various ministries. The CFs have neither an interest in, nor the responsibility for, safeguarding the resource base of the local people. Right from the outset, very little has been done to create a generally positive response from the local people, even though protecting the constitutional rights of the people is the responsibility of the state. At this juncture one could raise questions pertinent to the legal land rights of the local people. What are the constitutional rights of the local people? What does the constitution say on the matter? These are two knotty questions which need and deserve more urgent attention in Ethiopia today than they are given here. Here I shall quote some of the relevant articles from the new constitution and offer a brief commentary on them.

Constitutional rights

Article 40 number 5 of the new constitution of Ethiopia, promulgated in 1994, states: "Ethiopian pastoralists have a right to free land for grazing and cultivation as well as a right not to be displaced from their own lands" (TGE 1994:19). It goes without saying that the indigenous people's loss of high potential grazing and agricultural land is against their established rights. Article 43 number 2 of the same constitution states: "All persons have the right to participate in national development and, in particular, to be consulted in respect to policies and projects affecting their community" (Ibid.22). As explicitly stated in the constitution the stated intention of the Ethiopian Government is that rural development projects should serve not only national needs but should also benefit the existing population in project areas. However, in practice, the Tsamako and some of their neighbours, whose environment and livelihood was, and is, negatively affected by the project, have been neither adequately consulted during the planning nor during the implementation phase of the irrigation project.

Article 92 number 2 and 3 respectively stipulate the rights of the local people: "The design and implementation of programmes and projects of development shall not damage or destroy the environment" (Ibid: 54). Moreover "People have the right to full consultation and to the expression of views in the planning and implementation of environmental policies and projects that affect them directly" (Ibid: 54). Such clearly stated constitutional rights of the local people were not translated into practice.

Conclusion

I have addressed, in this chapter, the effect of key resource alienation on local territory-based resource regulated use as articulated through the reciprocal interaction of national policies at the centre and the reaction of a marginalised group of people at the periphery. Until the early 1990s the remoteness and lack of physical infrastructure had reduced the impact of nationalisation on Tsamako natural resources in particular and the influence of central governments in the region in general. Thus, the Tsamako, probably like most other ethnic groups in the region, were little affected by the extension of administrative control to the south at the turn of the twentieth century. Nevertheless as time passes changes were inevitable. The political terrain changed dramatically over the century. So did the relations between the centre and the peripheries in the south-west region in general, and the Tsamako and some of their neighbours in particular.

Although the Tsamako continue to occupy the periphery of the country and they are maximally distant from the political centre, they have been directly or indirectly affected by such national and international social, economic and political developments as the establishment of large-scale mechanised commercial farms, the flourishing market settlements, and the construction of roads facilitating the process of the incorporation of the local economy into the market economy. In this chapter I have attempted to show how, from the Tsamako perspective, the loss of key part of this Valley saw the seeds of destruction - that is it undermined evolved systems of natural resource use regulation. This is one of the first, but certainly not the last, case which set the precedence in the region.

The alienation of 4,000 hectares of (principally Tsamako multiple-use savannah woodlands but also accessible to other groups) land from pastoral and agricultural production has

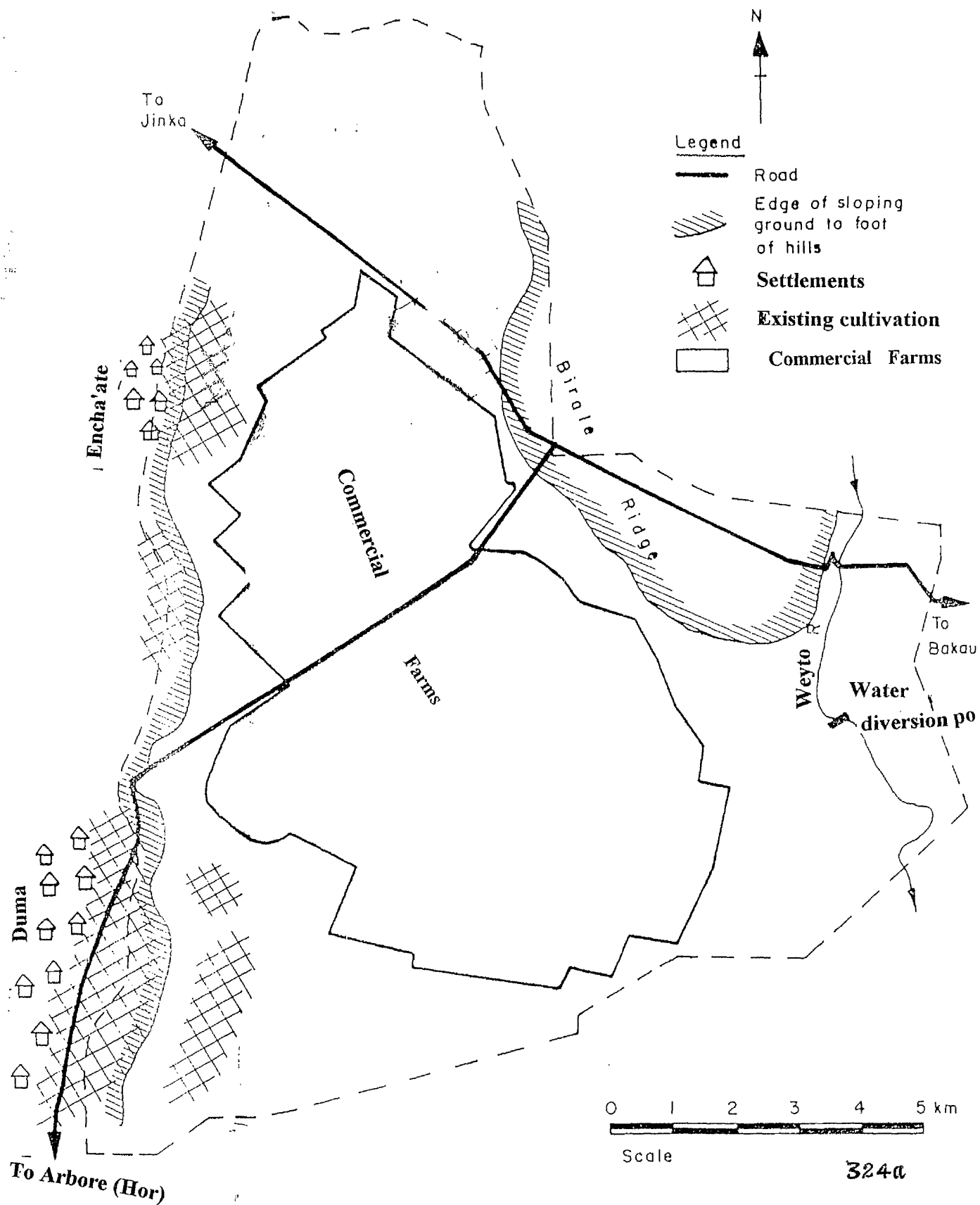
resulted in a number of unintended outcomes. Of these, the major long-term off-farm negative effects of the CFs is weakening the evolved rules that govern natural resource use among local communities.

It seems most likely that local people's access to grazing and irrigable lands will be increasingly restricted and that the CFs will be given more and more priority. This is reflected by the opinions and perceptions of many administrators' and development agents alike which seemed to have been shaped by the old unfounded prejudices against agropastoralists. A lack of avenue for the local people to communicate their side of the land alienation story and the language rift between local administrators and the local people are knotty problems they have to face. The lack of a mechanism for proper compensation is another. It seems that land issues in the Weito Valley are only going to get more and more problematic. It will undoubtedly become even more difficult to reconcile the different needs and interests of Commercial Farmers and the many agropastoral ethnic groups whose resource base in one way or another is related to the downstream of the Weyto basin.

Several lines of argument could be propounded on the causes of the disaster in the Valley. Briefly, this is the inadequate 'participation' of local ethnic groups at various levels and insufficient attention to the problem of security of land and other savannah woodlands and protection from encroachment by CFs. This land alienation has far-reaching repercussions, and because of its especially political nature, it seems to be very difficult to remedy. Customary coping strategies of moving between ecological areas of the Valley are being undermined by the degeneration of the diversity of natural resources in the area. More and more people among both the Tsamako and some of their neighbours are being obliged to exploit marginal lands. Above all the evolved rules that regulate the use of productive

resources have been seriously undermined. Under such circumstances it seems unlikely that these groups will consider environmental conservation as a priority, given the almost complete lack of long-term or medium-term locally acceptable employment opportunities outside the rural sector. This has a wide range of repercussions not only for the livelihoods of the local groups but also for the well-being of the environment at large. It should be noted that the root of the problem lies in the land nationalisation policy of the Derg (still kept intact), and the lease system both of which remain a mystery to most of the ethnic groups in and around the Valley.

**Map 5 Sketch Map Showing Location of the Commerical Farms,
Duma and Encha'ate**



CHAPTER 8: Conclusion

At the start of the thesis, in chapter one, I suggested that some of the dominant models and concepts of property relations, as they have been defined and developed in the 'West', or as products of a particular historical era, are not helpful to capture and appreciate property relations in non-western societies such as the Tsimako. By the same token the bipolar debate on property relations, that is communal versus private property rights, is not helpful either. I have tried to argue that these powerful models of property relations offer very limited analytical alternatives. The main limitations of these models, as Hann (1998:45) succinctly explains, are:

[The]...powerful models of property relations in the modern world are too simplistic. This applies both to the dominant liberal paradigm, which asserts the virtues of exclusive ownership, and its Marxist rival, which claims that state ownership can provide a viable alternative. Both paradigms elevate a property doctrine into a fundamental principle of social organization. In each case adherents of the paradigms believe that their property doctrine offers the optimum reconciliation of liberty with economic efficiency, and of both of these with 'justice'...

Instead of these models and the blunt-edge property concepts, I have followed the long-standing anthropological approach which sees 'property as a bundle of rights and property relationships as social relationships' (Hann 1998), which is more informative than the former ones in the Tsimako context. I have also argued that the conventional wisdom about the commons failed not only to make a distinction between common-property regimes and non-property regimes, but also neglected the role of customary institutions in managing and regulating the commons. Accordingly all categories of productive resources could be conceived as 'common-property regimes' that are neither exclusively held by individuals nor are 'open access resources' (non-property regimes). In other terms, I have suggested that each category of property as a 'bundle of rights' can be conceived as a set of differential (weak and strong), but overlapping rights of claims. The strengths of such rights of claims

vary spatially and temporally, depending on the social profile (age, gender and place of residence) and labour contribution of the social actor.

A brief perusal of some of the theoretical perspectives and their underlying premises, which make a distinction between the supremacy of one set of social relations over another, tends to have little analytical importance, because, among the Tsamako, entitlements to productive resources are not always defined by one set of relations or another alone. Kinship, for instance, might set the stage for an entitlement to artificial water sources but, without a constant labour contribution to the enlargement and maintenance work of the resource in question, the entitlement will be revoked. Following this line of reasoning I have argued that a combination of both ascribed and achieved criteria define ones' entitlements to different types of productive resources that, in turn, are dependent on the availability of variable resources.

The main thrust of my conceptual framework derives from the fact that a total 'exclusion' of individuals who hold some rights of entitlements in the use of productive resources under all circumstances is impossible by a given resource holding unit. An entirely exclusive control and use of a productive resource is neither morally and socially supported nor is it a feasible option for the unit on many grounds, including policing and protecting the resource in question. Furthermore, given the agroclimatic conditions of the region, ecological factors make resource productivity extremely variable so that flexible tenure arrangements, which allow the holding of secondary rights of access to each other's resources, are absolutely essential.

I have sought to decipher the patterns of the reallocation of productive resource rights of access and control and, have attempted to show how they are established, legitimised and/or socially sanctioned in space and time. The data is drawn from three territorial sections, one left relatively 'intact' and the other two exposed to external threats and affected severely by land loss. By identifying the social actors and/or units that are entitled to the reallocation, use and alienation of different productive resources, I have endeavoured to show the customary resource control and regulation mechanisms in the first research site (Luqa), and the beginning of the disruption (and perhaps the end of) such systems in the others (Duma and Encha'ate). Put in other terms, the contrast between the situation in the former and in the latter brings to the fore an important factor in the process of the emerging tenurial rule change in particular, and the collapse of the local natural resource management institutional arrangements in general.

Next I will sketch out some of the main themes that run through each of the seven chapters and draw some tentative conclusions. The first chapter began with the reconstruction of the relevant historical, political and economic factors and interethnic relations and sets the stage for the subsequent chapters. The second chapter dwelt on the various ways and principles of organising people into meaningful units in relation to productive resource control and decision-making about resource reallocations and enforcement institutions. Kinship, the generation grading system and neighbourhood, among others, are identified as key principles of recruitment into various social groups. The primary production and consumption unit has been identified as the *menie* (husband, wife/wives and children). A group of partilineally related *menie* form a *gende* (agnatic group), which is the next largest social unit that can be considered as a corporate unit in terms of the reallocation and use of such productive resources as livestock, bridewealth and some categories of water sources.

Communality of interests and a community of experience, based on neighbourhood and the generation grading system, link members of a 'territorial section' together and maintains its autonomy *vis a vis* another equivalent unit. A territorial section as a unit is represented by elders council which, in turn, is organised on the basis of residential and generation grading principles. A territorial section as a unit defines 'insiders' and 'outsiders' and thereby primary and secondary resource user right-holders. Hence territorial units are political units.

The third chapter dealt with the patterns of distribution of different species of livestock among households; and how differential but overlapping rights in such productive resources as livestock, bridewealth and labour are established and vested in different categories of people who hold different social statuses based on gender and age. Differential rights over productive resources are mediated by a range of ties, but more generally kinship and affinal ties figure prominently in mediating rights in livestock and bridewealth. Livestock, both hard earned and acquired through bridewealth payments, are inherited and transmitted from generation to generation through the rule of primogeniture. Livestock property rights are deemed to be key productive resource rights that entail a bundle of overlapping differential rights in which men have much greater say on livestock reallocations and disposal than do most women, and old men have more say than young men. Livestock not only express material differences between the 'rich' and the 'poor' households but also continue to be the major avenue of prestige and economic security. The thesis has also examined the customary mechanisms of regulating population growth, the levelling effects on livestock accumulation of the various livestock redistribution mechanisms, for instance, bridewealth, livestock loaning and rituals that require slaughtering a good deal of livestock. Such mechanisms along with ecological factors affect, the study suggested, the accumulation of

livestock by individuals and thereby contribute towards reducing the pressure on natural resources.

Chapter four and five looked at land tenure issues, and tree tenure rules and customary regulation mechanisms respectively. A man's place of residence and his territorial affiliation, combined with active participation in the activities and affairs of a territorial unit, determines his rights of access to a range of jointly managed productive resources such as arable land, grazing resources, trees and other savannah woodlands. Although such rights and entitlements to land, trees and savannah woodlands are secured by affiliation to a given territory, primary user rights over such resources can only be established by labour investment as discussed in chapters four and five. The most important ties and/or factors which mediate rights in such resources are, therefore, place of residence, territorial affiliation and labour investment. Nonetheless, primary user rights established through investment in terms of upgrading, protecting and/or policing the resource do not guarantee the right-holder to wield unrestricted forms of use. Such rights are rather attached to certain obligations as the community also has mutual interests in such resources. Primary user rights in trees for honey production, fruit producing and seed pods (for fodder) producing trees are cases in point, the primary user right-holder does not have the right to fell them.

More generally the study has demonstrated that labour investment is the main customary means by which individuals and households stake permanent claims to some categories of land, species of trees and sources of water. This is reflected in the fourth, fifth and sixth chapters which have looked closely at the various tenure arrangements about land, trees and water resources. The gist of the argument that runs through these chapters is that the key to understanding productive resource right reallocations and management issues is identifying

when and how resources become fertile (i.e., productive power). This is demonstrated by the fact that all efforts are channelled towards securing rights of control over the productive power of the resource in question and not over the resource per se.

Finally, chapter seven has shed some light on the effects of external threats to customary resource management arrangements in general, and the effects of land loss on the socio-economic lives of the people who live in the two territorial sections adjacent to the commercial farms in particular. I have sought to explain how the local level institutional mechanisms of regulating and managing resources are being eroded by such external threats as population immigration. The establishment of the commercial farms and the demand for casual labour encouraged migration from the highlands to the lowlands, the net result of which has been encroachment on pastoral land and/or multiple use savannah woodlands. Both commercial farmers and migrants compete with the local people for land, trees and water. Some of these resource uses, for instance, honey production, charcoal production and the modern commercial farming which applies chemicals are antipathetic to one another. These contradictory resource uses since the 1990s gave rise to the present natural resource use mosaic in the Valley, which at best is absurd and absent at worst. In this chapter my aims have been to give a rough picture of the resource use competitions and tensions which eventually led to an outburst of violence in the mid 1990s, and an appreciation of the likely long-term effects of external threats on customary resource management arrangements.

The friction born of competition for natural resources led to the emergence of buffer zones within which contested use-rights are often dominated by the more powerful commercial farmers who have not only the policy support but also the money to garner support at various levels of administration. I have argued that, in comparison to the large-scale

mechanised commercial farming, the customary natural resource use and management practices should be appreciated from the point of view of a long-term use of natural resources and 'conservation' of the environment.

Competition for natural resource use rights and the debates over the legitimacy of competing property claims is likely to continue to create tensions and violence between groups of resource users in and around the Valley. Given the socio-political conditions the situation is only going to get worse. The stage for these debates over the legitimacy of competing property claims is set by the following range of factors which are entangled with the constitution and the formal legal systems and administrative structures.

(a) The constitutional land rights of 'minority ethnic groups' have not yet been translated into practice, and moreover there is no space where the predicament of such groups can be addressed. Taddesse's (1999:278) statement says it all: "The weakness of the state institutions of law enforcement in protecting the lives and the property of citizens of the region together with the continued marginalization of pastoral peoples of the Ethio-Kenyan border, is evidence of neglect by regional as well as central political authorities." (b) The priorities of local groups are markedly different from the interests of the ruling elite both at the regional and national levels. Local groups are losing out politically and economically to powerful investors.

(c) One of the most practical limits placed on those Tsamako who expressed their wish to take their case before the court is the difficult access to the formal legal system. They do not have the resources necessary to pursue their cases through appropriate legal channels. Most importantly, their lack of knowledge of legal rights and remedies is the basic hurdle

they face at the moment. (d) In a situation where basic education is difficult, let alone a programme for legal education, people are not aware of their constitutional rights in general and land rights in particular.

(e) Furthermore, in a region where only a few people have a working knowledge of the official language of the regional state and can read and write those wishing to seek the enforcement of constitutional land and other natural resource rights are not likely to be successful in the foreseeable future.

Land tenure is, arguably, the most powerful policy instrument available for the government to influence small-hold producers' resource allocations in Ethiopia. The experience of the country since 1975 has conclusively shown that the top-down processes of land reform, despite their initial advantages, have resulted in insecurity of tenure among both highland peasant (See, for example, Hoben 1995; Dessalegn 1994a, 1994b; Ege 1994; and Yeraswork 1995), and lowland agropastoralist societies. The state land-holding system together with the lease system have been facilitating the alienation of lands in the lowlands which are exploited by multiple-users for multiple purposes. The policy implications of this is that legally enforceable state natural resource rights are not feasible options on many grounds: (a) it is not cost-effective because of a lack of intimate knowledge of the resources due to a lack of effective means of information acquisition and dissemination; (b) it rather created tension and confusion of rights to resources among different interest groups in the country; (c) it has given rise to a situation in which overexploitation of natural resources guided by the economic rationality of making short-term and medium-term profits at the expense of long-term goals and the environment. Therefore, the present government's land

and land-based resource policies, which favour large-scale mechanised commercial farming at the expense of small-scale farming and the environment, needs to be reconsidered.

Given the character of the political economy, it is not difficult to anticipate the continuation of the process of marginalisation and an increase in the displacement of lowland agropastoralists in the region under review. Moreover, given the policy context which encourages large-scale mechanised farming, it is not difficult also to see the region hosting more and more profit driven investors who are interested in the rapid exploitation of natural resources and profit maximisation. In the absence of an agency which can regulate such investors the future of the natural resources is bleak. As the Tsamako case has demonstrated the legitimacy of customary institutions are being gradually eroded by external threats and usurpation of land rights. These have amounted, at least in those communities adjacent to the commercial farms, to a process which is turning managed resources into 'open access' ones.

The new constitution of Ethiopia, conceived and crafted largely by the EPRDF and promulgated in 1994, has a lot to say on what is referred to as 'pastoralist land rights'. A right enshrined in a constitution is something but the translation of such constitutional rights into practice is something else. Furthermore, 'devolution of power' is the guiding principle of the present government. It is one thing for the present government to legislate devolution of power but quite another to implement this legislation, and something else again to recognise and empower local institutions.

The environment policy of Ethiopia approved in 1997, underlines, among other things, the need to carry out country-wide surveys on natural resource management issues for purposes

of devising management strategies. Envisaging an important problem the policy document states: "Given the need to harmonize potentially conflicting state and community or private commercial sectoral demands on natural resources and the environment, the institutional responsibility for undertaking land use planning at the federal and regional levels should not be within a single line ministry but in an agency which is impartial to all" (The Environment Policy 1997: Vol. II: 36). Most importantly the centre-piece of the policy is decentralisation of resource conservation strategic planning and the management of natural resources with the active participation of smallholder producers. As noted earlier in order to make decentralisation a guiding principle one needs to acknowledge local resource management practices and vest the authority of local level decision-making about resources in customary institutions and local groups. Here, I am not saying there is no space for the state to play any role at all, rather the opposite. Given the extensive livestock husbandry system (which is not confined to the Tsamako country) which relies on high potential dry season grazing areas between neighbouring groups, government sponsored policing efforts should be directed to the use and management of some of such key resources which were, and still are, a source of tension and at times conflict between some groups of users. There is ample evidence to suggest that the role of the state needs to be reserved to addressing the regulation of high potential key resources that have been a point of struggle and competition among different interest groups in the region. Thus, giving greater autonomy to local communities over land, water, trees and other woodlands on the one hand, and the regulation of some high potential resources in and around key river basins by an independent agency, are issues which deserve the urgent attention of the regional state planning authorities.

Will the Tsimako continue to remain out on the edge of induced major socio-economic changes as they have largely done in the past? Will they have room to pursue their own lot as they have always preferred to do? There are no easy answers. It is too early to assess the effects of the structural adjustment programmes. But the experience of some pastoralists, for instance those in Kenya - one of the leading countries in adopting and implementing the structural adjustment programmes including land titling - shows that they lost more than they gained. The official encouragement of large-scale mechanised farming, as demonstrated by the ten years experience of the commercial farming in Weyto Valley, reveals how the resource bases of the livelihoods of the local people who have limited opportunities can be devastated within a short period of time. The absence of a natural resource management strategy in operation is a major problem. The state's desire (as shown by its stated intention to maintain the state land-hold system) to use land reallocations as a means of garnering political support is another. Finally, the third one is entangled with the overall problem of our understanding of development difficulties, which I think is best summarised by Little's (1992:180) concluding statements:

Rural Africa, including the high-rainfall zones, is replete with contradictions that question the very foundations of most development approaches and force scholars to rethink theories of development and social change...[We should bear in mind] that merely because they pursue a livelihood and life style deemed "tradition-bound" and "exotic" by outsiders, pastoralists are no less affected by history and by national and global processes than farmers and city dwellers. As long as this is unrecognized and as long as the environmental, income, and food problems that plague dry regions of Africa are treated as unrelated, development solutions will continue to elude practitioners.

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Endnotes

A note on pre-harvest and post-harvest grain loss and storage

The issue of crop storage and harvest loss in semiarid ecological settings, in general, and rights and control over grain harvest, in particular, are relatively unexplored subject in Ethiopia. Here I wish to offer a brief commentary on the problem of storage facilities and harvest loss. Although the amount of both pre-harvest and post-harvest crop losses were information hard to obtain I observed the existence of a considerable grain loss in both the pre-harvest and post-harvest periods. In 1997 in Luqa an agricultural specialist has estimated the pre-harvest and post harvest crop losses at 20% and 50% respectively. This seems a widely spread problem among some neighbours of the Tsamako in the region, for instance, among the Muqecha area of Banna the pre-harvest and post harvest crop losses were estimated at 40% and 50% respectively (Mengistu 1997). These rates are very high in contrast to the national farm-level loss rate of up to 30 percent (McCann 1995).

Agents which cause damage to grain and result in both pre-harvest and post-harvest losses are many, ranging from wild pigs and birds before harvest to weevils after harvest. Post-harvest crop loss is in part due to poor storage facilities and poor crop stewardship. This is indicative of the total absence of extension services that might help the people in improving the extant grain storage systems. It goes without saying that apart from shortage of sufficient rainfall poor storage facilities contribute to the lean harvest. Thus it can be inferred that apart from the precarious nature of crop cultivation, poor storage techniques contribute in part towards making the consolidation of socio-economic differentiation less solid in this region than in those with richer resources.

The household head constructs *doro*, wooden bed one to two meters lifted up from the ground, at the farm some weeks before the task of harvesting begins. Harvested grain is temporarily stored in *doros*. Annual grain yield is assessed in terms of numbers of *doros*. Surplus grain, usually a rough estimation of grain excess of the household's needs beyond the next harvest, has to be exchanged for livestock. This is the right of men as household heads although wives are normally consulted and have a say on how much grain should be reserved for the household versus the amount that can be exchanged. This also varies depending on the socio-economic and demographic profile of the household in question.

In a household where there are two wives normally household farms are explicitly named after the household head but implicitly are divided amongst wives. Ideally the yields of a wife's farm should be stored separately and managed by her. This right is cemented further as she is, in principle, held responsible for the transportation of the grain from the *doro* and storing it into a *kodo*, granary. In practice she might be assisted by children and sometimes by her husband using beasts of burden. The management of stored grain in a *kodo*, including grinding and converting it to food and if necessary exchanging grain for another gain are the prerogatives of wives.

A note on customary soil conservation measures

It is widely acknowledged that tillage methods and crops play an important role not only in soil and water conservation but also in decreasing the rate of decline of soil quality. While

tilling rain-fed agricultural land, among the Tsamako people carry out the task in relation to the direction of flow of run-off water making sure that the water will not spill over the field. In other words people make furrows in the opposite direction to the flow of run-off water. Once the water enters a field it will be dispersed throughout the field via these furrows. A simple observation of newly furrowed fields of rain-fed agriculture proves this fact. Floods gushing down from the slopes of the hills after heavy rain are diverted to farms and artificial water ponds by means of ditches known as *gabdie*. And this practice helps to prevent soil erosion. People make *gabdie* just before the onset of the rainy season and before they commence agricultural operations. Such measures can simply be termed as water harvesting techniques ultimately designed to restore water for the purpose of not only growing crops but also for human and animal consumption. Below I seek to examine some of the physical and structural measures that people take to prevent soil erosion. But before that a couple of points need to be sketched out.

One could argue that those measures described above are ultimately taken to conserve water not soil. Therefore such measures are not primarily meant to prevent soil erosion. That seems certainly true. But these measures primarily designed to deal with water conservation problems are also indispensable soil preventive measures from water erosion. The point at stake underlies the problem of making a clear-cut distinction between the deliberate management of a natural resource from the resource use practice as exhibited on a day-to-day basis.

Physical measures such as *telto* (stone terraces) are constructed to prevent soil erosion among communities who live on the hillsides. Materials used are stones and soil. Both cultivated and grazing lands are terraced. This is one of the features that distinguish lowlanders from highlanders within the same society. Why are *telto*s common only among people who live on the hillsides, but not among lowlanders? Certainly, like those who live in hillside, those who live in the lowlands know how to make *telto*s. But instead of *telto*s the latter make *tukie* (a kind of check dam) as the main means of soil conservation. In that *tukie* as a measure intended to prevent soil erosion in the lowlands is similar to that of *telto* in the hilltops. Basically the techniques are similar except for the difference in the types of materials used. On the hilltops the availability of stone dictates the kind of terraces people make while the absence of stones in the lowlands force people to use dead wood and tree branches to make such check dams. More generally Luqa residents, understanding of the means of preventing soil erosion was considerable, as revealed in the household survey carried out in 1997. It should be noted, however, that some informants contended the fact that trees can prevent soil from water erosion but not from wind erosion.



Plate 1 (top) A view of Ero woodlands with Tsamako mountains scenery and;
Plate 2 (bottom) A view of Luqa with Tsamako mountain range in the background





Plate 3 (top and bottom) Slaughtering livestock for a *gilo* ritual in Shalla





Plate 4 (top and bottom) Luqa people dancing at a *gilo* ritual in Shalla





Plate 5 (top) Oyto Girma (case no. 12) and;
Plate 6 (bottom) People hoeing and sowing grain in Ero flood receded land





Plate 7 (top) A field of maize in Ero flood receded land and;
Plate 8 (bottom) Water furrows in a field of maize (rain-fed agriculture)





Plate 9 (top) A man making a hive and,
Plate 10 (bottom) Hives being smoked with incense



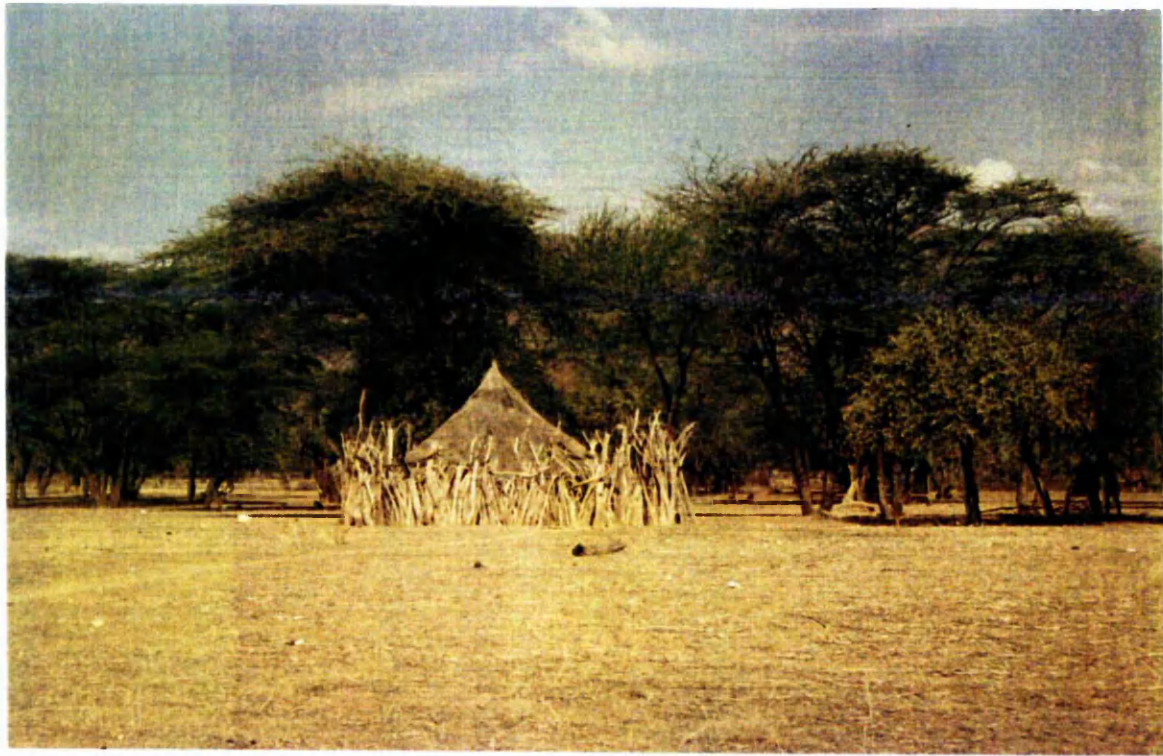


Plate 11 (top and bottom) Typical Tsamako huts



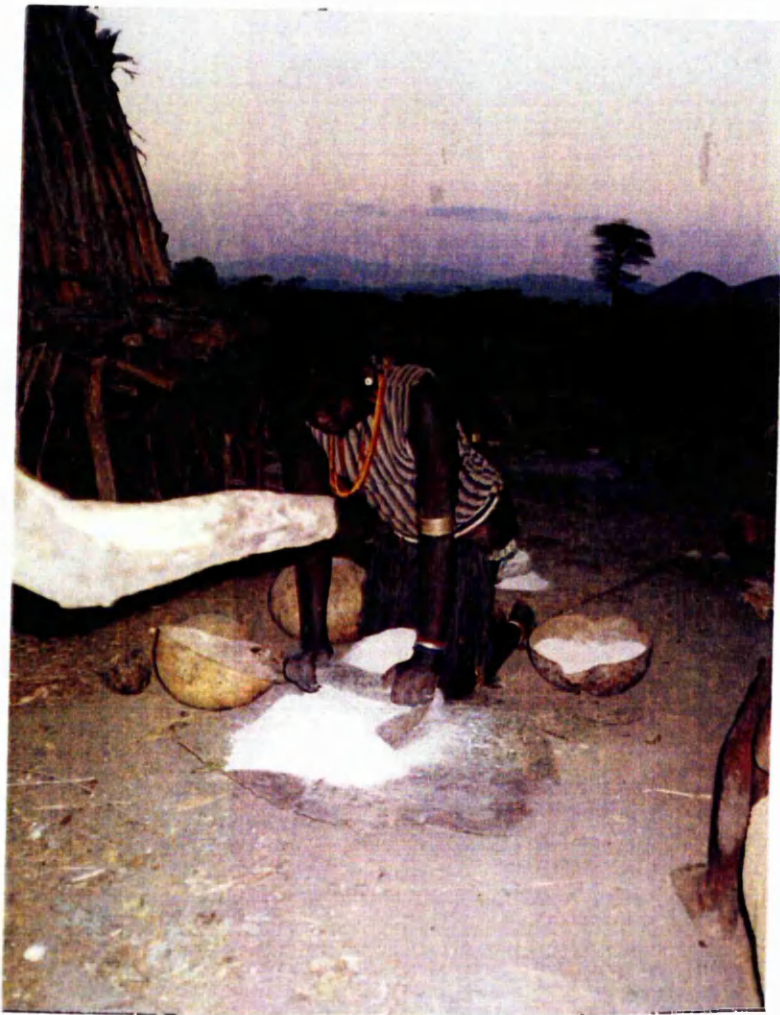


Plate 12 (top) Women grinding grain and;
Plate 13 (bottom) Bread being baked with a stone pan





Plate 14 (top) *Deraytie* (flowers used for making mattresses) and;
Plate 15 (bottom) An incense tree





Plate 16 (top) A man feeding his sheep acacia seed pods and;
Plate 17 (bottom) A mother with her children collecting acacia seed pods





Plate 18 (top and bottom) Hives live in acacia trees





Plate 19 (top and bottom) People upgrading a *dalba*





Plate 20 (top) Livestock being watered from a *dalba* and;
Plate 21 (bottom) Women fetching water from a *dalba*

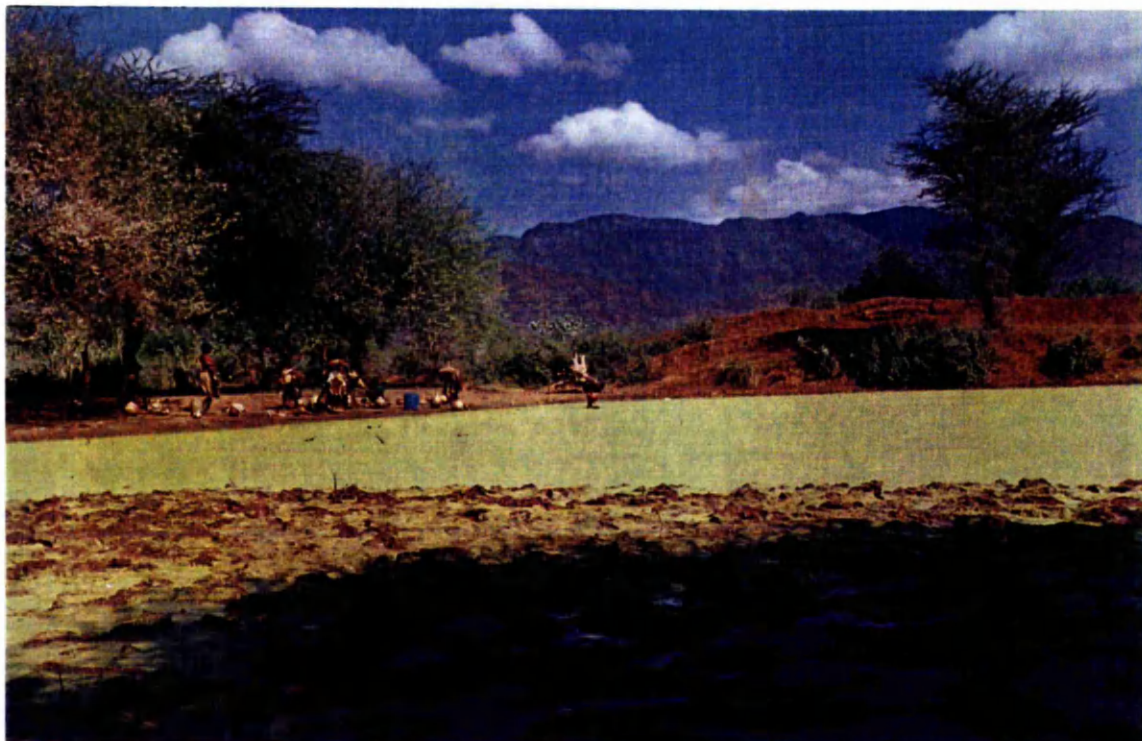




Plate 22 (top) Woodland bulldozed for commercial farming and,
Plate 23 (bottom) A view of the cotton plantation



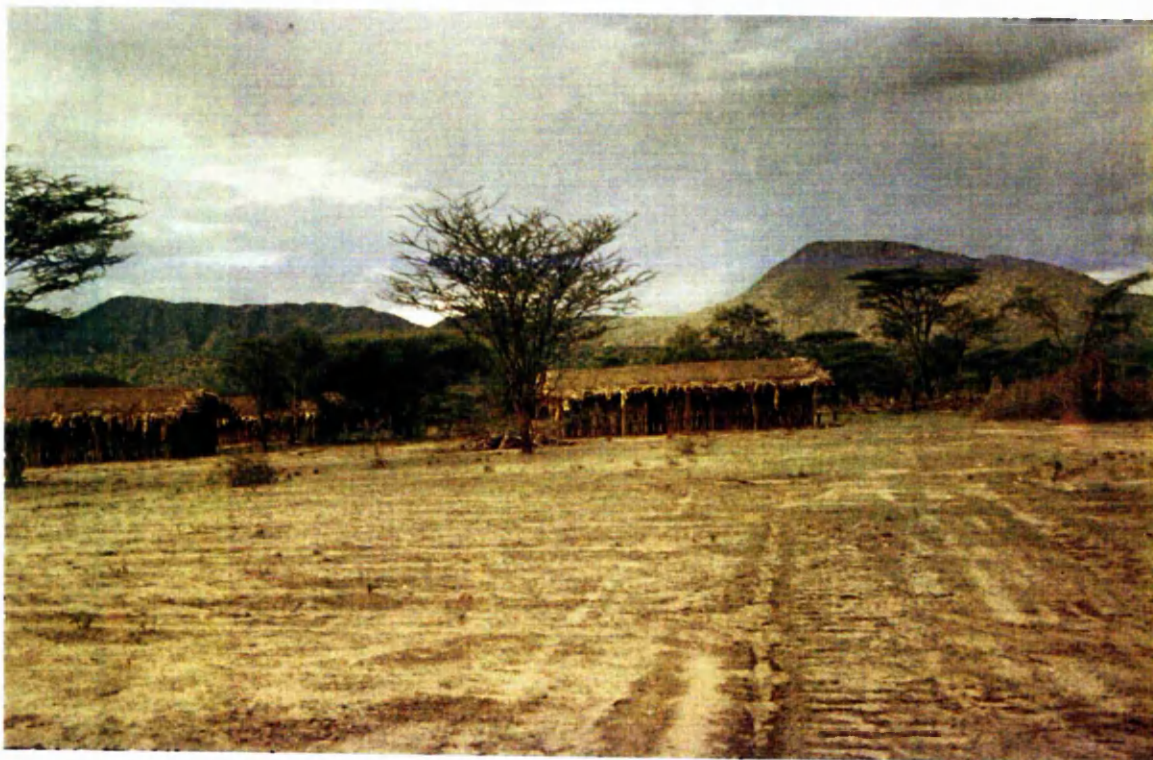


Plate 24 (top) Houses constructed by the CFs for seasonal labourers and;
Plate 25 (bottom) People on a market day at Weyto

