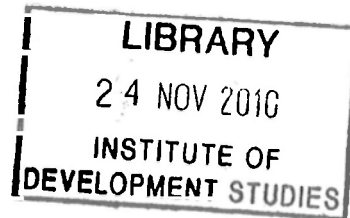


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SEARCHING FOR TENURE SECURITY?

The Land System and New Policy Initiatives in Ethiopia

*Dessaiegn Rahmato
Forum for Social Studies*

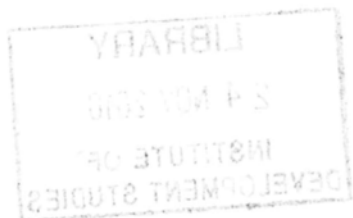
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Table of Contents

Acronyms	ii
Abstract	iii
Preface	iv
1. Introduction	1
2. Current Tenure Policy	2
2.1 The Policy Framework.....	2
2.1.1 Common Features.....	9
2.2 Women's Right to Land.....	9
2.3 Government Justification for Policy.....	10
3. Impact of Current Policy	12
3.1 Insecurity.....	12
3.2 Landlessness.....	14
3.3 Agricultural Productivity.....	17
4. New Policy Initiatives	18
4.1 User Right Documentation.....	18
4.1.1 Limitations Associated with Documentation.....	21
4.2 Resettlement.....	22
5. Migration	30
6. The Emerging Land Market	31
7. Conclusion: The Way Ahead	34
7.1 Issues for Debate.....	34
7.1.1 A Plea for a Fresh Debate.....	34
7.1.2 Tenure Security.....	35
7.1.3 User Right Documentation.....	37
7.1.4 Population Movement.....	38
7.1.5 Resettlement.....	39
7.1.6 The Land Market	39
7.2 Gender and Land.....	40
7.3 Searching for Tenure Security.....	42
Annexes	44
References	47

Acronyms

ANRS	:	Amhara National Regional State
CSO/CSA	:	Central Statistical Office/Authority
DA	:	Development Agent
DPPC	:	Disaster Prevention and Preparedness Commission
EEA	:	Ethiopian Economic Association
EPLAUA	:	Environment Protection, Land Administration and Use Authority
EPRDF	:	Ethiopia Peoples' Revolutionary Democratic Front
EWLA	:	Ethiopian Women Lawyers Association
FDRE	:	Federal Democratic Republic of Ethiopia
Ha	:	Hectare
IDR	:	Institute of Development Research (Addis Ababa University)
IDS	:	Institute of Development Studies (University of Sussex)
IIED	:	International Institute for Environment and Development
ILRI	:	International Livestock Research Institute
IMF	:	International Monetary Fund
MoFED	:	Ministry of Finance and Economic Development (Addis Ababa)
NCFSE	:	National Coalition on Food Security in Ethiopia
NGO	:	Non-Government Organization
ONRS	:	Oromia National Regional State
PA	:	Peasant Association
PRSP	:	Poverty Reduction Strategy Paper
Qn	:	Quintal(s)
RRC	:	Relief and Rehabilitation Commission
SDPRP	:	Sustainable Development and Poverty Reduction Paper
SNNPRS	:	Southern Nations, Nationalities, Peoples Regional State
TNRS	:	Tigray National Regional State
TPLF	:	Tigray People's Liberation Front
UNEUE	:	United Nations Emergency Unit for Ethiopia
UNHCR	:	United Nations High Commission for Refugees
UN/OCHA	:	United Nations Office for Coordination of Humanitarian Affairs

SEARCHING FOR TENURE SECURITY?

The Land System and New Policy Initiatives In Ethiopia

Dessalegn Rahmato

Abstract

This study examines broadly the Federal land policy framework as well as legislation pertaining to land issued recently by the four main Killils, namely, Tigrai, Amhara, Oromia and Southern Killil. It also looks into the new initiatives undertaken by the government to address the problems of tenure insecurity, namely user right documentation, underway in Amhara and Tigrai, and resettlement. Critics of the land system have argued that the policy promotes insecurity of tenure because it allows, among other things, periodic redistribution, is inefficient because it constrains land transactions and has inhibited the emergence of a dynamic land market, promotes fragmentation of land and growing pressure on land resources because it discourages rural people from leaving their farms for other employment opportunities; it also gives the state immense power over the farming population because land is state property. The legislations issued by the different Killils are not in harmony with each other or with Federal legislation, and, all except that issued by Oromia, have not sufficiently addressed the main causes of tenure insecurity.

One of the new initiatives being tried out in Tigrai and Amhara is user right documentation. Documentation is being undertaken within existing legal and policy frameworks. While it may be too early to judge, it does appear that documentation has promoted a sense of security among peasants who have received the documents. This is to be welcomed. However, the documents do not entitle holders any more benefits than those contained in existing legislations. Holders cannot use the document as collateral to borrow from financial institutions. Documentation has been undertaken for the most part without the use of modern surveying and mapping techniques. Documentation by itself, however well it is undertaken, will not be sufficient to ensure full tenure security. The resettlement program now under way is a cause for great concern. The program is already facing many difficulties because it was carried out without adequate preparation, and under the erroneous assumption that there is plenty of unused arable land in each Killil to accommodate a large settler population.

The study concludes by stressing the need for a fresh public debate on the land question, focusing on tenure security (instead of tenure regimes as has been the case in the past) because, despite government's objections, the subject is too important to be ignored.

Preface

This study is published in the hope that it will contribute, even if in a small way, to the public debate on the land question in this country. I am hopeful the work will be of some use for two main reasons. First, there has been a growing demand for reasoned debate on rural land tenure and the economic, social and political consequences associated with it for quite some time. The demand has come from many social sectors and interest groups, including civil society organizations, the media, the private sector, the donor community and academia. It may seem paradoxical but the need for greater informed discussion on the subject has been fuelled by the government's continued refusal to be drawn into the debate and its adamant position that as far as it is concerned the land issue is a "dead issue". On the other hand- and this is the second reason for publishing this work- the existing debate has been bogged down in what is turning out to be a sterile argument over ownership regimes. The single-minded determination to convince that state or private ownership is more appropriate for this country has impoverished the debate.

I believe it is now necessary to shift the focus of the debate away from tenure regimes to tenure security if we wish to arrive at a fruitful outcome. In the last section of this study I have sketched out what I consider to be a starting point for the search for security of rights to land. Obviously, any informed debate on security will have to take into account the country's agrarian history of the last half century on the one hand, and on the other the relevant experiences of other countries in Africa and elsewhere.

This study began life as a presentation in a panel discussion organized by the Ethiopian Economic Association several years ago (EEA 1997; also 1999). It has since been extensively revised, expanded and updated on a number of occasions. Various versions of it have been presented in public forums organized by a number of civil society organizations, and submitted as a commissioned report to a couple of international donor agencies. The present draft has benefited from all the comments that were made on earlier drafts.

For the discussion of user right documentation, I have benefited from a short field trip undertaken in May and June 2004. An assistant of mine visited both Amhara and Tigray *Killils* to gather information from the relevant offices, and was able to interview a number of government officials, peasants, peasant leaders and others regarding the administration and significance of the documents. At the time of writing it was only the two *Killils* which had an on-going program of user right documentation.

1. Introduction

This study is based on Federal and *Killil*¹ policy documents, information gathered on a recent short field visit to Amhara and Tigray, a select number of published and unpublished material, and my own field experience over the last two decades. The discussion will focus on the broad Federal policy framework as well as legislation issued by the four main *Killils*, namely, Tigray, Amhara, Oromia and Southern *Killil*. It will also examine the new initiatives undertaken by the government to address the problems of tenure insecurity, namely the issuance of user documents, underway in Amhara and Tigray, and resettlement. The work is concerned with tenure policy as it applies to farmland held by settled farming communities in the highlands of the four *Killils*. I shall leave out land held by pastoralists and the legislation of the predominantly pastoralists *Killils* such as Afar, Somali, and Gambella².

The three decades since the mid-1970s have been times of profound and rapid change in Ethiopia, which have been accompanied by a high degree of institutional instability, particularly in the rural areas. Not only has the country witnessed three political regimes, but also significant economic and social policy reforms impacting on property ownership, state structures, and resource management (see Annex 1 at the end of this study). The policy framework that is at the center of all these changes, and which has been an important factor in the poor performance of the rural economy is the radical reform of agrarian relations set in motion with the promulgation of the land reform in the mid-1970s. Reform defined the parameters of the property system in force today, including rights of access to land and to environmental resources.

The land reform of the Derg, which in large measure is still the basis of the present land system, had noble intentions, and many, including this writer, believe that it was a necessary measure to bring to an end the archaic land system of the Imperial regime and the exploitation of the peasant population. The initial legislation was welcomed by a majority of the peasantry but subsequent policies and practices transformed what was potentially a positive measure into a cause for rural insecurity and growing poverty (Dessalegn 1993).

The reform abolished all customary rights to land and vested in the state the power to redefine rights of property and access to land. It dispossessed the landed classes and distributed land to peasants who were organized in Peasant Associations and who were entitled to land as residents of their *kebelles*. The peasant had only usufruct rights to the land which he/she could not transfer to others except to children who themselves were not beneficiaries of the reform. These usufruct rights were moreover dependent on the peasant's continued residence in the *kebelle*. Land transfers could only be possible through periodic

¹ I prefer the term *Killil* rather than Region because the latter term does not correspond to the Amharic word; it is also confusing in some contexts.

² To the best of my knowledge none of the pastoralist *Killils* have issued land legislation.

re-distributions. Each child on reaching the age of eighteen was entitled to a plot in his or her *kebele*, and this meant that redistribution was inevitable. In the period up to the second half the 1980s, there were between three and four redistributions in various parts of the country. Naturally enough, many peasants ended up losing a portion of their land after each redistribution, and there was thus what may be called a dynamic process of levelling down (for more details, see Dessalegn 1984). We should add to this the fact that parents also distributed parcels of their plots to their children according to local customary inheritance and endowment practices, with the net result that the family holding was further sub-divided.

Critics of both the Derg's and present land system have argued that the policy promotes insecurity of tenure because it allows, among other things, periodic redistribution (or at least the threat of redistribution hangs over many peasants), is inefficient because it constrains land transactions and has inhibited the emergence of a dynamic land market, promotes fragmentation of land and growing pressure on land resources because it discourages rural people from leaving their farms for other employment opportunities, and gives the state immense power over the farming population because land is state property (Dessalegn 1994; Bruce, Hoben and Dessalegn 1994; Tekie 2000a,b; EEA 2002),

2. Current Tenure Policy

2.1. The Policy Framework

The present government's land policy is for the most part similar to that of the Derg. What is significant in the present case is that land policy is now enshrined in the Constitution which entitles each adult in the rural areas that wishes to live by farming land sufficient for his/her livelihood; access to land for rural persons is thus a right. Land is here defined as the property of the people but is administered on their behalf by the state³. In effect land is still state property, and peasants thus have only use rights over plots they have in their possession. This principle is reproduced in all *Killil* legislations. Land cannot be sold, exchanged or mortgaged, but the present policy does allow short term leasing or sharecropping as well as the hiring of labour, both of which were illegal under the Derg.

Current policy also allows the transfer of land to one's heirs, though some *Killils* have put conditionalities on such transfers. The 1997 Tigray land proclamation, for instance, allows only siblings who are dependent on their parents to inherit land from them; siblings who either have land of their own or

³ The key articles in the Constitution regarding land tenure are: Article 40, sub-articles 3, 4, 6, and 7; and article 52, sub-article (d) (FDRE 1995).

derive "sufficient" livelihood from non-agricultural activities are not entitled. However, according to Federal policy, periodic land redistribution remains the main measure by which land is transferred from one user to another. The Federal government's new rural development policy document states that the government will have the right to redistribute land whenever it finds it necessary. The document concedes that periodic redistribution does not contribute to tenure security, but says its bad side must be weighed against its good side, namely the opportunity it provides the young and landless to get rights to land. It suggests as a compromise that tenure security may be promoted if *Killil* authorities were to assure rights holders that there will be no redistribution for 20 or 30 years (FDRE 2001: 68, 81-83).

The 1997 Federal land administration proclamation sets out guidelines for future land redistribution, and transfers the power to administer land, including the power of redistribution, to the *Killils*.

At present the administration of land has been vested in the Environment Protection and Land Administration and Use Authority (EPLAUA) which has recently been established by law in each *Killil*. Each Authority is responsible also for environmental protection and natural resource management. Each has a management board accountable to the *Killil* president. While some of the *Killil* legislations were issued before this Authority was established, the body has been given the power to draft legislation and issue policy guidelines. All the four *Killils* have now issued land administration and land use legislations. The broad measures adopted by all *Killil* legislations conform to the Federal legislation, however, there are significant differences and discrepancies in some respects as will be pointed out below. We should note that there have been some attempts especially by the later legislations to address some of the concerns raised by critics of the land systems noted above. The earliest land legislations were those issued in Tigray and Amhara; these were subsequently followed by Oromia and Southern *Killil*.

There is unanimity in all *Killil* legislations that land is state property and that the rights holder has only use rights over the land. Thus private property in land and the right to permanent transfer by sale, mortgage or other means of exchange is prohibited. In all *Killils*, rights to land are subject to a wide variety of conditions, failure to comply with which may lead to the loss of one's holdings. The legislations of Amhara and Tigray either explicitly state or strongly imply that access to land is conditional on continued residence in one's kebele or in the rural area. Moreover, the threat of periodic redistribution has been laid to rest explicitly only in the Oromia legislation, as we shall see further down.

The 1997 proclamation issued by Tigray does not expressly rule out future land redistribution, though it does not expressly refer to it. However, the legislation (as well as the amendment issued in 2002) recognizes that all the provisions contained in it are in conformity with Federal legislation. The

proclamation also states that a rights holder who has left his or her *kebele* for over two years forfeits his or her rights and the land in question will be reallocated by the *kebele* council to landless members of the community. Rights holders here have the obligation to undertake soil and water conservation measures and to care for the trees on their land. They are not allowed to grow plant species that are "harmful" to the soil. While it is not specifically spelt out, it is implied that rights holders who do not comply with these obligations will lose the land under their possession. There are a variety of penalties for those who are found to engage in land sales or purchases, or land transfers not in conformity with the legislation.

Similarly, the Amhara land administration and land use proclamation of 2000 sets out a number of obligations that rights holders have to comply with as a condition of keeping the land in their possession. These include undertaking soil and water conservation measures, planting suitable tree species on or around their plots or caring for such trees that may already be on them, employing "proper" land management practices, constructing suitable flood control structures, and other land improvement measures. The legislation states clearly that holders who fail to carry out these obligations will lose their rights to the land. Neither the Tigrai nor the Amhara legislation specifies who determines whether the rights holder has failed to fulfil his/her obligations and how such determination is made. Neither legislation mentions bringing up the matter before a court of law.

The Amhara proclamation states that land redistribution will not be undertaken in the future unless it is requested by the community, supported by research or found to have no deleterious impact on land productivity. However, if these conditions allow it, redistribution will be carried out in accordance with the law. Redistribution is thus not ruled out but the manner in which the decision is undertaken is now redefined. It should be pointed out that the controversial redistribution undertaken by the *Killil* in 1997 has left a legacy of suspicion and fear among a large number of Amhara peasants. All *Killil* legislations state that redistribution will be carried out on land brought under irrigation.

In both Tigrai and Amhara *Killil*, peasants are allowed to lease their land on a short-term basis. The Tigrai proclamation of 1997 stipulates that the length of the lease period will depend on what kind of technology the lessee employs on the land. The lease period may extend up to ten years (20 years according to the 2002 regulation issued by the *Killil*) if the lessee employs "modern technology" but only up to two years if he/she employs "traditional technology". The document does not define what constitutes modern or traditional technology, nor what the lease period will be if the lessee employs a combination of both. No such distinction is made in the Amhara legislation which states that the lease period will be defined in future policy documents. A draft policy document issued recently (ANRS 2002: 20) now provides details on

this issue. If the lease period extends for over three years, the contracting parties are required to notify the *woreda* desk of EPLAUA. If however the period is for only "two crop seasons", the parties need only notify the *ke'elle* administration and the *kebelle* EPLAUA committee.

Investors who wish to get access to government-held land are required to sign lease contracts with the *Killil* governments, the duration of which ranges from 25 years in Amhara to 30 years in Oromia and 50 years in Tigray. There are also a number of specific conditions that they have to meet in order to keep their contracts. These include using the land according to the original plans submitted by investors and approved by the *Killil* governments, proper care of the land, protection of wildlife, biodiversity and the environment, and setting aside some land for the planting of local tree species. All *Killil* legislations state that investors will be provided land only if it does not involve the displacement of peasant farmers.

There are two other important factors that have added to tenure insecurity among landholders: the first is the absence of a clear justice system for settling land disputes, and the second the authority given to different government agencies to intervene in land matters. During the Imperial regime, the local courts were the only authority (outside traditional institutions) that had the competence to hear cases involving land disputes. The main criticism of these courts at the time was that they were thoroughly corrupt and almost invariably ruled against the poor and in favour of the rich and privileged. The Derg deprived these courts of the power to try land cases and vested such powers in the newly created Judicial Tribunals which were a part of Peasant Associations. All land matters at the *kebelle* level were brought before the Tribunals (Dessalegn 1984). The present government has abolished these Tribunals on the one hand but has established what are called Social Courts at the *kebelle* level on the other; these Courts are not expressly empowered to hear land cases which are now the competence of the regular *woreda* courts. To the average peasant, the *woreda* is too far away from his/her locality and taking one's case there is inconvenient, time-consuming and costly.

What is equally problematic is that there are numerous government agencies and officials that have a say in land matters. The local Development Agent (DA), the *kebelle* council, and officials from the Offices of Agriculture, and of Land Administration and Land Use, each can make decisions that may threaten an individual household's rights and access to land. The package program, for example, which was launched in the mid-1990s and which consisted of the dissemination of modern inputs and new farm practices to farmers, was undertaken, in the initial stages, on a pilot basis, and local government agents were in charge of selecting the participants and running the program. Frequently, peasants who were reluctant to participate were forced to do so because of the threat of dispossession. Trials of new inputs, new farming techniques or new strains of poultry or dairy animals were undertaken in similar

fashion: reluctant peasants were pressured to be involved because of the threat of dispossession. The decision to alienate part or all the possession of an individual, and to allocate land to someone and not to another during redistribution, for example, was made by such administrative officials in Amhara and not by a court of law. Similarly, the power to expropriate someone for having failed to fulfil his/her obligations, or because he/she has been away from the locality for some time is given to the bureaucracy and not to the courts. Thus, in many aspects having to do with land at the local level, the rule of law is disregarded. This has given the bureaucracy immense power over the peasant.

A third problem is that quite frequently officials at lower levels (particularly in the *woreda* and *kebele*) are ignorant of the content of legislations and policies they are supposed to administer. Copies of such documents are rarely provided to the DA, the *kebele* or *woreda* authorities, and neither are these officials adequately briefed about government decisions. Thus officials that have the closest contact with the peasant farmer interpret the law or government policy not according to what it actually says but what they think it does, and there is often a big gap between one and the other. For example, until quite recently, *kebele* officials in some *woredas* in East Gojjam prohibited peasants from planting any tree species, on the grounds that this was government policy, but as we have seen above the Amhara land legislation prohibits only a few tree species (such as eucalyptus and cactus) but encourages rights holders to plant or care for all useful tree species.

Both Oromia and the Southern *Killil* have now finalized legislation on land administration and land use. Let us look at each in turn. Comparatively speaking, of the four *Killil* legislations, the Oromia legislation is by far the best in many respects. It has attempted to address some of the deficiencies of the country's land policy and, if successfully implemented, may, in the long run, serve to remove some of the causes of tenure insecurity (ONRS 2002).

In accordance with the Constitution and other Federal land policy, the Oromia legislation states that land cannot be sold, or exchanged in any way (Article 4.1). Article 5.1 states that any resident of the *Killil*, 18 years or older, who wishes to live by farming has the right to get access to land free of charge. This is unfortunate because it assumes that the *Killil* can deliver whenever any rightful person puts in his/her claim, and that there is plenty of land to distribute. As we shall see below, there is severe shortage of farmland in all parts of the country, and because of this, there is growing landlessness on the one hand, and farm plots are progressively getting smaller on the other.

The legislation affirms that rights to holdings are for life, and that no one will be deprived of these rights under any circumstances, unless the land in question is needed for investment by the state for the public good, in which case the person will be compensated for all the investments on the land (Article 6). It prohibits future redistribution of land, except in cases involving land in irrigation schemes (Article 14.1). Unoccupied land or land which has no heirs

will be distributed to the landless and the poor, or rented by the government to investors. Rights to land will not be terminated if the holder leaves his/her *kebele* and resides elsewhere (Article 15.5). As we shall see further down, among some of the factors that have exacerbated tenure insecurity are periodic redistribution on the one hand, and land rights tied to continuous residence in a *kebele* on the other. Rights holders will be provided with certificates of tenure as a means to promote security of holding. Since men and women have equal rights to land, the family holding will be registered, and a certificate issued, in the name of both husband and wife. In case of divorce, the family plot will be divided equally between them (Articles 6, and 15.2).

Rights holders are entitled to lease part of their land (up to half of their allotment) to others. The lease period will be up to three years if the lessee employs "traditional technology", or 15 years if he/she employs "modern technology". The legislation defines modern technology to mean mechanization, or the use of agrochemicals and improved seeds. Holders who are unable to personally cultivate their land are allowed to have it farmed for them by hired labor.

Rights to land come with a number of conditionalities that the rights holder is obligated to comply with. Overall, the holder's obligations are similar to those found in the two legislations discussed above. Briefly, they include good management of the land, soil and water conservation, refraining from planting "harmful" vegetation, including eucalyptus and cactus, and care for what the document calls "mother trees" standing on farm plots.

Of the four legislations, only the Oromia legislation expressly relies on the rule of law to resolve land conflicts or in the event punitive measures are contemplated (Article 25). Land disputes are adjudicated, in the first instance, by the *kebele* Social Court, but if they are not resolved to the satisfaction of all the disputants concerned, they may be taken to the *woreda* court; appeals to a higher court is possible in the event of dissatisfaction with the decision at the *woreda* level. Moreover, rights holders found in breach of the provisions stipulated in the legislation are sued in accordance with existing civil or criminal law.

The Oromia legislation provides many improvements on the other legislations, however, even if a concerted effort is made to inform the farming population about its content, it will take many years before land holders in the *Killil* will feel sufficiently secure about their entitlements.

The legislation prepared by the Southern *Killil* in 2003 (which still has not been published in the *Killil's* legal gazette) is in many ways a cross between that of Amhara and Oromia. It has some of the weaknesses of the former but not many of the strengths of the latter (SNNPRS 2004). As in all the other legislations, the *Killil's* law states clearly that land belongs to the state and cannot be sold or mortgaged.

Article 6 of the legislation provides that rights of access to land is open to

all the country's citizens aged 18 and above who wish to live by farming. However, the legislation does not *expressly* state that women have as much right to land as men. Customary law in many parts of the *Killil* prohibits women from holding land in their own right, and, in view of this, women's rights should have been expressly provided in the new law. Rights to land may be passed on to heirs or other members of the family either through inheritance or by gift. Rights holders will be issued a certificate of holding on which the names of both husband and wife will be recorded. In the event of divorce, rights held jointly will be divided between husband and wife, however, if the land is too small to be divided one party will have to forfeit their rights for which they will be compensated. Rights holders will not lose their rights if they leave the *kebelle* (ie change their place of residence), or in the event of death (Art. 8).

Landholders have the right to rent out their holdings but only to those who are engaged or willing to be engaged in agricultural pursuits. The legislation states that the *Killil* will issue regulations in the future defining the terms and conditions of land rentals, in the meantime, however, all customary rental agreements or written contracts now in place are rendered null and void (Article 7).

Though it is stated early on (in sub-article 6.7) that rights holders are assured of security of tenure, there are provisions later in the legislation that contradict this. Rights holders may lose their holdings if they do not "properly manage" the land under their care and if this results in serious damage to the land, or if the holder leaves the land unused for a period of time to be determined by the authorities (Art. 9). What "proper management" of the land or "serious damage" means is not defined in the legislation. Holders will also lose their rights if there is fresh redistribution. Article 12 states that there will not be land redistribution in the future, but this is conditional: redistribution *will* be undertaken if it is requested by the community, if the need for it is supported by research and if it is found to have no deleterious effect on land productivity.

The rights of holders are subject to a long list of obligations that they must comply with (Article 15). Failure to do so, and especially if such failure leads to "damage" to the land will have serious consequences, including the loss of rights. These obligations include planting or caring for local tree species and not planting species harmful to the soil, such as eucalyptus; undertaking or caring for soil conservation measures; protecting wildlife or biodiversity found on the land; refraining from cultivating plants prohibited by law (such as opiates), and others. Further, rights holders are required to improve the fertility and carrying capacity of the land by the use of appropriate technologies; this is seen as a means of addressing the problem of growing population pressure on the land (Art. 21).

The legislation does not provide a proper judicial framework for the resolution of land disputes. There are several places in the legislation where reference is made to ensuring that measures taken by the authorities will be "in

accordance with" or "subject to" the law, but neither these laws, nor the adjudication framework are specified. Article 25 states that the *Killil* will issue regulations in the future governing the framework for handling land disputes. This is unfortunate because the resolution of disputes through an acceptable judicial system should have been a central element of the legislation.

2.1.1 Common Features

It may be important to note here several points in reference to all the *Killil* legislations discussed above. First is the fact that all the legislations except that of Tigray (issued in 1989) were issued relatively recently; the legislation of the Southern *Killil* has not even been formally published. This means that the three legislations are not being fully or widely implemented. Secondly, as I argue later under section 7.1.2 below, few peasants if any, in the three *Killils* especially, are aware of the legislations and the rights and responsibilities they have as rights holders provided in them. It is not a common practice in this country to enable citizens concerned to have access to relevant legal documents so that they are aware of their rights and responsibilities. Indeed, keeping peasants in the dark has been a not infrequent tool employed by state agencies in order to exercise power over them.

Thirdly, all *Killil* legislations encourage rights holders to consolidate their plots either on their own initiative or through the support of local authorities. However, farmland was provided to holders in several fragments to begin with because of the varying qualities of the land available in many *kebelles*. Moreover, there is immense population pressure, and new claimants can only be accommodated (either by local authorities or families) by subdividing existing plots. Due to high rates of population growth, farm plots are decreasing in size in all parts of the rural areas. At present, average holdings in many parts of the country measure less than a hectare, and the prospects are that these will become even smaller in the years ahead. On the other hand, peasants themselves frequently prefer plots in different locations or of different qualities for a variety of valid reasons. Thus, fragmentation, while not expressly favored by the land legislations, is built, perhaps willy-nilly, into the system.

2.2 Women's Rights to Land

I submit that while both Federal and *Killil* legislations have taken measures in the right direction, none of them provide a robust legal and institutional framework to advance the rights of rural women. There are nevertheless some provisions in all the legislations that have gender significance of which the following are the main ones.

The fact that individuals rather than households are entitled to rights to land is of great advantage to peasant women. All the four legislations state that

every adult in the rural areas is entitled to land. In Amhara where land redistribution was undertaken in 1997, women got land in their own right (Yigremew 2001). During the Derg, land was allocated to households which meant that it was the head of the household (usually the husband) in whose name the land was registered in the Peasant Association. All the legislations discussed above clearly note that in case of divorce, women will be entitled to a share of the land held jointly by husband and wife.

The legislations of Tigray and Oromia expressly state that women will have rights to land on an equal basis with men, but, as noted above, this kind of provision is lacking in the legislation of the Southern *Killil*. In all *Killils* except Tigray, the names of both husband and wife is (or will be) recorded in the user documents issued or to be issued to rights holders. In both the Oromia and Southern legislation, a husband with more than one wife will be allowed to claim documentation only with one wife. Though not expressly stated, female siblings are entitled to inherit land in all legislations.

However, the issue of women moving from their *kebele* to another *kebele* upon marriage and the problem this may raise in terms of their rights to land is not adequately addressed in any of the legislations. Women will lose their right in Tigray in the event of change of *kebele* residence because rights to land is conditional on continued residence in one *kebele*. In Oromia and Southern *Killil*, the legislations state that a husband, wife or family will not lose their rights to land in the event of change of residence. This would mean that on divorce a wife will retain her rights even though she may leave the *kebele* of her husband. The Amhara legislation is somewhat ambiguous on this issue. The legislation says that rights to land are conditional on residence in the rural areas of the *Killil* and that the land given is to enable the person concerned to live by farming. It is not quite clear whether the wife will lose her rights to land in the event of divorce and her decision to live in the urban areas.

2.3. Government Justification for Policy

The government's justification for its land policy is grounded on what may be described as social equity. The Constitution and all other government documents pertaining to land declare that every rural individual has a right to a plot of land sufficient for his/her livelihood and should claim the right in his/her *kebele* when he/she reaches the age of maturity. Since official development policy views agriculture as *the* dynamic force for achieving food security and promoting rapid economic growth, the right to live by farming is highly favored. The growing concentration of people in the rural areas in the face of ever decreasing resources and severe fragmentation of land is not seen as a major problem.

Moreover, the government argues that private ownership will give rise to the following problems: a) large numbers of peasants will sell, heavily

mortgage or otherwise transfer their land rights to others and end up landless; b) this will give rise to a massive concentration of rural property in the hands of a few, in particular in the hands of the urban bourgeoisie; c) there will be large-scale peasant evictions and widespread poverty. The recent rural development strategy document noted above adds another element to these fears. It argues that land concentration and widespread landlessness will give rise to wastage of capital and labour, though exactly how such wastage will occur is not clearly articulated.

These arguments are based on unsubstantiated fears, and very little hard evidence is available to support them. There is no evidence here in this country, or elsewhere where peasant agriculture is prevalent, to show that in the absence of the restraining hand of the state peasants will readily sell their land at the first opportunity. Though flawed in many respects, the recent study by the Ethiopian Economic Association found that most peasants were not keen to sell their land if they were given the chance (EEA 2002; see also Dessalegn 1994).

Another aspect of the equity principle is the expectation that state ownership will do away with the problem of landlessness. Since the initial land reform of the Derg in the mid-1970s, landlessness has become a problem of the young. Young people who were not old enough to benefit from the last redistribution end up landless when they become adults. The main instrument employed to deal with landlessness so far has been periodic redistribution. Other means include the expropriation of landholders who fail to meet the obligations specified in each *Killil's* land legislation and the distribution of their plots to the landless. A recent measure which has also been employed for the same purpose is the "privatisation" of hillsides. In both Amhara and Tigray *Killils*, degraded hillside have been divided up and distributed to members of the surrounding community. This was originally an environmental rehabilitation measure but officials are now using it as a measure to tackle the problem of landlessness. However, under present circumstances, landlessness is a dynamic problem: each generation that comes of age is landless and demands rights to land, and the end result of accommodating its demands is increasing land fragmentation and the progressive levelling down of holdings.

A third element of the equity principle is the promotion of social equality in rural society. State ownership, it is argued, will ensure that the gap between the rich and the poor is narrowed and that inequalities of wealth and property leading to social antagonism and class conflict will be minimized. True, the existing land system discourages rural differentiation based on land size. As a result of periodic redistribution and other measures imposed by the dictates of the land system, differences in land ownership among households is narrowing down.

Equality of holdings is being achieved in a two-fold process: a) larger holders are losing some of their land through a process of unilateral levelling down; what is taken from them does not lift smaller holders up but goes to

benefit some of the landless; b) larger holders are losing some of their land and smaller holders are gaining as a result. The term "large" and "small" holder should be taken in its relative sense: compared to the situation in other African countries, the largest holder in Ethiopia would be a small holder elsewhere in the continent. The recent SDPRP document submitted by the government to the IMF and World Bank points to the growing equality in the rural areas as one of the success stories of government development policy (MOFED 2002). However, there is compelling evidence that the equality that is unfolding in the countryside is equality of poverty.

3. Impact of Current Policy

Let us first look briefly at three important issues that we argue flow from, or are significant consequences of, the current land system and have a bearing on the discussion in the last section of this study. First, tenure insecurity, second landlessness, and third agricultural productivity.

3.1. Insecurity

Since the land reform of the 1970s, peasants have been denied secure rights to land, and current policy has not improved the situation much. A central contradiction of the land system is that between equity and security. The promise of the right to land to all adults living in the rural areas that is made in the Constitution and the *Killil* legislations can only be fulfilled if the demands of new claimants are met, and this can only be done through periodic redistribution. But redistribution and the levelling down of holdings that it gives rise to, means that there is generalized insecurity and little incentive on the part of holders to invest on the land and to manage it properly. While, so far, there has been only one major redistribution, the Amhara redistribution of 1997, the threat of redistribution that hangs over peasants in many areas (or the lack of express assurance that redistribution will not occur) is just as damaging.

Let us look briefly at some of the major consequences of tenure insecurity.

Impact on farm practices. Tenure insecurity and the sub-division of plots has forced peasants to abandon sound traditional land management practices. Peasants are reluctant, for example, to employ crop rotation, organic forms of soil fertilization and other similar practices because they are uncertain if the land they have enriched in this way will remain theirs for long. Similarly, land fallowing, which was a common practice in the past, has virtually disappeared, and this has compounded the problem of livestock management. Farm plots are now cultivated continuously without rest or enrichment, leading to their exhaustion.

Demographic impact. The land system has discouraged the movement of the rural population out of agriculture since rights to land are dependent on

residence in the *kebele*. Peasants absent from their *kebele* for an extended length of time will lose their rights to their allotment; they will also forfeit their land if they are not present at the time of redistribution. This may change now in Oromia and Southern *Killil* as their legislation does not tie rights to land with continued residence in the rural areas. Be that as it may, the countryside is carrying an enormous population, estimated to be 54 million in 2000, thus creating the conditions for a Malthusian disaster. Ethiopia is the least urbanized country in Africa, and since the 1980s rural to urban migration has not been a significant demographic factor. Migration has been caused by environmental disaster, war and civil conflict. Given the absence of improvements in farm technology and real productivity growth, the population trapped in the rural areas will be earning less, consuming less and becoming increasingly impoverished with each passing year. It will also exert immense pressure on available environmental resources leading to increased land degradation.

■ ■ ■ *Decreasing pastureland.* In an attempt to accommodate the increasing population, peasant communities have had to parcel up and distribute grazing land to newly formed households for farming purposes, resulting in severe shortage of pasture. Some communities have also had to abandon common grazing for individual grazing leading to tiny pasture plots for each household. Because of the shortage of pasture, many rural communities, especially in the northern highlands, can only support a very small livestock population, and this explains the highly skewed nature of livestock ownership in these areas. Some communities in fact have been putting greater emphasis on sheep and goats because there is not enough pasture to support cattle.

■ ■ ■ *Environmental impact.* Tenure insecurity has discouraged peasants from planting trees, at least for purposes of domestic consumption, and thus peasants are almost exclusively dependent on state forests, community or open access woodlots for fuelwood and other wood products. This has put immense pressure on forestry schemes and on vegetation cover; it has also given rise to intense competition among local residents as well as among communities.

■ ■ ■ The repertoire of indigenous environmental protection measures is quite extensive, and in the past these were frequently employed to protect the land from erosion. Terracing, bunding, and a variety of biological conservation measures were some of the practices commonly employed in many parts of the country. At present, however, peasants are reluctant to invest in conservation schemes for fear of losing the land. Tenure insecurity is also responsible for the unwillingness of peasants to plant trees except eucalyptus, which is popular in the countryside not because peasants are unaware of the damages caused by it but because of the prevailing insecurity. This tree, which is grown almost exclusively as a cash crop, grows fast, and can be harvested and marketed at any time after two to three years' of growth. On the other hand, the shortage of land has forced *kebelles* to allocate marginal land, and land in fragile ecosystems for farming. Such land is soon exposed to environmental hazard. Land degradation

is thus a growing threat for both these reasons.

Conflict management. Dynamic and enabling property systems contain sound institutions for the management of land and environmental resource conflicts. The initial reform legislation recognized this and created what were known as judicial tribunals within each Peasant Association and later at higher levels. The main responsibility of the tribunals was to adjudicate land disputes. However, the tribunals soon lost their legitimacy, but no comparable institution replaced them. At present, land disputes and conflicts arising out of rights to land resources are dealt with in the main not only through the *woreda* courts but also through administrative and political decisions. This has exacerbated insecurity and uncertainty.

Impact on credit services. Because the ultimate owner of the land is the state and the peasant has only use rights over his/her allotment, the banks do not accept land as collateral. Access to institutional credit is thus not open to peasants. While few peasants have used the banks as sources of credit even in the past, land reform and the present tenure system have made it difficult to promote credit programmes as a development strategy other than micro-finance schemes.

Impact on technology improvement. The continual division and subdivision of the land has precluded the widespread dissemination of improved technologies. Insecure micro-holders have little incentive in trying out new techniques and will be reluctant to take the risks that frequently accompany innovative productive methods. At present the demand for fertilizers, though increasing, is quite modest, and with rising prices and delivery difficulties demand will either stagnate or decrease after a short while.

Social impact. The land system places the rural young in a disadvantaged position. There is virtually no land available for peasants who come of age after land distribution, and such peasants are thus left landless and dependent on their parents. The young come to see themselves as the "have-nots" and resent their parents whom they see as the "haves". This generational cleavage is creating conflict and tension among households and communities. On the other hand, the system has arrested social differentiation, and there are now very limited opportunities for the emergence of a vigorous and entrepreneurial peasantry. Since the state controls the ultimate rights to land, and the land-user is in constant fear of losing his/her allotment, it has made it easier for the former to reinforce its control over the latter.

3.2. Landlessness

As noted above, the land system is demographic sensitive. Since every adult residing in the rural areas has a right to a plot of land sufficient for his/her livelihood, the demand for land by new claimants is a never-ending burden on the state. Moreover, the issue becomes complex when seen against a

background of diminishing rural assets caused both by population pressure as well as by massive levels of natural resource degradation. The country's arable land, and land that can be cultivated using the technology accessible to the peasant producer is highly limited. There is a large population trapped in the rural areas partly because of the land system and partly because of the inability of the non-agricultural economy to create employment. The rural population has grown from an estimated 15 million in the early 1950s, to 34 million in 1980 and 54 million in 2000. In contrast, there has been no comparable expansion of the size of arable land in the country (Dessalegn 2003a).

The available evidence suggests that average per capita holdings have been diminishing over the last four decades due to population pressure and the increasing inability of the non-farm sector to provide employment to the excess rural population (Dessalegn 2003a). CSA data show that the average per capita holding for the country as a whole is at present less than one hectare. The recent land and agricultural survey published by the EEA (2002) reaches similar conclusions. In some of the more densely populated areas a peasant with half a hectare of land is considered fortunate. Such is the demand for land every year that in Wollo, north Shewa and other areas in the North, *kebele* officials have divided up pastureland for distribution to new claimants. It will not be hard to imagine how this has impacted on livestock raising in rural communities.

Landlessness is thus a dynamic problem fuelled first and foremost by demographic factors. There has not been a serious attempt to determine the extent of landlessness in the country as a whole, though there have been some findings from a few case studies. Gavian and Amare (1996) found in one *woreda* in Arsi that 17 percent of households were landless. An ILRI study points out that close to 50 percent of the population is landless in some localities of Oromia (Bezuayehu et al 2000). According to a recent sample survey in Wag Hamra, North and South Wollo by IDS (2002), the landless population was only 7 percent of the sample population. Degefa's research in three PAs in Munessa *woreda* in Arsi found that landlessness ranged between 44 and 53 percent (Degefa 2003). Workneh's land tenure study in three PAs in a *woreda* in the Rift Valley (Oromia) found that landless households constituted 36 percent of total households (Workneh 2002).

Landlessness has also been exacerbated by the collapse of the Derg's resettlement program, by refugee returnees, and the demobilization of soldiers after the civil war. Table 1 below shows the number and type of returned populations in the country at the end of the 1990s.

Table 1 Number and Type of Returnees

Type of Returnees	Number	Percent
Refugee Returnees	1,081,500	53
Demobilized Soldiers	377,500	18
From Ethnic Conflict	328,000	16
From Resettlement	253,000	12
Total	2,048,710	100

Source: Pankhurst 2001

Note: The refugee figures include 200,000 returnees from Eritrea and Asseb before the war; no figures from the recent Ethio-Eritrean war.

The refugee returnees to the northern highlands of the country were people who had fled to the Sudan during the war, a majority of whom were from Tigrai. The authorities there have attempted to reintegrate some of them into the communities from where they had originally fled, and to settle the others in the Setit lowlands adjoining the Sudan (Kassahun 2000). When peasants were taken to resettlement, their land was confiscated by the Peasant Association to be used for distribution to young claimants and landless people. Upon their return, many settlers found that their land was allocated to others and the PA had very little land to distribute. Settlers returned to their homes in increasing waves, and the figures in Table 1 above shows only the volume of returnees in the post-Derg period. In Wollo in particular, many of the landless today are returnees from resettlement. Demobilized soldiers faced similar problems. Soldiers who were originally from the rural areas were told to return to their communities with a vague promise that they would be offered land for a living. When the soldiers did return to their communities the *kebelles* were unable to provide land or employment opportunities to most of them.

Finally, landlessness may have been made worse, though the evidence is patchy, by the promise given to all rural residents by the land legislations. As noted above, both the Federal and *Killil* legislations entitle every adult in the rural areas that he/she has a right to land. This promise may be one reason why the landless continue to stay in the rural areas. In a number of rural areas, many peasants expect redistribution to take place in the near future (Ege, EEA). In some areas, the promise of fresh redistribution is raised by local authorities from time to time to win votes and political support. This is especially so in those *kebelles* where the leadership is predominantly young (Teferi 1995). On the other hand, the cities are not viewed as attractive to the landless and the rural unemployed because the prospects of employment are limited and urban residents, especially the unemployed here, are resentful of rural migrants (Dessaiegn and Aklulu 2002).

3.3. Agricultural Productivity

There has not been a serious attempt to study the impact of the land policy on agricultural productivity. This is partly because it is a difficult undertaking since such a study will have to look at the problem over a sufficient period of time. Moreover, it will not be easy to isolate the land tenure factor from the many other factors that have a bearing on agricultural productivity (environmental factors, farm practices, soil conditions, labour input, etc.) and examine its impact. There have been some case studies undertaken within one or two harvest periods looking into the relative efficiency of various forms of land contracts, but these are not sufficiently broad enough and robust enough to allow one to make definitive conclusions⁴.

Despite these constraints, however, it is possible to examine the issue and make a number of conclusions based on the available evidence. Productivity decline is a fact, but the extent to which this decline has been caused or aggravated by land policy is not accurately known. It is however safe to say that insecurity does have a damaging impact on land productivity for the reasons noted above. There is also evidence from elsewhere that tenure security is an important factor, though not the only one, in improved agricultural performance and higher productivity (Bruce and Migot-Adholla 1994: Ch. 2).

CSO/CSA has conducted annual agricultural surveys (which include agricultural productivity measures) since at least the last quarter of the 1970s. In a recent work, I examined the productivity data over a period of twenty years, from 1980/81 to 2000/01 (Dessalegn 2003a). Productivity in all CSO/CSA surveys refers to crop yield and does not measure labour productivity. The data shows that in the two decades in question productivity performance was very poor. Average crop yield in the decade of the 1980s was 11.1 quintals per hectare while in the 1990s the comparable figure was 10.3. The highest yield achieved was 12.8 qn per ha in 1982/83 and 12.5 qn per ha in 1988/89, both during the Derg. These figures have not been equalled in the decade of the 1990s. This is remarkable because much more fertilizer and improved seeds were distributed in the 1990s than during the Derg. The best yield under the current agricultural strategy was achieved in 1996/97 when productivity reached 11.7 qn per ha. (see Annex 2 at the end of this study).

One ILRI study argues that the recent "land redistribution in Amhara has had a positive impact on land productivity" (Benin and Pender 2002: 19). This is unconvincing and is not supported by the available evidence. CSA data on Amhara *Killil* for the years 1994/95 to 2000/01 indicate that productivity fell after the redistribution. The best crop yield in the *Killil* was in the 1996/97 harvest year, just before the redistribution. Productivity fell immediately following the redistribution and has not equalled the level achieved in that year

⁴ Amare 1998; Gavian and Amare; Gavian and Ehui 1996; Ahmed et al. 2002; Degefa 2003

(see Dessalegn 2003a for the CSA references).

Admittedly, the poor performance of agriculture and the stagnation of farm productivity cannot wholly be attributed to land policy, but since tenure is a critical factor in this country and since tenure insecurity is widespread and deep-seated, land policy must bear a high proportion of the blame.

There is considerable consensus that per capita food production has been declining since at least the 1970s, if not earlier. In this same work noted above, I show that on the basis of annual data provided by RRC/DPPC, the government's emergency management agency, the vulnerable population has grown appreciably in the last two decades. The vulnerable population averaged 4.2 million per annum in the decade of the 1980s and 5.3 million in the 1990s. In 2003, the vulnerable population reached over 14 million. Here again it may be difficult to unbundle the factors responsible for the decline of food security, but the evidence points strongly to tenure insecurity as one of the most significant causal factors.

4. New Policy Initiatives

In response to widespread criticism and pressure from several quarters, the government has initiated new policy measures to address a number of problems including that of tenure insecurity and land scarcity. We shall look at two of these in some detail below, namely land user documentation (or user certification) and resettlement.

All the recent legislations issued by the *Killils* state that rights holders will be issued documentation as an assurance of their rights and as a means to promote tenure security. So far, only Tigray and Amhara have started issuing such documents, the former beginning in 1999 while the latter only very recently. It is too early to judge the longterm impact of these measures, but it should be noted that holding documentation is being undertaken within the framework of existing legislation.

4.1. User Right Documentation

The user documents in question that are now being issued are known as holding certificates in Tigray, and books of holding in Amhara. In both these cases, the documents in question are, properly speaking, documents of *user* rights and not of *ownership* rights. The certificate in Tigray consists of a piece of paper on which basic information pertaining to the holder and the plots that he/she has a right to are recorded. The book of holding on the other hand resembles a bank book with twenty pages containing forms to be filled out as required. The book is divided into two sections: section one for first stage certification and section two for second stage certification.

In both *Killils*, the document contains information on the plots of each

holder and what they are currently being used for. Plot measurements are shown in local units and the boundaries are described according to customary practices. In both instances, the process of plot identification has been undertaken by the local authorities with support from the local population. The main actors have been the local office of EPLAUA, elected peasant committees and the *kebelle* administration.

Tigrai

The Tigrai certificate is issued in the name of the household head only, and the name of the spouse does not appear in this or related documents. The information contained in the certificate is recorder in a register at the local *kebelle* office (or *tabia* as they are known here). According to the Manager of the *Killil*'s EPLAUA interviewed for this study, many peasant households have already been issued the certificate but the task is not yet over. While the objective in the long run is to have a proper cadastral survey, accurate maps and to issue suitable user documents, this has not been possible at present because of the high cost involved. He noted that the certificate was a temporary document and that it will be replaced with proper documentation once the survey and mapping exercise has been finalized.

Both the Manager and others who were also interviewed for this study stressed that the importance of the certificate was to reassure rights holders and promote tenure security. They were also of the opinion that there are fewer disputes now than before and they attributed that to the issuance of the certificates. The Manager emphasised that the certificate will not be of much use if the owner wishes to use it to obtain credit services from financial institutions because the Constitution and other Federal legislation do not allow the selling or purchase of rural land. In other words, the certificate cannot be used as collateral since the holder do not have rights to the land and the banks cannot sell his/her property to recover their loan in case of default. But the certificate can be passed on to one's heirs.

Amhara

The process of documentation in Amhara *Killil* is somewhat different from that in Tigrai. The officials here envisage documentation to take place in three phases. In the first phase, holders will be issued temporary certificates- this is because the *Killil* has not been able to get sufficient copies of the book printed in time for distribution. The temporary document will be replaced as the books are available. In this stage, plot identification and measurement will be based on customary practices and registration will be undertaken in the local office of the *kebelle*. The Land Administration Committees in each community, elected by the population, are responsible for plot identification, demarcation, and measurement; registration is being undertaken by the *woreda* desk of EPLAUA. In many localities, plot boundary demarcation has been undertaken using stones

as boundary markers. The final stage will involve modern techniques of surveying, mapping and proper registration.

Documentation is being undertaken at present in a number of *woredas*. Currently, topographical mapping is being attempted in two pilot *woredas* where the books of holding are also being distributed. These *woredas* are part of the Swedish supported rural development program run by the *Killil*. There is another pilot *woreda* supported by USAID where a different approach is being attempted. The head of EPLAUA in Bahr Dar informed the study team that the USAID initiative is being undertaken independently of the other pilot scheme but he had no information on how USAID was running the scheme. He went on to state that the number of people issued with documentation in the *Killil* as a whole is growing rapidly.

The Amhara document is also different from that of Tigrai in that the names of both husband and wife are recorded in each book; the photographs of each person is also attached. The book contains the rights and obligations of each holder and the benefits of the document, one of which is stated to be the right to obtain loans from financial institutions using the document as collateral. However, a careful reading shows that what is offered as collateral is not the land itself but the investment and produce on the land. Many peasants interviewed for this study were of the opinion that the document will entitle them to credit services from the banks but this clearly is not the case. Local Commercial Bank officials interviewed in Bahr Dar were quite sceptical about the usefulness of the document for credit purposes since land was state property and cannot be sold. The right to pass on the land to one's heirs and to rent it out subject to the conditions laid down in the legislation is assured. In the event the land is passed on, the person who inherits it has to have the book updated, which involves recording the name(s) of the new holder and the condition of the plots (i.e. whether the original condition of the plots has been changed by sub-division, etc.).

As noted above, documentation does not change the legislation and policy framework governing rights of access to land that we have discussed earlier. Thus, user documentation does not entitle the holder to any more rights or benefits than those already included in existing legislation and policy. In so far as micro-credit institutions are concerned, documentation was not of particular importance to their programs because they do not require collateral since they employ the group-lending approach to distribute loans to their customers.

However, both *Killil* officials and the majority of peasants interviewed were of the opinion that documentation will promote tenure security. Holders will be able to develop a sense of ownership and will be reassured that they will not lose their plots in the future. Both here and in Tigrai, documentation will also discourage future redistribution because that will undo all the work of plot identification, demarcation and measurement, and make the records compiled for the purpose virtually worthless. Many peasants interviewed were optimistic

that documentation will decrease land disputes, especially when plot boundaries are finally established by means of proper mapping.

These developments are to be welcomed because they are an improvement on existing conditions and a step in the right direction. However, because of the way documentation was undertaken, ie. in the absence of proper cadastral surveys, and durable plot demarcation, new disputes are bound to arise⁵. Already, in both *Killils*, the inclusion or exclusion of grazing land, commons, and land used for rural service facilities (schools, health posts, etc) has generated new disputes. Moreover, the exclusion of the names of spouses, especially wives, from the certificates given out in Tigray has created discontent among women groups which fear that women will risk being dispossessed unless the system is changed.

4.1.1 Limitations Associated with Documentation

- ❖ It was noted above that there are **discrepancies** among *Killil* legislations, and between *Killil* legislation on the one hand and Federal legislation on the other. These discrepancies have to do with issues of future redistribution, continued residence in a *kebele* as a condition of rights to land, and land transfers, in particular land renting and the incentives for investors. There is therefore a need for harmonization of policies and practices pertaining to these.
- ❖ The interpretation of the legislation, both Federal and *Killil*, regarding long-term land transfer, especially selling, needs to be re-examined. The distinction between the **sale of the land** and the **sale of one's rights over it** (i.e. rights of access and use) has not always been sufficiently appreciated by government authorities at both levels. There is therefore a need for serious debate on the matter.
- ❖ As noted above, documentation is being undertaken without proper **surveying and mapping** being undertaken (except on a pilot basis in a few localities in Amhara). The problems this will create in the long run are obvious: new disputes will arise having to do with disagreements on plot boundaries, demarcation and measurement; registration of plots will be imprecise; and the information on the documents issued will likewise be unreliable. A policy initiative on this issue defining the modalities and standards of surveying and mapping, and the authority responsible for such tasks should be in place before any large-scale surveying is attempted. Plot measurements and demarcation are being

⁵ Cadastral survey and registration is a costly undertaking. According to Raisin, USAID spent 13 million US dollars to survey and register all the land on the tiny Caribbean island of St Lucia (pop. 35,000), which is about one-third the size of the average *woreda* in the highlands.

undertaken in most areas using traditional methods but such methods are imprecise and will give rise to discontent and disputes.

- ❖ A modern system of **land registration**, and together with that a unit responsible for such registration, which is now absent in all the *Killils*, is also necessary. The absence of a proper system of registration will fuel land disputes in the long run.
- ❖ Land document cannot be successful without a credible and effective system of **adjudication** of land disputes, which is now absent. Such a system will be acceptable if it is close to peasant communities and will not involve high costs and long absences from the work place. There must be a policy measure to set up such system and to empower it as the sole authority over all cases having to do with disputes over land as well as violations by government authorities of the rights of landholders, with or without documentation.
- ❖ Finally, user documentation is being issued within the framework of **existing legislation**, which among other things, gives local authorities the right to interfere in matters of land and rights of access to it.

4.2. Resettlement

The government's program of rural resettlement has been under way since the beginning of 2003, and, according to recent figures, some 300,000 people have already been moved to various locations in Amhara, Oromia, Tigray and Southern *Killils*. In the course of three years, the program plans to settle 440,000 households or about 2.2 million people at an estimated cost of 217 million US dollars or 1.9 billion *Birr*. This is a massive program by any standard: it will constitute the largest relocation of population in this country and will compare with the gigantic settlement programs currently underway in India and China arising from large-scale construction of dams and reservoirs. Table 2 provides a breakdown of the program in terms of population and cost by the participating *Killils*.

Table 2 Settlement Areas, Population and Cost

<i>Killil Settlement Site</i>	No of people	No of Hhds	Cost in Mn Birr
Tigray: <i>Humera</i>	200,000	40,000	141
Amhara: <i>N. Gonder, Tsegede, Metema, Quara, TachArmachiho</i>	1,000,000	200,000	701
Oromia: <i>W. and E. Wollega, Illubabor, Jimma</i>	500,000	100,000	347
SNNPR: <i>Sheka, Kefa, Benchmaji, Dawro, Konta. S. Omo</i>	500,000	100,000	352
Total	2,200,000	440,000	1541*

Source: NCFSE 2003, Vol. II: 29; 22-25

Note: *The figure does not include 328 million Birr which is the cost of drugs and institutional capacity, warehouse and other costs, administration and contingency. The total is thus 1869 million Birr

The settlement program is viewed by the government as a lasting solution to chronic hunger and food insecurity on the one hand, and a way to meet the problem of land scarcity on the other. The program, it is argued, will provide people in the vulnerable areas, who at present do not have sufficient land to grow enough to feed themselves, "access to improved land" in areas within their own *Killil* where there is "considerable amounts of land currently under-utilized" and "suitable for farm activities". In a press statement issued in early January 2004, the government claimed that the settlement program was already showing encouraging results, and that settlers have been successful in achieving food self-sufficiency in the first year of the program. The statement did not provide any evidence to support this remarkable claim.

Is *large-scale* resettlement a viable option and will it lead to food security or better "access to improved land" for millions of people as the government maintains? Will it contribute to tenure security in the long run? Is the program a wise choice and a sound investment? These are fundamental questions that have not been sufficiently debated in this country. I for one do not believe that the government or its backers have offered sufficient credible evidence to answer these questions in the affirmative. The international resettlement experience is littered with failed programs, massive levels of resource loss, communal conflict and human suffering. The NCFSE document recognizes this, noting that most resettlement programs in developing countries and elsewhere "have failed, often spectacularly" (:3).

This country has a resettlement experience going back to the 1960s under the Imperial regime when, through a combination of spontaneous and planned settlement programs, a relatively small number of northern peasants were settled in western Ethiopia and the Rift Valley areas. Planned settlement during the Derg began in the latter part of the 1970s but became a major undertaking in the 1980s especially after the disastrous famine that occurred in the middle of that decade⁶. Resettlement under the Derg was meant to relieve the population pressure of the vulnerable areas and bring about the environmental rehabilitation of these areas on the one hand, and, on the other, to promote food security. But resettlement also formed part of the Derg's policy of agricultural socialisation. In the period 1984-86, the Derg resettled some 600,000 people mostly in the lowlands of western Ethiopia. In this same period, some 33,000 settlers lost their lives due to disease, hunger, and exhaustion, and thousands of families were broken up. It is estimated that close to half a billion Birr was spent on emergency resettlement, but the cost of the damage caused to the environment, of the loss of livestock and other property, or of the distress and suffering it caused to numerous people and communities will never be known.

There were two types of settlement schemes: "conventional" schemes, which were large-scale and based on collectivization and mechanized agriculture, and "integrated" schemes, which were small-scale and located on land owned by Peasant Associations. The majority of settlers were from Wollo, North Shewa and Tigray; there was also a sizable population from Kembatta and northern Gojjam (Dessalegn 2003b; Alemneh 1990; Pankhurst 1992). Derg officials were convinced that there was plenty of unused arable land in many parts of the country, especially in the southwest to accommodate large numbers of settlers. In the end, this proved unfounded, and the settlement schemes were undertaken for the most part in dry or semi-dry areas which proved to be unsuitable to ox-plough farming and posed serious health hazards to both highland farmers and their livestock. Moreover, the settlement program was undertaken without the consent of the settlers themselves.

The program involved considerable environmental damage. Large areas were cleared of their vegetation to build homesteads, to acquire farmland and to construct access roads. Resettlement in particular failed to recognize the rights of local people or the carrying capacity of the areas of settlement. It created conflict between the host population and settlers. It also failed to adapt farming practices to the agro-ecological conditions of the lowlands, and as a consequence, the environmental damage involved was quite considerable. Moreover, one of the objectives of resettlement was to reduce the population pressure of the highlands and thereby to control natural resource degradation. In the end, resettlement had no or limited impact on population pressure or land

⁶ For a review of the resettlement experience in the country, see Dessalegn 2003b, Kassahun 2000, A. Pankhurst 1992.

rehabilitation. On the contrary, it created population pressure and an extensive process of degradation in the host areas (Wolde-Selassie 2002). As resettlement was undertaken without the consent of the population involved, the program was unstable from the very beginning. Many settlers abandoned the schemes and returned to their home areas all through the 1980s. The fall of the Derg prompted a large number of settlers to trek back home, although some of them subsequently returned to the settlement schemes of their own free will (Pankhurst 2001).

The Settlement Program

Until recently, the present government was opposed to large-scale resettlement except in cases involving refugees returning to the country after the end of the civil war. Resettlement as repatriation of returnees was undertaken in the Humera area through the support of UNHCR and WFP in the 1990s involving some 2,500 Tigrian peasant households (Kassahun 2000). By the end of the 1990s, however, and as the depth and magnitude of the country's food crisis came finally to be recognized by decision-makers, there began to appear a policy shift towards large-scale state-sponsored resettlement as a solution to food insecurity. The government's rural development policy document issued recently calls for planned resettlement programs within each *Killil* involving peasant populations living in highly vulnerable or drought prone areas (FDRE 2001: 116-123). Such a program, the document insists, must be based on voluntary participation and the full consent of the beneficiaries concerned. It criticizes the Derg's resettlement program of the 1980s, arguing that the main reason for its failure was because it was based on coercion and not on consent. Planned resettlement is expected to relocate a sizeable portion of the population from vulnerable areas to areas within the same *Killil* where there is sufficient rainfall and arable land.

The NCFSE document has now carried the argument a step further and issued a program for large-scale "voluntary resettlement". The main "pillars" of the program consist of the following: a) resettlement will be based on voluntary participation; b) it will involve moving people from their current homes to areas within the same *Killil* where there is sufficient "underutilized" land suitable for peasant agriculture; c) settlers are expected to be self-sufficient in food after the first harvest; d) settlers can return to their original homeland if they are unhappy about the conditions in the settlement sites; e) settlers will lose their rights to their land in their original homes if they do not return before three years; f) the settlement package offered by the government includes: 2 ha of "standard quality" land for each household (more if the quality is below standard), food rations for the first year, small farms tools, credit for the purchase of oxen, and basic services such as clean water, health and education (NCFSE 2003b: Ch. III).

One of the central arguments of the NCFSE and government authorities justifying large-scale resettlement is based on the assumption that there is abundant *unutilized land suitable* for peasant agriculture to support a large settler population within each *Killil*. The document under discussion mentions a "current regional survey" according to which "the total hectarage available [for settlement] is about one million: in Amhara 500,000, Tigray 130,000, Oromia 250,000, and SNNPR 100,000" (:6). No reference is cited to support this claim. It is interesting to note that when the Derg's resettlement program was launched a similar claim was made but not backed by any credible evidence. Common sense suggests that if either the Derg's or present government's claim was true, if indeed there was *abundant unused* land, hard-pressed peasants would have brought it under cultivation long before any of these governments had come to power. This was the tragedy of the Derg's program: it was planned on the erroneous assumption that there was abundant unused land suitable for highland settlers in many parts of the country.

Another overly optimistic vision of planned resettlement is the belief that such a program will and should enable settlers to be self-sufficient within a very short period of time. Settlers are expected to achieve not only food self-sufficiency in one harvest year but also produce a marketed surplus in a short time. Such unrealistic goals can only have been set by public authorities with little understanding of settlement programs, and with even less knowledge of the international experience. Settling people is a complex undertaking, and it takes careful planning, skilled personnel, many years of hard work and considerable resources to achieve success.

A third element stressed by the NCFSE document is the voluntary nature of the program. Settlers, the document insists, will decide to resettle voluntarily after being provided full and active information about the program. All "activities in the program ... will be carried out in a transparent way" (:7). What exactly is meant by voluntarism? If the program was indeed meant to be based on the voluntary consent of the would-be settlers why was it launched when over 20 percent of the rural population, and almost all of the potential settlers were suffering hunger and starvation? A desperate person will be open to any option that will save him or her from immediate death.

It may be worth looking at the differences and similarities of the settlement programs of the Derg and present government. First the differences. Unlike the Derg's, current policy expects resettlement to be undertaken within each *Killil*; settlement across *Killils* is considered to be risky and liable to give rise to inter-community conflict. In contrast, the Derg relocated large populations in distant areas, across today's *Killil* boundaries. Secondly, current policy insists that resettlement must be based on the voluntary participation of the beneficiaries. Thirdly, the Derg's program expected settlers to be self supporting within two to three years irrespective of their location while the current program is planned on the assumption that self-sufficiency will be achieved within one harvest year.

Finally, the Derg's emergency resettlement program settled a total of 600,000 people within a period of three years while this government is planning to relocate 2.2 million people in the same time frame.

There are, however, more similarities than differences in the two programs. The similarities are: a) in both cases, planned (i.e. government sponsored) resettlement is preferred to individual-inspired spontaneous settlement. Current policy is strongly opposed to the latter kind of program. b) Both programs were predicated on the assumption that there is abundant land available (within each *Killil* in the case of the present government, in southern and western Ethiopia in the case of the Derg) for large-scale settlement programs. c) In both cases, resettlement was employed as a strategy to achieve food security, to relieve the population pressure in the vulnerable areas, and to promote environmental rehabilitation of these areas (see MOFED: 56). d) Many of the areas identified for settlement programs at present are largely those that were employed for the same purpose by the Derg in the 1980s. e) In both cases, resettlement was undertaken with haste and without adequate preparation

It is too early to assess the current settlement program, partly because settler relocation was initiated very recently, and partly because there is very little information, at least in the public domain, about the execution and progress of the program. According to press reports, the relocation of settlers has been underway in all of the four *Killils* for some time, with the first round of relocation having been undertaken from January to August 2003, and the second round launched in November 2003 and continuing at present. The government has indicated that by mid-2004 a million people will be relocated.

There are disturbing reports emerging from NGOs, donor agencies and international organizations⁷ that the settlement program has been launched in haste and without adequate preparation, that it is not exactly voluntary, that peasants have been given false promises to entice them to register for settlement, and that settlers are experiencing serious hardships due to lack of basic services such as health and clean water. Many of the settlement sites do not receive adequate rainfall, and others contain residents who have been on food aid for quite some time. In some settlement sites the food aid distributed has been insufficient. The reports also suggest that local authorities in the sending as well as the receiving *woredas* have been economical with the facts. Peasants, in other words, have not been told the whole truth: that for instance they will lose the land in their home areas, that oxen will be given to them on credit, or that the areas where they are going are infested with malaria. Here is one example taken from a report of a field trip to resettlement sites in Oromia:

⁷ See reports from UN OCHA and UN EUE; the World Bank; EECMY-Norwegian Church Aid-Christian Aid; and Benchmaji Zone, SNNPR.

For a number of reasons, many settlers were deceived by the sending woredas. Settlers from Arsi were told not to carry any household utensils, hand tools, or even clothing. They were promised that these would be supplied to them at their destinations, along with keys to their new houses. Tap water, health and school facilities were also promised to the new settlers. None of this was true, and many settlers we spoke to felt deceived. (World Bank 2003)

Government press reports⁸ about conditions in the settlement sites are also not very encouraging. According to these reports, many of the settlers have been transported from as far away as 1,000 kms or more from their homes. For example, peasants from east Harraghe and Bale have been relocated in Wollega; those from Wollo have been settled in Mettema and Armacheho. This means that settlers have very little chance of travelling to and from their home areas to visit relatives, friends and families. An important factor in settlement success is the ability of settlers to maintain their links with their original homes, but this seems to have been ignored in many cases here.

It is evident that settlers are not being provided sufficient access to such basic necessities as land, farm oxen, water and health services. Many were encouraged to be relocated without their families and without taking basic household utensils. In a number of program sites, each household was given only one hectare of farmland. It appears that the distribution was based on the amount of land available for distribution in the settler sites and how much of it can be distributed to settlers without antagonising the settler community. Many of the settler sites are located on or near pastoralist or semi-pastoralist communities and the land in question is employed for grazing. While not expressly stated, settlers rights to land will be governed by the same legislation in force in the *Killil* in question, including the issuance of user right documentation.

The settlement document states that one of the reasons why peasants were relocated in the first place was the shortage of land due to population pressure. However, it does appear that settlement has not solved the problem of shortage. The document also states that settlers will be allowed to keep their land in their home areas only for three years after which it will be alienated by the local authorities for distribution to others. This is a disturbing measure because it will create insecurity among the settler population.

Oxen have been distributed to settlers on long term credit however it is clear from the press reports that there is severe shortage of this most important asset. In a number of program sites, only one ox per household has been distributed, while in several others the figure is *one ox for two* households.

⁸ The discussion that follows is based on *Addis Zemen* (government Amharic daily), from Ginbot to Nehassie 1995 EC (May 21 to September 2003 GC).

There are some settlers who have not received any farm animals at all.

By all accounts, most of the settlement areas pose serious health risks to highland settlers. At the moment, settlement administrators are distributing mosquito nets but there are not sufficient quantities of these to go around. Health services and clean water facilities have been built in a few sites only, which means that many settlers will face serious health risks the moment they arrive. MSF-Holland, an NGO working in Armacheho in northern Amhara recently warned that death rates among children in resettlement here have reached “catastrophic levels” and that high mortality among adults is occurring due to malnutrition and also to new diseases to which settlers are not immune (IRIN News, 27 Nov 2003).

There are reports that a good number of settlers are unhappy about conditions and that they are eager to return to their home areas. Evidence of some settler desertions is also beginning to emerge. According to a report from settlement officials from Guraferda woreda (Benchmaji Zone, SNNPR) settler desertions or desire to return are due to the following reasons: a) the monthly ration of 15 kg of grain flour per person is insufficient; b) settlement sites are hot and unhealthy; c) there is no access to clean water, and health services are inadequate; c) families left behind by settlers are not provided any support and hence are facing difficulties; d) hand tools provided are of poor quality; and e) no land has been distributed to settlers.

Residents in the host communities have been mobilized to provide assistance to the newcomers; these include house construction and funds for the purchase of basic necessities. We do not know whether such mobilization has been voluntary or done under pressure. It is evident also that there are no plans to provide benefits to host communities and in the long this will definitely lead to resentment and hostility to settlers (Feleke 2003).

It is quite evident that settlers are being confronted with the same livelihood problems that their counterparts in the 1980s had to cope with: an unfamiliar and difficult habitat, lack of basic services, shortage of food and other necessities, shortage of farm assets, etc. The settler population consists of household heads only in some cases, and whole families in others. The government insists that resettlement is a voluntary program undertaken with the full consent of the participants, but this was what the Derg claimed also.

Resettlement programs have been tried in this country under various policy frameworks but the result has been highly unsatisfactory. I have argued elsewhere that there have been few successful large-scale resettlement programs in the developing world (Dessalegn 2003b). Voluntary or involuntary relocation of populations on a large-scale is a complex, costly and, in the end, wasteful undertaking. Some may argue that small-scale settlement schemes, which are more manageable and easier to undertake are more cost-effective, but in this country, both under the Derg and at present, resettlement is meant to solve many diverse problems hence policy makers only favour large-scale programs.

5. Migration

It is interesting to note that growing rural poverty has not been accompanied by large-scale, voluntary, and long-term migration out of the rural areas. Migration here is of two kinds: rural to urban migration, and rural to rural migration. The first involves migration in search primarily of non-agricultural income opportunities and alternative life-styles, while the second involves migration in search of farmland and environmental resources. There has been migration to the cities and to other rural areas in the past but it has been on a modest scale. The mass relocation of populations in the 1980s was initiated and executed by the government.

However, there has been short-term, seasonal migration in search of temporary employment. This was quite extensive during the Imperial regime, but was severely undermined by the radical policies of the Derg. At present, seasonal migration does take place but on a limited scale (Lakew et al. 2002). The evidence is incomplete but it does appear that seasonal migration is mostly rural to rural. The discussion that follows will not be concerned with seasonal migration but with long-term and voluntary migration.

There are many reasons why large-scale voluntary migration to urban areas or distant rural locations has not been attempted. An important point that has a bearing on both types of migration is that the country's economy continues to be heavily dependent on agriculture, which means that there are very limited alternative employment options available to draw populations out of the rural areas. A second important reason is land policy: a rights holder who is absent from his/her *kebele* for an extended period of time (over two years according to the legislation in Tigray, for example) loses his/her allotment. A landless person who is not resident in his/her *kebele* will have no chance of acquiring an allotment. In brief, the land system has inhibited rural to urban as well as rural to rural migration. A third reason is that with the political division of the country along ethnic lines, migration across ethnic boundaries has become far more difficult and, in some cases, highly risky.

But both historically as well as currently, other reasons have also discouraged would-be migrants from the rural areas. Let us look briefly first at rural to urban migration.

Ethiopia is the least urbanized country in Africa. According to the latest (1994) census, only about fifteen percent of the population lives in the urban areas while the comparable figure for Sub-Saharan Africa is 34 per cent. Among the reasons why the towns have not served as a strong magnet for rural migrants, the following are significant: a) urban areas have not offered ample employment opportunities; b) housing and other services in the towns are in short supply; c) limited road infrastructure and public transport deter would-be migrants.

Rural to rural migration did not take the form of large-scale population movement to distant locations. First, there was limited free land available for farming by would-be migrants. Where land was available, it required heavy investment and a long waiting period before such land was suitable for farming. There was also the issue of security of holding once the land was under cultivation. Secondly, even during the imperial period, the land system did not encourage out-migration, and this was made even more unattractive following the reform of the 1970s. At present, due to the ethnic division of the country, inter-regional migration is not attractive. However, there has been population movement within the rural areas but this has taken the form of shifts and encroachments by highlanders into the adjoining lowlands and marginal areas. The space that is encroached upon is the interface between the highlands and the lowlands, space that customarily has been used or claimed by pastoralist and transhumant communities. Frequently, such locations are ecologically fragile with limited carrying capacity. As a consequence, they were in the past mainly used for grazing livestock but are now being cultivated.

6. The Emerging Land Market

It is important to note that peasants have a dynamic view of land tenure: they believe that land must "move" to those who are likely to make use of it more productively. Even at the time of the Derg, when almost all forms of land transfer were prohibited, peasants found ways to bend the rules to suit their needs. The informal land market was at the time severely circumscribed nevertheless it continued to play a vital role in helping peasants cope under the most difficult circumstances.

There were numerous forms of land transfer during the Derg. Though these differed from one locality to another, they included land rentals, sharecropping, joint use, short-term contracts, and occasionally mortgages- all of course undertaken clandestinely. If we add to these the numerous arrangements which peasants employed to get access to oxen or labour (for example short term "leases", land loans, exchange, etc.), the diversity of the practice becomes obvious. Land was also transferred through inheritance and the marriage endowment.

Current land policy allows short-term land transfers, although in some cases these are encumbered by conditionalities. Nevertheless, the present system is better in this regard than the previous one. Land transfer practices are just as complex at present as they were in the past. Currently, the most common forms of short-term land transfer are sharecropping, rentals, land loans, and limited "leases". Long-term transfers include inheritance and endowments. There are several kinds of endowments, the most common of which is the marriage endowment. Since land cannot be sold, mortgaged or exchanged on long-term bases, these forms of transfer are not part of the land market although

there is some evidence to suggest that peasants are engaging in such transfers, including land sales, surreptitiously in some areas (Bruce, Hoben and Dessalegn 1994).

As in the past, the informal land market is made more diverse in response to peasants' need to get access to farm oxen. The available evidence shows that nearly one-third of rural households do not own any oxen at all, and more than a quarter have only one ox each (Dessalegn 1997). Thus oxen are a precious asset, and peasants employ numerous arrangements, including land rentals and sharecropping, to get access to them. This aspect of the land market will continue to be significant because the rural areas are losing large livestock populations due to recurrent drought. Moreover, the informal land market must be seen in conjunction with the informal labour market in the rural areas. Access to land through the market, especially by well-to-do households, creates demand for seasonal labour. This aspect of the land market has not often been examined closely (see Abebe 2000).

Overall, rentals and sharecropping are the most common forms of land transactions. There is also "land loans" which are favoured by women-headed households that have rights to land as well as by elderly households or households constrained by ill-health and unable to farm the land. But practices differ from community to community, and in a good number of occasions, a particular form of land transfer may be known by one name in one locality and by a different one in another. In a survey undertaken by ILRI among a small sample of households in four PAs in rural Arsi in 1994, it was found that 16 percent of all cultivated plots were contracted, with 31 percent being fixed rentals, 25 percent being sharecropped, and the remaining 44 percent "borrowed or gifted" (Ahmed et al 2002: 12). A similar study in one *woreda* in Arsi found that 24 percent of fields were farmed under some kind of short contract. Here too, land transfers included rentals, sharecropping and borrowing and gifting (Gavian and Amare 1996). The last two, the authors point out, are transferred free of charge, which does not sound convincing unless the authors are referring to fields transferred as inheritance or endowments. The IDS study noted above reports that 29 percent of the sample households were operating rented land. The evidence suggests that more household plots will be under contract in communities with more poor people.

These and other studies show that the duration of contract is often one to two years, and rarely over three years. Rights holders are reluctant to transfer their plots for longer periods partly because it is not allowed, and partly because of the fear that the contracting part will lay claim to the land if he/she gets to use it for a long period, and partly due to the fear of losing the land should there be fresh redistribution⁹. Insecurity of tenure has impacted on the land market:

⁹ Dessalegn 1994; Bruce, Hoben and Dessalegn 1994; Gavian and Amare 1996; Gavian and Ehui 1996; Abebe 2000. For a broader debate on land markets see Tesfay Teklu 2003, forthcoming.

there is a good deal of uncertainty and apprehension among rights holders regarding land contracts.

There are two forms of rentals at present: rentals for a fixed payment in kind or in cash. It is interesting that cash rentals are becoming common at present (Yared 2002); this is a new development and quite uncommon in the Imperial period. Sharecropping arrangements are numerous, but the most common ones include a percentage of the harvest or a fixed share of the harvest. The rate depends on whether or not the rights holder contributes inputs, labour or oxen and how much such contribution is valued. While in general peasants prefer land transactions to be undertaken among kin, close friends or neighbours, the practice is not restricted to such relations and is becoming increasingly open to members of the community, or persons from outside (such as businessmen, etc) if they come with good "credentials". On the other hand, land loans are frequently made by one close kin to another.

Who are the active participants in the land market? Rights holders who contract out their land are often poor households, women-headed households, or households constrained by lack of labour (due to age, health or other factors) and of oxen. Those who seek land frequently are the landless (who are often young ones who missed out during redistribution), and enterprising peasants who wish either to escape poverty or to improve their income. The latter consist of peasants from the better-off social category (Dessalegn 1994; Yared 2002). Yared's recent study shows that cash rentals are increasingly favoured by young peasants who have returned from the towns or other areas with employment opportunities and have saved up sufficient money to purchase an ox and/or to rent farmland in their communities. In peri-urban areas, small businessmen rent land in cash from peasants to grow vegetables and other produce for the urban market.

It is quite likely that user documentation may promote assurance among rights holders and hence make land transactions more secure. Landholders may now feel secure enough to rent out their plots to fellow farmers for longer periods than is the practice at the moment. This may promote better management of the land by the renter, and better price for the owner.

It is quite clear that even though the land market is not functioning at its full potential, and is artificially constrained by policy measures (*vid. Tesfaye Teklu forthcoming*), it is nevertheless playing an important role in addressing the deficiencies of the land system. I shall point to four important functions of the land market: a) it helps to ensure that land moves from those, who, due to a variety of constraints, cannot use it productively to those who can; b) it is helping to meet the needs of the landless: landless peasants have the opportunity to get access to land through the land market; c) it provides opportunities for enterprising (and well endowed) peasants to enlarge their farm operations; d) it offers a reliable source of income to poor rights holders who would otherwise be in dire straits. Yared's study noted above contains some sixteen case

histories, most of which showing how land rentals, sharecropping and other land transfers helped peasants cope with difficult circumstances and even enabled some to escape poverty.

7. Conclusion: The Way Ahead

7.1 Issues for Debate

I shall not attempt to summarize the arguments raised in this paper but will present instead a series of broad recommendations that I hope will serve as the starting point for *informed debate* on the land tenure security. The land issue is a cross-cutting issue: it has a strong bearing on a wide range of subjects and policy problems, including agricultural development, food security, natural resource management, poverty reduction, and even human rights. In predominantly agrarian societies such as Ethiopia, land is the most critical asset, and any discussion of socio-economic development will have to examine the agrarian structure and the land system.

Since 1994, land tenure in this country has become a constitutional issue. This is unfortunate because in the long run this will aggravate the rigidities of the land system, making timely changes in tenure more difficult. The broad conclusion that emerges from a close look at the history of land tenure in the last fifty years in this country is that successive reform and policy measures have *failed to modernize the land system*.

Nevertheless, in view of the discussions presented above, the following issues need to be considered carefully in any fresh debate on the subject.

7.1.1 A Plea for a Fresh Debate

First, we must make every effort to promote a sustained debate on the subject. A recent document of the World Bank made what to rural development specialists in this country sounds a rather astonishing claim, namely that "there is a surprising dearth of current research on land", but nevertheless the "scanty evidence that is available suggests that the current land policy is not a major constraint to food security" (World Bank 1999: 54). As the references at the end of this study indicate, there has been considerable research on the land issue within academia and research institutions on the one hand, and among civil society on the other¹⁰. The conclusion on land and food security arrived at by the World Bank reflects one point of view in the debate.

However, it is obvious that the quality of the current debate is quite uneven and leaves a lot to be desired. Some of the debate reflects a singular concern over the subject of ownership, leading to a polarized argument around the issue

¹⁰ See also references in Tesfaye Teklu 2003.

of state versus private ownership. The government and its supporters are adamant that there is no alternative to state ownership, while some of its critics are equally convinced that private ownership is the only way out. This has not served a useful purpose and it is important to move away from such sterile discussion. On the other hand, the recent stand of the Prime Minister, announcing that as far the governing party and his government are concerned, the land issue is a dead issue and a debate on it is not welcome, is ill advised.

A sustained and informed debate on the subject, based on research and the views of the stakeholders themselves, is necessary if we are to address the complex problems of rural development and natural resource management.

7.1.2 Tenure Security

Despite the new initiatives underway in the last half dozen years or so, and despite in particular user right documentation, tenure insecurity still remains the overriding problem of the land system in this country. Given the right mix of policies and legislation, tenure security is possible under most tenure regimes. Conversely there is ample evidence to show that insecurity does occur under private tenure regimes. The important point here is that the debate on land can be fruitfully conducted without getting bogged down on whether one tenure regime is better than another. I submit that the search for tenure security should be the central objective that should inform the debate.

Tenure insecurity has been aggravated not just because of the threat of periodic redistribution, but also due to the following factors: a) increasing rural poverty and the fact that farm life is becoming unviable; b) growing population pressure and increasing land scarcity; c) interventionist measures by government officials in the field leading to extra-legal decisions affecting land matters; d) the lack of knowledge on the part of rights holders of their rights and their inability to defend their rights; e) the lack of a proper and accessible juridical body responsible for land disputes.

There are three key factors that have a strong bearing on security of tenure: a) *The duration of rights*: the landholder has a right to the land on a continuous basis for good or for long enough to have an incentive to improve or invest on it. b) *The assurance of rights*: the landholder feels assured that his/her rights are not arbitrarily overridden by others, including the state. The loss of rights should occur only in exceptional circumstances and should be a result of due process, the decision of a court of law, or according to the provisions of a contract, in which case, the holder will be compensated in full for the land and/or the investments on it. c) *Robustness of rights*: the holder has the freedom to use, dispose of or transfer the land free from interference by others, including the state. While user documentation is to be welcome and is a step in the right direction, the current land system still falls short in assuring rights holders of security of tenure in the full sense of the word.

But tenure security also depends on past decisions of policy makers or authority systems and historical experiences. Recurrent political instability, the loss of respect for the law by the public or the frequent resort to arbitrary decisions by power holders will create or exacerbate insecurity in general and tenure insecurity in particular. Once insecurity becomes widespread, as it did due to the Derg's radical rural reforms and agricultural policies and the frequent land redistributions that have been going for nearly two decades, it is very difficult to reverse it. It is not enough, for instance, to put a statement in a policy document or an article in a legislation announcing that no more redistribution will be undertaken by the government. The farming population does not have access to policy documents in most cases.

The first step in promoting tenure security must begin with a formal decision by the government at the Federal and *Killil* level to remove the threat of future redistribution of land. Such a categorical decision has been made by Oromia *Killil*'s legislation only. Once this is in place, a concerted campaign must be undertaken by authorities at the community level in particular to convince peasants that redistribution is a thing of the past. Further, tenure security can be promoted: by extending the scope of the land market and giving it legal support; by restricting the intervention of government agencies to extension work and removing their right to intervene in land matters; by giving the courts the sole authority on land matters, including land disputes, dispossessions, land transactions, etc. No decision on land should be binding on rights holders unless it is made through the legal process and is the decision of legitimate courts.

In this connection, it will be worth revisiting the land legislations discussed at some length above. It is the opinion of this author that the conditionalities described in the Tigray but more importantly the Amhara legislation are unfair and counter-productive; they will lead to conflict in the long run. The Amhara legislation has a wide range of conditionalities, including not only soil and water conservation, but care for the vegetation on farm plots, "proper" farming practices, weeding, flood control, etc. Most of these obligations imposed on the farmer are best left to extension programs. What is of serious concern is however that the determination of the fulfillment of these obligations, and the penalties involved for failure, both of which are left to the discretion of the bureaucracy, will fuel conflict. Moreover, the encouragement given to individual citizens to report to the authorities about cases of abuse of land in the Amhara draft policy document will, in the long run, inflame passions and set neighbor against neighbor, and peasant against peasant.

Finally, tenure security will not be assured unless rights holders are cognizant of the law and can defend their rights. *An informed peasantry is an empowered peasantry.* There is a long tradition in this country of keeping rural people in the dark on the part of the state bureaucracy especially in matters that directly affect their lives. Very few peasants in the country have any knowledge

of laws and policy decisions regarding, for example, land tenure, agricultural development, environmental protection, etc. The same may be said of officials at the *woreda* and *kebele* level. Hence, ways must be found to ensure that peasants as well as lower level officials are fully informed and have ready access to the relevant documents when the need arises¹¹. This is of course easier said than done: it would require considerable resources, for example, to provide each rural household in a *killil* (or even each *kebele* office) with a copy of the relevant land legislation. But this is not reason enough to keep stakeholders in the dark. For example, copies of the relevant law could be distributed to peasant leaders, officials of cooperatives, community representatives, and in some cases local religious leaders. One could also enlist the support of NGOs working in rural communities, though what this will actually entail should be left to the *Killils* and the NGOs concerned to work out.

7.1.3 User Right Documentation

The literature on African land tenure suggests that land registration and the issuance of title documents does not necessarily lead to tenure security in all circumstances. The evidence indicates that registration and titling may have a positive impact on security and farm efficiency in conditions where the land is unusually productive and employed to grow high value cash crops (for example, irrigated plots), and where there is good access to profitable markets. Moreover, for registration and titling to be effective, cadastral surveys and a modern system of record keeping are essential, without which the program could lead to increased conflict and uncertainty. But modern surveying techniques and establishing an efficient system of land registry are very costly¹².

Many peasants interviewed for this study in both *Killils* were positive about the issuance of use right documents though a few in Amhara were uncertain and cautious in their comments. There is a feeling that the documents will provide holders greater security than was possible in the past. Many of those who gave favorable opinions pointed to numerous unsound practices that peasants were forced to employ because of tenure insecurity, and some of these practices have been discussed earlier in this study. However, documentation has been undertaken without adequate preparation, in the absence of basic plot identification and registration tools (surveys, mapping, etc), and without a proper system of land registration. While documentation has currently helped reduce or minimize some problems, new problems and hence new conflicts will arise in the future unless modern techniques are employed to improve the system now in use.

¹¹ I believe a program of information dissemination should be aimed equally at both peasant and local official. A program benefiting the latter only will serve to further subordinate the peasant to the state.

¹² For the literature see Bruce and Migot-Adholla 1994, IIED 2004; also Raisin.

We have also noted that documentation is being undertaken under the existing legal and policy framework. Unless this framework is changed, and unless there is legislative harmonization, the positive results of documentation will soon be eroded. Finally, documentation has been carried out under conditions of severe population pressure. The rural population is growing at the rate of three percent per year which means that the land resources of the countryside are under extreme pressure. There is a high rate of land fragmentation, land which is marginal and which in the past was used mainly for grazing has been brought under cultivation, and resource degradation is proceeding at an alarming rate. These conditions will in the end undo the benefits of user documentation. In any event, user documentation by itself, however well it is undertaken, will not be sufficient to ensure full tenure security.

7.1.4. Population Movement

As noted above, the countryside is carrying an enormous population that is dependent on an increasingly diminishing asset base. The problem is further compounded by the fact that there is very limited population movement out of the rural areas. While agriculture is virtually the sole economic activity of rural households, the combination of land degradation, land fragmentation, uneconomic farm plots, and population pressure has had the effect of depressing food output and productivity. There are very limited off-farm employment opportunities: the rural economy here is perhaps one of the least diversified in Africa. For most rural households, food insecurity is the most critical problem. Periodic food crises and major famines have had a devastating effect on the farming population in the north, the east and central part of the country. In fact, it may be safe to say that perhaps only a third of the rural population may be said to be tolerably food secure at any given time.

These conditions make it imperative that government consider development options that will help draw a good percentage of the population out of agriculture. The chances of stimulating rapid growth in the agricultural sector are better with greatly reduced population pressure. Creating the enabling environment for the private and the public sector to generate employment opportunities on a large scale is one option worth considering. Encouraging economic diversification is a second option. A third may be investing on the necessary infrastructure to encourage rapid growth in the modern sector. A fourth option may be rapid growth in urbanization and investments on urban services to enable such growth. Urban growth accompanied by increasing employment opportunities will attract a large number of rural migrants. With only 15 percent urbanization, the country is, comparatively speaking, virtually "unurbanized" and is thus capable of higher levels of urbanization. Current development policy has relegated the urban centers and the modern sector of the

economy to a secondary status, but in the light of the arguments presented here it will be important to revisit the issue.

7.1.5. Resettlement

The government's resettlement program, which has been launched in several *Killils*, will be faced with many constraints. First, the optimism of decision-makers that there is plenty of unused land to accommodate settlers from the highlands is not borne out by the facts. There is very little unused land in this country, much less land that can be cultivated with existing peasant technology. The vast area of the country that is categorized as "uncultivated" land has the following characteristics: a) it lies in arid or semi-arid ecologies; b) it is used as grazing land by the neighbouring peasantry or pastoralist communities; c) it would require huge investment in water development, infrastructure, health and other social services to bring it under cultivation. Secondly, large-scale resettlement programs are costly and at present the government does not have the resources to undertake them. Thirdly, while the country did have many years of resettlement experience, it has now lost the resettlement expertise. Most of the trained personnel who were capable of planning, programming, executing and monitoring resettlement programs have left government service or are no longer available. To the best of my knowledge, they have not been replaced by a new generation of staff trained in the field of settlement .

The settlement programs under way at present were undertaken without serious public debate, which is unfortunate because there is a need for extended discussion on the subject and wide public consultation. Despite the argument presented above, however, I believe the resettlement option should not be foreclosed but there should be a sustained debate on the matter.

7.1.6. The Land Market

We have seen above that despite the restricted circumstances, there is an active land market in the rural areas. What is also significant is that the market seems to be meeting the deficiencies of the land system to a good extent. In particular, it offers the following benefits: a) the market provides opportunities for the landless, who in many localities are also the young, to get access to land; b) it serves to provide a source of income for poor households; c) it enables enterprising peasants who are better endowed to expand their farm operations; d) finally, it makes the land system, which otherwise is quite rigid, a little more dynamic by enabling land to move from those who are unable to use it productively to those who can.

One justification for periodic redistribution is that it will serve to solve the problem of landlessness. We have seen above that redistribution does not solve that problem but instead exacerbates insecurity. I believe a more robust and

more dynamic land market will go a long way to address the problem of landlessness. The advantage here is that the market will not bring with it the harmful after-effects associated in particular with redistribution. However, to make the land market more vigorous and more open it should be legally supported.

Tenure security will invigorate the land market by making land transfers legal and above board, which would further open up the market. This in turn will encourage investment on the land because the landholder will know that he/she can recoup the investment since the value of the land will appreciate. Open land markets help to boost the value of the land while illegal land markets tend to depress it.

While it is too early to judge at the moment, there is reason to believe that user documentation will improve the functioning of the land market. Peasants may now feel that they are more secure in their holding and will be willing to rent out or in land for longer periods. They will also be able to negotiate a fair price for their rights.

The implicit argument of the government's land policy that rural differentiation is bad because it promotes conflict is unconvincing. I believe social differentiation that emerges through hard work, initiative, risk taking, and enterprise, should be encouraged because peasants who achieve a higher status through such means will be the driving force of a dynamic rural economy. The land market helps to encourage this kind of positive differentiation.

7.2. Gender and Land

In view of the discussions presented under section 2.1 and the gender dimensions of the *Killil* legislation noted in section 2.2 above, the following points are relevant in any fresh debate on land policy.

Since land has been distributed to individuals rather than households, women have been able to get land, however, they are at a disadvantage in other respects. The country has a diversity of cultures with regard to gender and property ownership. Women are in a better position to receive and keep land in those communities where in the past, i.e. before the radical reforms of the Derg, they were allowed to own land by customary law. It is comparatively more difficult for women to hold on to their allotments in communities where customary practice did not allow it.

Moreover, some of the conditionalities of rights to land included in the legislations we have looked at above impose increased burdens on women and thus put their rights at greater risk. The restrictions placed on residence by the Tigray legislation will place women at a disadvantage because on marriage they may move from the *kebele* of their parents to that of their husbands. For women, as opposed for men, the marriage bond is an important condition of ensuring rights to their land. There are strong pressures on women to give up

the family plot in the event of the death of their husbands.

The registration of husband and wife and the recording of both names in user documents in Amhara is a welcome measure. In contrast, the issuance of user certificates in Tigray in the name of the household head only is a serious threat to the rights of women. A recent study of women's access to rural land in Tigray concludes that there are also legal gaps especially with respect to marriage registration and multiple marriages that constrain women's rights in general and rights to property in particular (Mahari Redae 2003). These issues, i.e. marriage registration on the one hand and the practice of multiple wives by men on the other are serious issues which will constrain women from asserting their rights to property.

Women-headed households are dependent on the land market to keep their land under cultivation (Yigremew 2001; Zenebeworke and Yared 2000). Such households either rent out their land or enter into an agreement for co-farming with males because tradition in many areas prohibits women from ploughing land, or because the burden of child and home care makes it difficult for women to be fully engaged in all aspects of farming. This puts them at a disadvantage, making them dependent on male labor.

What is lacking in the land law is specific measures to protect the rights of women landholders. Such measures are necessary because there is a wide variety of cultural institutions and practices in many parts of the country (multiple marriages, denial of the right to inherit or hold property, etc) that deny women rights enshrined in the country's Constitution and other legal documents (see also EWLA 2004). Those charged with land administration at the *kebele* level are predominantly men and their decisions on land matters often put women at a disadvantage.

The Oromia legislation discussed above goes some way to address this problem, and in this, as in other respects, it is better than the other *Killil* legislations. It emphasizes that men and women have equal rights and equal access to land. The family land will be registered, and a certificate issued in both the husband's and wife's name, and in case of divorce, the land is equally divided between them after taking into account the needs of siblings that may be involved. If the man has more than one wife, he will receive a joint certificate with only one wife; the other wives will have the land registered under their own names and a certificate issued to each of them. There are similar articles in the legislation of the Southern *Killil*.

Finally, rural women will not be able to take advantage of the rights they have gained until there is a strong women's organization, either based in the rural areas or with an effective presence there, that is capable of protecting these rights. Given the pervasive power of patriarchal attitudes and of tradition, peasant women rarely raise their voice and even more rarely are they heard where and when it matters. The immense burden of home management, childcare and farm labor excludes them from participating in most aspects of

community governance. Their chances of benefiting from gender-sensitive reforms are also limited due to their lack of knowledge of legal opportunities and of the workings of government institutions. Civil society organizations working with farmers can help to educate rural women of their rights and opportunities but in the long run the women themselves will have to build their own organization if they are to ensure their rights

7.3 Searching for Tenure Security

Despite the recent attempts of the government to smooth out some of the rough edges, the land system remains inefficient, restrictive and a serious obstacle to the modernization of the rural economy. The system gives the state immense power over the hard pressed peasantry- it is, in other words, a political weapon that has enabled the state to exercise unchallenged domination in the countryside. This explains why the government is vehemently opposed to any tenure regime that threatens to loosen its control over landed property.

It will be presumptuous to recommend a formula for a “good land proclamation” applicable in all *Killils* since a sound legislation must be based on objective conditions in each locality or *Killil*, should grow out of broad-based consultations with all concerned, in particular peasant leaders, and should incorporate the experiences of the past. Past experiences, including those since the mid-1970s, differ from one *Killil* to another. Moreover, in the period before the radical reforms of the 1970s, tenure practices, as well as customary laws having to do with women’s rights to land, varied significantly from one part of the country to another. Thus, it would be quite unwise to suggest a uniform legislation for all localities.

On the other hand, there are certain basic rights of tenure which should be enforced in all areas because they will promote **security** and a **dynamic land system**. The objective of policy in our context should be the **modernization of the land system**.

The central elements of such a system should revolve around the following:

- ❖ It should ensure full tenure security in the sense noted above (security for all including women); periodic redistribution or the threat of redistribution should be expressly prohibited and there should be an awareness campaign to inform all stakeholders.
- ❖ Land legislation should not promise each adult citizen in the rural areas the right to land as the Constitution and the *Killil* legislations do. Indeed, while the three *Killils* promise land to all rural adults in their respective jurisdictions, the Southern *Killil* makes rights to land a right of all the country’s citizens. In the circumstances of high rates of population growth and shrinking land resources, such promise is

dangerous. It means either periodic land distribution or a betrayal of (young) peasant expectations.

- ❖ Existing initiatives of user rights documentation should be continued but using modern techniques of mapping, surveying, and land registration.
- ❖ A sound policy should allow the free movement of land from those who cannot use it, or not use it efficiently, to those who can. Such policy should make land transactions more secure, efficient and free from all unnecessary bureaucratic encumbrances. The setting of time limits for all land rentals, the criteria of technology use, and the registration of rental agreements with the *kebele* or woreda office are such encumbrances. A simple framework for secure contracts is sufficient.
- ❖ Remove all conditions and user obligations from the legislation that directly or indirectly either justify or invite government interference in land matters; sound obligations that promote efficiency and security should be included but they should be precisely and unambiguously worded as to leave no space for government interference. Planting trees, soil conservation measures, timely weeding, etc., all of which are listed as obligations of rights holders in all *Killil* legislations, are best left to extension programs. Peasants with secure rights to their holdings will have a strong incentive to employ sound land management practices; in any event, many of the obligations listed in the legislations are part of indigenous land management practices of the local population.
- ❖ Land policy should provide a sound and practical judicial framework for land disputes as well as for rights holders to protect their rights in the event that government authorities violate them or threaten to violate them. Such a judicial framework is absent from current policy or poorly provided.
- ❖ An efficient land system will ensure that no decision or measure is taken by local authorities that jeopardizes the rights of holders without due process, a court decision or the rule of law

Finally, a government which has the welfare of the rural population at heart and which is keen to promote a dynamic land system will enable rights holders to have access to all relevant legal and policy documents so that they are able to defend their rights in court or in other appropriate forums; this will empower farming people and peasant communities. Government could solicit the support of civil society organizations (NGOs, human rights groups, etc.) in this endeavour.

Annexes

1. Changes in Property Rights and Formal Institutions 1975-2004

Period	Institutional Change
1975-77	Land reform legislations, and redistribution of land. PAs established. Also established: Judicial tribunals; defence squads; women's associations. Nationalization of forestry; two types of forestry ownership: state and community.
1977	State farms launched.
1977-80	Renewed land redistribution
1978-79	Cooperative societies. Progress in collectivization.
1978-86	Villagization in rapid progress. Also, massive program of resettlement. Both villagization and resettlement undertaken against a background of famine and war.
1982	PAs restructured
1990	Mixed economy reforms affecting socialization, grain marketing. Dissolution of cooperatives, villagization.
1991	The fall of the Derg regime
1991-93	Collapse of resettlement program. Large numbers of settlers return to their original homes.
1992-94	Ethnic decentralization and federalism. Reform of local government, <i>kebelles</i> with new authority. Private property (except in land) ensured by constitution. Tenure system modified but not changed. Common-property resources (forests) under <i>Killil</i> and local control
1995-98	Return of cooperatives; reorganized at <i>kebelle</i> level.

1997	Land redistribution in Amhara <i>Killil</i> . The authority for land administration delegated to the <i>Killils</i> by Federal law
1997-2002	"Redistricting": redrawing <i>kebelle</i> boundaries. Land administration in Tigray.
2000	Land use and administration legislation in Amhara; other <i>Killils</i> following suit.
2000-02	Common lands on hillsides distributed to individual peasants in Amhara. Rationale: to encourage individual afforestation schemes.
2001-02	Policy of decentralized rural development. Woredas and <i>kebelles</i> to be focal point of development program implementation.
2002	Land use and administration legislation of Oromia issued.
2003	Massive resettlement program launched
2003-04	User right documents given out in some <i>Killils</i>
2004	Land administration legislation finalized in SNNPRS

Source: Dessalegn 1984; Pausewang et al. (eds.) 1990; Ege 1997; *Killil* legislations

**2. Area, Production and Yield of Major Crops 19780/81-2000/01
(Both Seasons)**

Year	Area (Mn. Ha.)	Production (Mn. Qn.)	Yield (Qn/Ha)
80/81	5.7	56.6	11.6
81/82	5.7	63.0	11.1
82/83	6.1	78.1	12.8
83/84	5.7	63.4	11.1
84/85	5.9	48.6	8.2
85/86	6.0	54.0	9.0
86/87	5.6	62.6	11.2
87/88	5.9	66.0	11.1
88/89	5.8	71.9	12.5
89/90	5.8	68.5	11.9
Average 80/81- 89/90	5.8	64.2	11.1
93/94	7.2	57.4	8.0
94/95	7.7	75.0	9.7
95/96	9.1	103.3	11.4
96/97	8.9	104.4	11.7
97/98	7.7	81.0	10.5
98/99	8.5	88.7	10.4
99/00	8.9	92.3	10.4
2000/01	10.4	110.4	10.6
Average 93/94- 00/01	8.6	89.1	10.3

Source: Based on computation from CSO/CSA in Dessalegn 2003a.

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[NOTE: Following customary usage, Ethiopian authors are listed alphabetically by first name.]

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