
Gender-Based Perceptions of Primary Level Land Certification in Rural Ethiopia: A Reference to East Gojjam Zone, Amhara National Regional State

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Abstract

It is more than a decade since the Ethiopian government has started rural land certification, which is supposed to be "modern" and "better" compared with the previous regimes. The government conceived that it ensured peasants' livelihoods due to the current land certification. On the one hand, some saw the current land certification as paving the way for landholders to change the way they make use of their land, ensuring women's equality with men in land control, and helping them in improving their livelihoods. However, on the other hand, there is also a great deal of criticism on land certification. From this side, there is an argument that despite the government's intervention in rural land practices; peoples' livelihoods have never been improved. Outside of the debate, this paper's objective is to present households' perceptions of the first-level land certification process in East Gojjam Zone of Amhara Regional State. To address this objective, a combination of qualitative data sources from fieldwork was employed. The study's findings show that during the land registration process, men (as household heads) were assigned responsible to registering all household lands and receiving landholding certificates. At a household level, although the land is a joint property of husband and wife, many husbands had systematically excluded their wives from landholding rights. In households with siblings (both male and female), excluding female children from inheriting the family land has become a common practice. It can be concluded that compared to their counterparts, the wealthy, male-headed households, and young males, the poor, most female-headed households and young females are less benefited from the certification. It is also proved that instead of improving the livelihoods, the land certification has changed the ways men and women make use of their lands. Implementation of land-related policy needs caution as men often exclude women from their holding rights. Also, awareness should be created among the rural communities so as to encourage women's participation in the process of land certification.

Key words: Gender, Perception, Land certification, registration, household, livelihoods

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1. Introduction to the Subject Matter and the People

In Ethiopia in general and in the Amhara National Regional State in particular, land remained to be peasant households' most important livelihood asset. Thus, access to and control over land and other environmental resources is a significant way to secure households' income and ensure their survival. Without land, the rural may not be a full-fledged household, and fellow members may not properly lead their lives. By recognizing its importance to rural livelihoods and to ensure peasants' landholding right, at different regimes, Ethiopian governments have been issuing their own policy frameworks that they thought important to ensure and improve households' livelihoods. To this end, it has been more than fifteen years since the current Ethiopian government² launched a land entitlement policy known as the "Rural Land Administration and Use Right Policy."³ It has been implemented through land measurement, registration, and certification.

To put the policy into effect, the Amhara National Regional State has also issued its own proclamation on land use and administration.⁴ The proclamation emphasizes, among other things, land entitlement through measurement, registration, and certification. Land certification appears to be the result of the new policy, which has two levels or phases: first-level certification (a yellow color card) and second-level certification (a green color card). The government is confident enough to affirm that the new policy has ensured and improved the livelihoods of rural households. Many argue, however, that the land certification process remained contested and did not address societal problems. From the people's perspective, information is scarce, so there is a lack of understanding of whether land certification differently improved women's and men's livelihoods. As a result, based on the perceptions of community members, this paper fills this understanding gap. In the paper, it is argued that during the first level of land certification, several problems (new and old) emerged and intensified, negatively affecting the

² This is to refer to the government under EPRDF since the data are concerned with the period prior to 2019.

³ This is both the Rural Land Administration and Land Use Proclamation No. 456/2005 at the Federal Level and Rural Land Administration and Land Use Proclamation No. 133/2006 of the Amhara National Regional State.

⁴ Zikre Hig (2006) The Revised Amhara National Regional State Rural Land Administration and Use proclamation No 133/2006. Amhara National Regional State Council: Bahir Dar; and Zikre Hig (2000) The Amhara National Regional State Rural Land Administration and Usage Proclamation No. 46/2000. Amhara National Regional State Council: Bahir Dar.

majority in one way or another, and thus the land policy intended to be implemented at this stage was grossly inadequate to benefit the population.

This paper has so far focused on introducing the topic in the first section. The paper's second section discusses the methods used to collect data, while the third section is dedicated to a review of related literature, including both historical and current land-related policies. The fourth section is a discussion of the findings, which include people's perceptions of the land entitlement process. Finally, the paper concludes with a summary of the key arguments and recommendations.

2. Sampling and Data Collection Methods

This research was carried out in East Gojjam, one of the eleven zones of the Amhara National Regional State. There are four conventional agro-ecologies in the zone: *wurch* (alpine) *däga* (highland), *weina-däga* (midland), and *qolla* (lowland). Highland agro-ecology dominates the East Gojjam zone, followed by midland and lowland ecologies. The zone is located in the altitudinal range of 800 to 4100 meters above sea level. Choqe Mountain, which rises 4100 meters above sea level, is the zones highest point. The abay Gorge (Nile Gorge), also locally known as Abay *bäräha* (Abay Desert), has an elevation of 800 meters above sea level and is the lowest point. East Gojjam's annual rainfall ranges between 900 and 1800 millimeters, with variations, and its temperature ranges between 8 and 27 degrees Celsius (Bewket, 2010).

East Gojjam is divided into seventeen districts (*worädas*)⁵, 346 rural *qäbäles*,⁶ and 36 urban *qäbäles*⁷. This study was carried out in three *worädas* of the East Gojjam zone, namely Sinan, Gozamen, and Dejen, from which three research sites (*qäbäles*) were chosen primarily to understand evidence from the three agro-ecological settings. Kurar was chosen from Dejen, Enerata from Gozamen, and Gedamawit from Sinan to represent lowland, midland, and highland ecologies, respectively.

⁵ Aneded, Awebel, Baso-Liben, Bibugn, Debay-Tilatgin, Debre-Elyas, Debre-Markos zuria, Dejen, Enarj-Enawga, Enebisie-Sar-Midir, Enemay, Goncha-Siso-Enessie, Gozamen, Hulet-Eju-Enessie, Shebel-Berenta, Machakel and Sinan.

⁶ This is a local political administration below the district. A district consists of several *gebeles*.

⁷ households cultivate crops including varieties of potato and barley. They also cultivate oats, wheat, *ingido* (*Avena* species), *awaqugn* (triticale), beans, and peas. Livestock production is another livelihood activity that they depend on.

To address the objectives of this paper, primary and secondary qualitative data were collected. Key informant interviews, in-depth interviews, and focus group discussions were the major tools used to collect primary data. Based on purposive sampling, key informants were selected considering their knowledge of local culture, especially land-related issues, their age, gender, leadership, and power of explanation. For this purpose, seventeen key informants and forty-eight informants for in-depth interviews were chosen and used to collect data on their perceptions of the land certification process that has been taking place in their communities over time. In addition, eight experts (extension workers) and government officials were consulted and interviewed in order to better understand policy issues on the ground. Seven focus group discussions were held to cross-check the qualitative data. The focus group discussions were aggregated based on gender and age, with men and women mixing together, as well as separately discussed issues raised during interviews. The fieldwork was conducted between February 3 and April 8, 2018. Secondary data sources related to land certification and recent policy documents on land proclamations were consulted and reviewed so as to deal with the subject matter.

3. Review of Related Literature

3.1. A Brief Description on Land Entitlement in Ethiopia

Among the Social Science Approaches, both Environmental Entitlement and Property Right Theories can clearly present land entitlement issues. The Environmental Entitlement Approach (EEA) is mainly concerned with institutionalizing sources of livelihood strategies such as land by linking the micro and macro level activities. It deals with how communities make use of the natural environmental resources and how formal and informal institutions govern the resources (Leach *et al*, 1999; Cundill, 2005). Property Right theory considers property regime and property right as social constructions and as the system of relationships. It is concerned with issues that land and land tenure are arrangements that shape relationships among communities' households' and individuals'. In this regard, land and land tenure are shaped by relationships among communities, on the one hand, and between communities and their environmental resources on the other hand (Meinzen-Dick and Mwangi, 2008). In countries, such as Ethiopia, as policies, for instance, land policies and their implementations primarily affect the existing gender relations and the structural relationships between men/husbands and women/wives.

Land entitlement has been the most contentious issue in most parts of Ethiopia in general, and Amhara National Regional State in particular (Dessalegn, 2007). This is because, for several generations of rural households, land has been the primary source of income and, in many cases, the only asset on which they rely. Hoben (1973), Guday (2005), Dessalegn (2001; 2007), Ege (1997), and Yigremew (2003), for example, argued that pre-1975 land tenure policies and strategies were discouraging because they marginalized the masses, causing them to suffer from livelihood insecurity. For example, in Amhara before the 1970s, the land was primarily occupied by kinship-based groups and the Ethiopian Orthodox Church (Guday, 2005; Hoben, 1973). Women have not been formally excluded from land ownership rights in the kinship-based system, according to both scholars.

It is also claimed that prior to the 1970s, Amhara women had an equal right to inherit their parents' land as men (Askale, 2005). In reality, however, women do not live with their parents, and post-marital residence is patrilocal. This is also because, as McCann (1995) stated, the patrilocal residence is a critical opportunity for men to inherit their parents' land. This is because in the study communities, plowing land is solely the responsibility of men. Thus, whether it was a use or ownership right, land has largely remained under the control of men.

There were land reform proclamations in the 1970s and 1980s that were intended to govern rural citizens' land use rights. Scholars such as Desalegn (2007) and Ege (1997), on the other hand, considered pre-1990s land and environmental resource-related proclamations to be futile for several reasons. First and foremost, the land remained in the hands of the government, whereas households and individuals only had use rights and had never enjoyed private ownership rights, including land transfer. This means they were unable to transfer land through a mortgage, sell, or exchange. This means that the rural population has never enjoyed the benefit of the land. As a result, most rural households have a negative perception of land-related policies and their implementation. Secondly, in the pre-1990s land policy, there was the possibility of recurrent land redistribution, which also ordered the possibility of retaking land by government officials, so this hindered land transfer to another third party. Thirdly, the policies have never been well done and did not bring men's and women's equal rights of access to land, thus not ensuring women's equal benefits from household land (Getachew, 2003 and Askale, 2005).

For instance, according to Askale (2005:5), in the Amhara region, for many years, including the 1970s and 1980s, women had only a secondary right to own land. This was derived only through their membership of households and gained primarily through marriage. Furthermore, Getachew (2003) explained that in his study area, Gojjam, after Proclamation No. 31/1976, equal land acquisition and grant rights for men and women had been issued, but later on, it was said that women lost all or most of the lands they had acquired. This is because women were considered to not comply with the policy of the military rule (1967–1991) on land administration in that they did not plough land and could not contribute some amount of grain to what was known as *yānat hagär trri* (a call from the mother country) as a national interest that would be collected at *yārsha säbil gäbäya dirijit* (Agricultural Market Corporation). The corporation was responsible for collecting grain from rural landholders at a relatively low price and used it to store the grain in the warehouses.

The above statements show that land-related policies and their implementation strategies did less to consider men's and women's equal rights in land procurement, inheritance, and entitlement. Specifically, men's and women's equal access and control over the land were not given due attention. For instance, in the 1970s and 1980s, landholders considered that land to not be their private property. Rather, they thought it had always been in the hands of the rulers (Askale, 2005). This has resulted in distrust between the people and governments, as well as among the people themselves (at the inter-household level), and has been used to create conflicts between husbands and wives, as well as between male children and their parents (at the intra-household level). This demonstrates that land policies, even at the household level, did not address the interests of various groups. It is argued that the general consequence of such policy incompatibility has been environmental degradation, livelihood insecurity, and consistent poverty (Alemneh, 1990; Berhanu and Fayera, 2005).

3.2 Land Related Policies in the 1990s

Since then, in the mid-1990s, different land proclamations were issued that seemed to recognize the above-stated gaps and problems. The proclamations were intended mainly to overcome the constraining policy frameworks related to land that existed in the decades before the early 1990s. Of the major policies at the federal level, Rural Land Administration Proclamation No. 89/1997 was issued. This proclamation was revised in 2005 and is known as Proclamation No. 456/2005. Both proclamations have tried to ensure rural

land acquisition, procurement, administration, and use rights. The proclamations confirmed that land remained public property and under the control of the government, so that ensured only one use right. In other words, they prohibited land from being purchased and sold by the users. While Proclamation No. 89/1997⁸ allows interval rural land distribution, proclamation no. 456/2005 partially prohibits land redistribution and it only allowed based on some conditions⁹. In the proclamations, it is claimed that they were intended to overcome the constraining policy frameworks related to land in the past.

At the regional level, Proclamation No. 46/2000 and the revised proclamation of 133/2006 were issued. These were, of course, replicas of the federal-level land proclamations. As it is claimed, they were formulated to improve the livelihood strategies of rural households and ensure rural food security through what is known as a "sustainable" land management system. The land management system was thought to be executed by the joint activities of land administration offices at the *woräda* and *qäbäle* levels. The approaches to the policies were also to be able to govern natural resource management. And the mandate for this task was given to the agricultural offices at a district level.

At the regional level land proclamation, it is stated that "land distribution may take place when there is extra land and when the local people believe that there can be land redistribution"¹⁰. However, in the post-1990s, it has become less probable that land would be re-distributed, mainly due to land scarcity in the study settings, though there are few households that have large hectares of land compared with most of the population. Among the major reasons that the proclamation prohibits land redistribution are mainly to minimize further land fragmentation and to avoid the possible conflicts that could be created due to land redistribution. Most of the youth interviewed claim that there should be land redistribution as there are several households still holding large *timads*¹¹ of land while there are a lot of young people unemployed and who remain at

⁸ Federal Democratic Republic of Ethiopia Rural Land Administration Proclamation No. 89/1997, pp.628-631.

⁹ This is for instance, when communities formally request the government to do so.

¹⁰ Zikre Hig Article No. 8

¹¹ In Gedamawit, informants claim that there are people who hold land up to 24 *timads* (equivalent to 6 hectares). In the midland and lowland, there are individuals who own up to 28 *timads* (about 7 hectares) of land. These people have received a large amount of land through a process known locally as "bewirs lay wirs" (literally, "double bequeath")

home, unable to secure their livelihoods and leading a desperate life, often migrating to towns in search of work.

There are a few studies done so far on people's understanding and perceptions of land policies, though they are not very comprehensive. Among these, Bertukan (2015), by taking different African examples, offered a comparative analysis of rural women's land rights in Africa. Women in rural Ethiopia have enjoyed the current land-related policy, though there are implementation drawbacks. Mintewab *et al.* (2012) showed positive effects of land certification, especially in reducing the gender-related gaps in managing productivity from land. The authors insisted that rural women have started to benefit from their land jointly with their husbands.

Furthermore, Berhanu (2009) stated in his study that there was confusion throughout the process of land registration and certification. This was primarily due to a knowledge gap between landowners and those charged with enforcing the proclamation. In their studies, Sosina and Holden (2014) shared their findings from southern Ethiopia. They explained that land certification had both positive and negative consequences in the area. They did not, however, explain the consequences that rural households faced. Likewise, the following section describes the experiences in the East Gojjam Administrative Zone.

4. Discussion and Findings

4.1. Land Entitlement through Certification in Amhara Regional State

As part of rural land administration in Amhara regional state, proclamation number 46/2000¹² and the revised proclamation number 133/2006¹³ were formulated and are being implemented. In the regional proclamations, it is claimed that the major concerns were to improve the livelihood strategies of the rural population in general and to ensure the food security of households in particular. It was intended to be implemented in two major ways. One was through what is locally known as *zälaki yämäret astädadär*, translated as Sustainable Land Management System. In this regard, controlling the activities of the land management system was thought to be executed by the

¹² The Amhara National Regional State Rural Land Administration and Usage Proclamation No. 46/2000.

¹³ Zikre Hig (2006) The Revised Amhara National Regional State Rural Land Administration and Use proclamation No 133/2006. Bahir Dar. This is the latest proclamation we have and in this paper it is often indicated as the "new proclamation".

collaboration between land administration offices at the *woräda* and *qäbäle* levels.

The second way to implement the new land proclamation was through what is locally known as *yätäfätiro* *habit tibäka*, which is translated as "natural resource management." This task is just to govern and ensure the safety of natural resources. Unlike the land management administration, the responsibility for handling the task of natural resource management was given to the agricultural offices at the *woräda* level. Although the two major tasks are like two faces on the same coin, and they were allocated to different offices, it is believed they eventually ensure households' land entitlement rights.

Having both the major strategies to implement land proclamation in mind that were intended to address the livelihood objectives of the people, proclamation number 133/2006 of the Amhara National Regional State has been put in place as a new policy to implement land entitlement. The proclamation is concerned with providing land-holding rights to men and women. It claims that the overall objective was to implement proper land use management to improve land productivity, which in turn improved the livelihoods of male and female-headed households.

In the new proclamation, it is stated that "to entitle the land, measuring, registering, and eventually certification are the three major techniques and steps that should be applied by the land administration offices" established for the task at both *woräda* and *qäbäle* levels. The following section of this paper deals with the process of land measurement, registration, and certification techniques and understanding the perceptions of households towards the process.

4.2. Land Certification Process and Gendered Perceptions

Preparation Phase: Before the actual land measurement took place, there were tasks that the office of land administration had to accomplish. First, as officials of the land administration indicated, in 2003 they established a committee consisting of five to seven members from each *got*,¹⁴ of which two of them were represented in the regular meetings at *qäbäle* level. The committee members were said to be elected by the people through a participatory method and also recommended by local political authorities.

¹⁴ This is the lowest political administration below the *qäbäle* and it is at village level.

Land Administration experts also explained that the selection of the committee members was based on some criteria. In the first place, they have to be *gimbar qäddäm* (meaning, active in community service).¹⁵ This means they have to engage in community service; they need to have ample knowledge about the area they are elected for; they have to be known by most of the households in the surrounding areas; and they have to be capable enough to understand the land policy in general and the training to be given for the actual process of measuring and registering the lands.

According to officials in all the *worädas*, the committee had several responsibilities. Among these, it has to conduct a preliminary survey of each plot of land and provide information to the land administration office; solve possible conflicts among neighboring landholders and make the process of territory demarcation easy; and give training for selected household heads about the process of land measurement, registration, and certification related matters to make landholders aware of the eventual result of the land certification and entitlement.

Women informants in all three *qäbäles* claimed that the committee members were a source of contention. In particular, women were excluded from the committee, mainly due to the criteria used to select committee members. Rather, as committee members, the powerful people, locally called *gulbätägnoch* (those who have the power to do),¹⁶ were tactfully elected themselves and got approval from their colleagues, thus becoming representatives of the majority of the community. These "elected" people, in turn, gathered people around them whom they considered as "*wägän*" (relatives) so that they did everything they wanted in the meantime¹⁷. A woman who served as a key informant espoused that "almost all of the committee members were men, and they were also members of the ruling party so that no one asked them when they tried to abuse others' land." From the above criteria employed to select the committee members, it was clear that

¹⁵ *Gimbar qäddäm* individuals are known for their active participation in political activities. Most of them are members of the ruling party, who also serve as a buffer between the community and the government.

¹⁶ The power can be political, social, or economic

¹⁷ This means that, by gathering their relatives around them, and by being members of the ruling party of the area, the intention was to protect themselves if they might have done something wrong, abuse others' property, and if they deliberately abuse others' rights, they might not be charged by the court.

the committee members completely fulfilled the interests of better-off households, as most of them were members of the ruling party.

Agriculture extension workers, who have extensive experience and knowledge of household lands, were barred from joining the committee and were relegated to the task of administering "natural resource management," known in the proclamation as "*yätäfätiro habit tibäqa*." The agriculture extension workers witnessed that there were no female committee members in the study area. First, it was assumed that women, unlike men, could not perform the "difficult" tasks of measuring and registering land. Second, from a sociocultural standpoint, women in the study area do not plow the land. This led to the assumption that women may not be familiar with landowners in the surrounding area. Finally, a woman in one of the study *qäbäles* (Gedamawit) was willing to work as a committee member, but her husband threatened her not to participate in a land-related issue, which he saw as a sensitive political agenda that women could not solve.

According to informants¹⁸ and FGD participants¹⁹, in the preparation phase, the purpose of land certification was not clearly stated to land holders. Rather, awareness was raised only about how land should be measured, registered, and certified, with no mention of why a land measurement was necessary. According to informants, it was only the committee members and their relatives who had information and know-how about why the land was being measured, registered, and certified. Thus, most of the agriculture extension workers explain that "we can say that the implementation of the policy is not successful and does not meet its objectives in several ways. For instance, due to a lack of information, households relate land registration to the intention of increasing land tax. Households also relate land measurement and registration to land confiscation and then to land redistribution. As a result, several household heads did not inform the committee about their land holdings so that their lands were not measured, registered, and they did not receive the first phase of holding the right certificate. These were major constraints witnessed in the preparation phase and thus on the process of land measurement, registration, and certification that were expected to be done in the pre-registration period.

¹⁸ These are both women and men from the three *qäbäles* who did not benefit from the process of land certification and had little know-how about the process.

¹⁹ Of the seven FGDs, six of them mentioned the limitations of the preparation phase, which they believed created information gaps and even confusion among the people.

Land Measurement: is the activity of deciding on the actual size of a household's plot of land using traditional measurement tools such as *gämäd*²⁰ (rope) and *timad*²¹ (equivalent to 0.25 hectares of land). During land measurement, to decide on the size of land that a household holds, there were several tasks to be done side by side. Among others, one was the boundary demarcations among the different *qäbäle* administrations. Two, there was a demarcation of boundaries among each household plot from different directions. Three, determining the location of each plot of the land regarding other land holdings, especially by using geographic locations. This, in turn, was to determine the relative location of each plot of land. The final task of this phase was measuring plots of land with traditional land measurement tools such as *timad* and *gämäd*. According to informants, this has its problems. Because the measurements were traditional, they do not show the actual size of the land and its boundaries. In this regard, there were irregularities in measuring the land that belonged to the right owner, which created conflicts among adjacent landowners.

Registration and Certification: This phase is about registering all information related to the name(s) of the landholder(s), the size of the land(s), its fertility level, household members who are considered as beneficiaries of the land, and landholders adjacent to one another from all directions were crosschecked and registered in *mäzgäb* (notebook) and the certificate of primary holding right²², also known as First Level Certificate (Labzae, 2016). In the case of joint land holdings, particularly lands held by husbands and wives, husbands were given responsibilities as household heads to provide full information about the lands to the committee, register and receive certificates while wives were at home and sometimes did not know what was going on with the lands. The land survey is defined in the proclamation as the process of measuring land and recording all information on a notebook.

The primary level certificate is locally called *yäyizota marägagächa däbtär* (a certificate of holding right), which should consist of the husband's and wife's photos on the right and left sides of the certificate to indicate the land is a joint

²⁰ This is a traditional tool used to measure land

²¹ This is a land that a farmer plows using animal traction in a day, from eight in the morning to roughly about four o'clock in the afternoon based on the strength of the animal. One *timad* is equivalent to 0.25 hectares of land.

²² The notebook and the certificate of primary holding right are different in their objectives; the former serves as a note-taking tool used to take as much information as possible, while the latter serves as evidence, which holds basic information about the profile of the land holder.

property of the husband and wife. It also should incorporate information such as the size of the land, a list of household members who are considered beneficiaries later or sooner, the fertility status of the land, adjacent landholders, both geographic and relative location of the land, and other pertinent information about the land.

4.3. Perceptions about the Process of Land Measurement, Registration and Certification

Based on the information obtained from experts in land administration, it was possible to learn that land certification increased women's confidence by ensuring holding rights, but did not improve their livelihoods as expected. This, in turn, increased women's mobility at least in two ways. In the first place, for instance, when women get divorced, since their holding rights are based on joint property arrangements, they would also have the right to share half of the land with their ex-husbands. Due to this, and due to the new certification, which eventually provides entitlement rights, women have become confident enough to claim their rights and often enter into agreements with their ex-husbands for sharecropping and may leave the locality. As a woman in Gedamawit *qābāle* explains: "This does not mean that it generates more income for the divorcee. We do not want to make the land idle; we give it to the sharecropper. But, sharecropping by itself means earning a small production out of the land; this is to say, "Something is better than nothing".

Secondly, as an alternative, due to the certification, women tend to rent²³ their lands to sharecroppers, especially if they do not have male children capable enough to plow the land. If women transfer their land holdings to sharecroppers, it is often expected that they move to their parents' homes or they migrate to towns to look for alternative incomes. This is because, after they have received their land certificates, they consider the land their own (Deininger *et al.*, 2008). They also understand that unless they are willing to give and transfer their lands to sharecroppers they prefer, no one can retake their lands.

Furthermore, as the proclamation allows, women can claim to inherit their parents' land. As a result, they may have a certificate of holding rights and be able to transfer their land to preferred sharecroppers. According to informants, the current mistreatment of women and female children when they inherit their parents' land has decreased. Now, if they are successful in obtaining their land

²³ Renting land is done in two ways: sharecropping in kind and rent in cash.

certificate, they are more confident in protecting their land rights than in the past.

As women informants from the three *qäbäles* claim, however, in the process of land certification, care has not been taken, and practically, there was no special treatment given to women and female children. This situation led them to be abused by their siblings, relatives, and sharecroppers when they inherited their parents' land. Also, the new proclamation created conflicts among siblings, particularly in conditions when both parents passed away without offering *nuzaze* (a statement of will) to transfer land to household members. For instance, considering the conditions of the first and second births, where both do not have land of their own, which means they both need land, the proclamation favors the younger child to control the parent's land, while the elder sibling remains landless. Because of this, the proclamation creates conflicts between the two.

There are also land-related conflicts that occur among siblings (Melkamu 2017). According to land administration officials, in the process of implementation of the proclamation in their localities, several conflicts have occurred among the siblings. The conflict is inevitable, especially when the elder sibling is male and the younger is female, and they inherit their parents' land because the new proclamation favors the latter. Mainly attributed to the proclamation and the process of land certification in the past few years, there have been several conflicts witnessed directly related to land. This is shown in the following table, which also shows the extent to how women and female children are treated in the locality.

Table 1: Cases of Conflicts on Land and Land Related Matters between Males and Females (Source: Three District Courts' reports, March 2018).

Year of report	Land related cases appealed to court	Conflicts directly related to land certification		Conflicts among male & female siblings		Conflicts among spouses		Others	
2012/13	347	182	52.4%	100	54.9%	74	40.6%	8	5%
2013/14	420	210	50%	97	46.2%	105	50%	8	3.8%
2014/15	354	177	50%	70	39.5%	101	57.1%	6	3.4%
2015/16	429	231	53.8%	117	50.6%	102	44.1%	12	5.2%
2016/17	449	231	51.5%	121	37.7%	103	44.6%	7	3%
Total	1999	1031	51.6%	505	49%	485	47%	41	4%

Table 1 indicates two dimensions of land and land-related conflicts. One is the increase in conflicts between male and female siblings and also between

husbands and wives in the indicated five years. As it is indicated, 51.5% of the conflicts were mainly triggered by land registration and certification. Of these, 49% of the conflicts were created among the siblings, while 47% were between husbands and wives. The registration of the conflicts in the five years also shows that the conflicts have been increasing over time. The second dimension is that, unlike in the past, women have started bringing their cases to the legal process, especially to the police when the conflict is violent and also to the land administration offices and to the courts. As experts explain, the major contributions of the land administration offices are providing the necessary information and documents to the deceived women and encouraging them to send their cases to the courts.

In the FGDs, women in the three *qābāles* indicated that through time, most of them have noticed that several problems have appeared, and women's confidence in the new land policy was challenged. This is particularly because, concerning land certification, several women were deceived by their husbands, by their relatives, and by their *tätamaj* (sharecroppers)²⁴. The problems were attributed to the inappropriate approach²⁵ that the registration committee used. The sharecroppers were not landholders who were requested to register the lands, though they acquired the lands through rent or other means. Sharecroppers were and still are men-husbands, women's relatives, and non-relative leasers.

Meanwhile, it was identified that several husbands posted their photos on one side and their sisters' or other women's photos on the other side of the certificate instead of their wives. According to land administration experts, in the study area, the husbands' main intention was to exclude their wives from the joint landholding right provided in the proclamation. A male informant in Enerata *qābāle* said, "Husbands did so in order not to share the land and other benefits obtained from land with their wives and ex-wives, as land is our fathers' property and we call it *yabat-adär-hig* (land administered through the fathers' line)". A victim of this land administration system from Gedamawit *qābāle* explained her experience in the following way:

²⁴ These are often men who receive land from women in the form of rent, either in cash or in kind.

²⁵ There are indicators for this, for example, inadequate training for both men and women; the cliquish nature of the committee members; the exclusion of women from the committee membership; and even information was not adequately disseminated in the community, particularly among sharecroppers who did not have information about land registration.

I have lived with my ex-husband for sixteen years. We have five children (two sons and three daughters). When the land was redistributed in 1997, we obtained four *timad* (equivalent to one hectare) of land. Despite the land being too small for our household, we have been using the land without a serious conflict. In the past ten years, we have entered into frequent conflicts because my ex-husband planted eucalyptus on the land and denied me the use of the product. In 2012, we entered into a serious conflict, and our marriage ended up with a divorce in 2014. I sent the elders to request that my ex-husband shares with me half of the land and other properties we owned, but he responded that we did not own any land as joint property. I went to the Sinan district land administration office to find out what he had said to the elders, and I came to know that I was excluded from any right I could have on the land. He had already excluded me when he registered the land, and the certificate was prepared in his name and that of his younger sister, whom he considered his wife. The land administration office of the district advised me to go to court to claim my right. The officers here told me that several women like me need justice.

Experts from the land administration in the Sinan district agreed that there were several women similar to the above informant who did not get any benefit from the certification process. As it is indicated in table 2, it was identified that in the process of first level land certification, for example, in the three *qäbäles* until December 2017, out of the total 3075 registered plots, 298 cases of land plots were verified and proved that men²⁶ cheated either on their wives, or their female siblings, or female landholders and female relatives, or both. This means that, of the total registered lands, on average 10.9% of them were incorrectly certified against women's holding rights, and this was proved by the courts of their respective *worädas* that women were cheated by their husbands, male siblings, and sharecroppers.

²⁶ Husbands, sharecroppers, and male relatives, including male siblings.

Table 2: Registered and certified plots of land (Source: each *Woreda* Land Administration Office).

No	Study <i>qābāle</i>	Total registered & certified plots of land	Jointly owned land		Hold by only Male household head		Hold by Female household head		Considered cheated by husbands, male siblings, sharecroppers	
1	Gedamawit	1384	580	42%	270	19.5%	432	31%	102	7.4%
2	Enerata	1090	502	46%	401	36.8%	87	8%	100	9.2%
3	Kurar	601	268	44.6%	108	18%	129	21.5%	96	16%
	Total	3075	1350	44%	779	25.3%	648	21%	298	9.7%
	Average			44%		24.8%		20.2%		10.9%

In Table 2, it is also shown that during the first phase of certification, in the three *qābāles*, 3075 plots of land were registered and certified. Of the total certified, 1350 (44%) of the land was jointly held by husbands and wives; 648 (21%) of the plots were held by female household heads, and 779 (25.3%) of the land was held by only male household heads. However, of the 3075 plots of registered land, 298 (9.7%) of them were proved to have been cheated by husbands, male siblings, and sharecroppers. It is expected that the number of women that claim their right to land could be more than what is stated here since the process of verification is continuing. Moreover, as many women live outside of their locality, it is possible to expect that there might be several women who do not know that their lands would be registered by their sharecroppers or siblings and so certified.

Informants in the three *qābāles* also described that the new proclamation benefited only married women and other men, and women who already owned land of their own. Concerning spouses, the proclamation boldly indicates that land is considered a joint property for husband and wife. What makes it different from the previous land policy is that in the past, customary as well as statutory land-related laws allowed men and women to equally inherit the land, and all of them provided use rights to both men and women. However, as women informants in Kurar *qābāle* explain, in reality, land has remained under the control of men in that through different ways of land transfer, men had and still can control land.

Land registration and certification also enrich better-off households who have a relatively large size and several plots of land through sharecropping and other mechanisms (Cochrane and Sebsib 2019). Firstly, men FGD participants in Gedamawit and Enerata *qābāles* agreed. It is known that the better-off had

ample information about land registration and certification, so most of them understood and were ready to do what to do about the land they used. This idea complies with the argument that Berhanu and Fayera (2005:5) stated. According to these scholars, "registration has often served to redistribute assets towards the wealthier and better-off informed". This is mainly because there are many better-off household heads who registered lands of others that they sharecropped, particularly women's lands and lands of others (unhealthy people, children, and lands of those who have left the area).

Moreover, FGD participants in all research settings mentioned and agreed that some women landowners have rented out their lands for about twenty-five years²⁷. If a land rental is for twenty-five years, "we know that they sold the land and left the area." There are different problems explained with this kind of action. One, land, in the long run, comes under better-off households, as the better-off have the resources and economic power to own as many plots of land as possible, creating an imbalance between the better-off and the rest of the households. Two, the policy objectives cannot be addressed as its major intention was to fulfill owners' livelihoods. Leasers do want to exploit the lands they have got through sharecropping rather than properly managing them. In this regard, informants suggest that twenty-five years of leasing is too long and that there should be a very short time limit for leasing land.

Another problematic situation that women informants claimed is that during divorce, if the land they have owned is less than 0.25 hectares, to protect land fragmentation, the proclamation does not allow owners to further fragment the land among themselves, but it orders the registration and certifying of both spouses and forces them to use it together even if they are divorced. In this case, women often leave the remaining half of the land to their ex-husbands to get the benefits through their ex-husbands. This is because women do not plow land by themselves, so their ex-husbands do. However, ex-husbands do not give their share of the product to their ex-wives, which often leads them into conflicts. Furthermore, this situation impedes women from exercising their holding and use rights on land, which leads them to problems of income and creates food shortages in the household. Therefore, as happens elsewhere, as indicated in Ayele *et al.* (2015), they are often forced to leave the area in search of alternative incomes.

²⁷ As it is indicated in the proclamation, this is the maximum number of years that landowners can rent their lands.

To ensure and cross-check landholding rights and to grant the second level of landholding certificate, officials established another phase, known as *tichäta*²⁸ (literally means, public critics). This was a public hearing event in which *woräda* land administrators gathered community members of each *qäbäle* to discuss and verify plots of land, including owners and adjacent holders, and whether the owners and adjacent holders were members of the *qäbäle* or not, etc. During *tichäta*, committee members, local authorities, residents, and neighbors gathered in one place, usually at the level of their *got*. Then, all the previous information registered on the primary level certificate, such as adjacent holders, size of the land, marital status, time of marriage, and all other information, were publicly heard as well as comments were given from the audience whether the disseminated information was true or not.

Although it has never been part of the plan of the land certification process, *tichäta* is about the triangulation and verification of information about the plot of land through an open public hearing. In other words, *tichäta* was to ensure that the landholder registered on the certificate was correct or not. It was to allow the rectification of anomalies created during measurement, registration, and provision of the primary level certificate. It was expected that with *tichäta*, the land administration committee would be able to have relatively accurate information about a given land and be able to be ready to give the second level (which is considered a permanent) certificate. The process has not been appreciated by women and the poor community members.

5. Concluding Remarks

In the study area, the land certification has been continued until this research was conducted. As the related problems intensified, some of the cases were taken to the *woräda* courts to settle the several conflicts that occurred among siblings, husbands, and wives, and among relatives, which often put women, the elderly, and children into disadvantaged positions. The disadvantaged social groups (women, unhealthy people, and children), which constitute the largest proportion of the population, hardly benefited from the land entitlement policy. Most of these were not represented in the certification process and sometimes were excluded from participating in it. Thus, most of these social groups have negative perceptions towards the policy. Those who

²⁸ This literally means critics, and when it comes to the land issue, it is about the triangulation and verification of information about a given plot of land through an open public hearing, then deciding whether the certified person is the right holder of the land or not, and whether the person rightly registered his wife and household members or not.

seem to have succeeded in securing land have started using the land in different ways from their previous practices. Land transfer practices, in particular, have become their primary strategy for making use of the land. In this regard, most women who have no male children at home and no male siblings transfer their lands to another party on a sharecropping base. Through time, such land transfer strategies put most of the plots of land in the hands of better-off households. It can be concluded that the new land entitlement policy increased land transfers, exacerbated land-use change, and largely benefited the better-off, while it did not improve the livelihoods of the poor as expected. As a result of the study communities' patriarchal characteristics, any policy and related guidelines implementation about land should consider their socio-cultural makeup to reduce inter-and intra-household tensions. Any kind of orientation or training should be provided to both men/husbands and women/wives of the community members at an equal level to create awareness about the process of certification and make them understand their rights and duties.

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