Land Tenure System in Contemporary Political Regime  
(Case of Ethiopia)

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Abstract: The main aim of the paper was to examine the land tenure system in the contemporary political regime of Ethiopia. The paper used qualitative research approach, and secondary sources data were exploited. Based on the data analyzed that prevailed in this paper, Ethiopia’s land tenure system operates within its political, cultural, and institutional environment. Woreda(district) and kebele officials are typically loyal to the EPRDF/TPLF ruling party, and decentralization has granted them significant power over daily life. Landholders viewed LACs as legitimate because they were fairly elected at village level and less corrupt than kebele and woreda officials, though some LAC members are known to have been EPRDF activists. The study also found that all federal policies, including land policies, are drawn up and implemented largely to reflect the position of the party. Landholders are tenants of the state, holding usufruct rights that confirm ownership of everything on the land, but only use of the land itself. The sale, mortgage, or use of land as collateral is expressly prohibited in order to prevent the development of exploitative land arrangements; however, on the ground, these laws are largely followed, and there is adequate evidence of significant underground land sales. The finding has arrived to conclude that the political context limits scope of potential land reforms.

Keywords: Land, tenure system, political regime & Ethiopia.

1. Introduction

Successive national governments in Ethiopia have implemented differing approaches to the distribution of rural land. The imperial regime of Haile Selassie allocated land ownership to political supporters without regard to its occupation or use by farming populations.¹ This created a feudal regime of

landholdings in much of the country, with many farmers operating tenancies on lands held by absentee landlords. Growing popular anger and unrest over the oppressive and inequitable effects of this feudal tenure system, particularly the large-scale eviction of tenants to give way for commercial farming, were major factors leading to a coup in 1974 by a cadre of military officers (the Derg) and the overthrow of the Emperor.  

*Land to the Tiller*, the slogan and rallying cry of the opposition, mainly composed of high school and university students before the 1974 Revolution, became the basis for the Nationalization of Rural Lands Proclamation of 1975 and subsequent sweeping land reform. Between 1976 and 1991, the Derg implemented a series of reforms in which—all rain-fed farmland in highland Ethiopia was confiscated and redistributed, after adjusting for soil quality and family size, among all rural households. 

The military Derg regime redistributed previously —privatized!—land to farming households but went further than that, repeatedly redistributing land every year or two with the aim of achieving an equitable allocation of usufructory rights. Such frequent redistribution reduced land access and undermined secure ownership of land and natural resources, for both current land holder and inheritance by children. Moreover, the Derg retained state ownership of some large properties, setting them up as state-owned and operated farms. 

The government formed by the incoming Ethiopian People's Revolutionary Democratic Front (EPRDF) in 1991 largely maintained the policies of the Derg with regard to land, assigning ownership to the state and use-rights to farmers and livestock keepers, while prohibiting sales and collateralization, encouraging redistributions at the village (kebele) and district (woreda) levels to avoid landlessness, and permitting limited leasing and inheritance rights to be exercised. Gradually, more authority for land distribution policies was delegated to regional states, and several regional governments began experimenting with different approaches to land redistribution in order to increase rural tenure security. However, this changed in 2005, when the adverse effects of frequent land redistribution was recognized by federal government which limited forced land redistribution to only irrigation development areas in Proclamation No456/2005. 

Before analyzing the situations of the land property rights of Ethiopia specifically the contemporary political regime, substantiating theories of land is a very important discussion point. Therefore land property rights are discussed with the following four categories.

I. Private Ownership

Private ownership is a property arrangement in which full and exclusive rights to decide about the property are given to a single person (natural or artificial) or group of persons. The owner shall have the right to use, possess, receive income from it, or alienate it gratuitously or for consideration. Modern writers add one important element to these rights: the right to exclude others from using and possessing the property. 

The experiences of many countries concerning land show that farming plots, residential land plots, buildings, easements (streets to serve the land property) are owned privately. In western countries, forest land, small lakes, streets and rural roads are also subject to private ownership.

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3 Ibid 


7 SNARE, F. 1972. The Concept of Property. *American Philosophical Quarterly,*
The current governing land legislations in Ethiopia are mainly the FDRE Rural Land Administration and Use (RLAUP) 456/2005 and the Urban Land Lease Proclamation 711/2011, which are in place to govern rural and urban land respectively. Besides, the FDRE Constitution, FDRE Expropriation Proclamation 455/2005, and the Ethiopian Civil Code are relevant. Based on the above review, when one looks at the land ownership in Ethiopia, the ground (surface earth) is not subject to private ownership (see Article 40(3) of FDRE constitution.) Land belongs to the state and the people, and is not subject of sale and exchange. This means that it is futile to classify the land paradigms in Ethiopia from pure ownership perspective. Rather, the land right provided, as termed in the RLAUP, is known as “holding right.” It is less of ownership in that the holder lacks the power of sale and exchange. Based on the above information, when one looks into the FDRE RLAUP 456/2005, one finds under Article 2(11), and “private holdings” referring to private farming plots given to peasant farmers, pastoralists and semi-pastoralists.

It is not clear about the private plots to be given to pastoralists, though. But, the assumption is that the plots may be those which the pastoralists will use for settlement or housing, rather than for grazing, which is communal in nature. Private land plots that are provided to peasants in the highlands are used for farming.

II. Communal Property

As opposed to private ownership, communal ownership is a property right allocation made in the interest of group of users. Here, there is no single individual in a privileged position to control and have command over all of the resources. In a system of communal property, rules governing access to and control of material resources are organized on the basis that each resource is, in principle, available for the use of every member alike. As noted by Clark and Kohler, writers on property law, “The defining characteristic of communal property is that every member of the community has the right not to be excluded from the resource.” In principle, the needs and wants of every person are considered, and when allocate decisions are made they are made on a basis that is in some sense fair to all.

The most usual types of properties owned in common are grazing lands, forest lands, fisheries, irrigation systems, underground water, water wells, village roads, neighborhood streets, and so on. The common feature of such properties is that they are not destined to an exclusive use of an individual person; every member of the community wants them equally.

The other feature is that most of them are exhaustible, if left to anybody as open or free access. Even in case of allocation of such properties to specific part of society, the resources may be quickly depleted and individual members may not be encouraged to conserve unless the use and enjoyment is regulated by an internal sets of rules. This is because people tend to care less for what is common as compared to what is their own.

As modern economists argue, when the incentive to care and conserve is less than the cost of so doing, people will not go for conservation. One such modern economic theorist is Harold Demsetz, who argues that people give less care to what is common property, since the cost of taking care is higher than the benefit gained. The primary function of private property becomes a guiding incentive to achieve a greater “internalization of externalities.”

In Ethiopia according to Article 2(12) of the FDRE RLAUP 456/2005, “communal holding” is “rural land which is given by the government to local residents for common grazing, forestry and other social services.” This list is just an illustrative one and what are given are only examples. The government may allocate additional land as communal ones, if the local community needs it for some social or economic activities. Thus, land necessary for religious ceremonies, cultural festivities, or social gatherings may be permanently allocated to the village community in common. Besides grazing and forest land, one

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may also add irrigation systems (although the irrigable land may be private holding), water wells (especially in pastoralist areas), small rivers, hills\textsuperscript{12}, etc. to the list of communal lands.

III. State Ownership of Land

To describe “state ownership” of land, terms like “public ownership”, “collective ownership” or “government ownership” are also employed. Under the 1960 Ethiopian Civil Code, the term “public domain” is used for the same purpose. In any case, in this discussion, they shall be used interchangeably as the need arises. In order to give additional explanation on the subject, it is proper to see the usage of the terms in some literature and legislations. The terms “state or government ownership” seem to denote the ownership of land by the political body, a central or municipal level, while “public or collective ownership” seems to signify the ownership of land by all the people or by the local community.\textsuperscript{13} It does not mean, however, that this definition would be fully acceptable; one has to rely on the legislation of the respective country to decide the actual meanings.

2. Material and method

The paper was analyzed with the frameworks of qualitative research approach and followed case study design. It mainly focused on the political economy implication of land in Ethiopia with in the last different regimes and there is particular focus on the current regime. The data sources of the paper are legal documents, different journals and reports of institutions were employed as a source.

3. Discussion
3.1 Land tenure system in the contemporary political regimes

I. Land tenure system early Durg

Since the 19th C, the state began experiencing a closer relationship between the peasant and the local ruler (the feud). The feud collects tax and controls trade in a system in which he monitors the peaceful atmosphere of his domain and provide judicial services. In this system, there is more centralized governance than the previous one and the day to day life of the peasant (culture, religion …etc) is influenced by the ruler. The ‘Gebbar’ land tenure system (from the 1900’s 1970’s)

In the beginning of the 20th century, Ethiopia has experienced a U-turn in its political course. The centralization process began by emperor Tewodros and got it’s consolidation with a series of military expeditions for expansion by Emperor Menilik II. The state formation process led to a new centralized structure and new land system. This is a system in which a feud (land lord) is assigned to an area by the Emperor and will be rewarded with the right for ‘Gult’ ownership and right to inherit the ‘Rist Gult’. The peasants can only work as laborers to the land lord getting the least share (25%) of their output.\textsuperscript{14} The terms used in explaining this system are: Gebbar - is the peasant who works to produce and pay the huge tribute to the land lord. Gult - is a plot of land in which the right to collect taxation (tribute) from the production is given to the land lord. Rist Gult – is a system that the land lord has the right to pass the Gult right to his beneficiaries. This system has enabled the government to control the peasants through the nobility that have been given Gult and Rist Gult.\textsuperscript{15} This also harmed the economy since the peasants are less interested to work hard for the production of output that they are not able to consume.

II. The Durg

When the communist Derg regime took power in 1974, it set out to undo exploitative landlord-lessee relationships that prevailed in the previous era through socialization and collectivization. The land proclamation of 1975 nationalized all Ethiopian land and prohibited the sale, lease, or collateralization of

\textsuperscript{14} Berhanu Nega, 2002 ,Land Policy & Agricultural sector development research, EEA and EEPRI
\textsuperscript{15} Berhanu Nega, Berhanu Adenew and S. Gebreselassei, 2005 ,Current land policy issues in Ethiopia,EEPRI
land. It also prohibited farmers from hiring labor to work their fields. Land was redistributed, resettled, and collectivized in order to address landlessness. The result was major losses in productivity, famine, increased poverty, and even death in cases where traditional farmers were settled on arid, pastoralist land. As a result, Ethiopia quickly became a major food aid recipient and a focus of development NGOs.

3.1.1 EPRDF/TPLF

The TPLF insurgency toppled the Derg in 1991. Having used land redistribution as a political tactic in Tigray during the insurgency, the new government’s land policy meant decisively more continuity than genuine reform. This is evidenced by the continuance of state ownership of land, the redistribution of land in Amhara in 1997, and unwavering support for redistribution-based policies meant to address the problem of landlessness and productivity through land extensification. The land proclamation of 1997 represented a slight improvement in these policies in that it promoted regional autonomy in land policy, sanctioned limited land lease contracts, and initiated a program to certify regional lands. Nonetheless, the EPRDF/TPLF policy has continued to cling to land expropriation and redistribution as a policy response to the problems of rural Ethiopia.

3.1.2 Power Investigation

Ethiopia’s land tenure system operates within its political, cultural, and institutional environment. These factors have profound effect on how to understand policy intent and implementation.

Customary tenure systems vary widely from region to region in Ethiopia. The north (Amhara and Tigray) has been historically characterized by the communal rist system where land is apportioned and distributed to individual members by the community in accordance with lineage claims. Superimposed over this system was practice known as gult. Gult was a system of taxation and administration bestowed as a fief right to nobles and servants of the crown that largely resulted in a system of exploitation, particularly by absentee landlords in the “south.” Land extensification refers increasing the amount of arable land in use and therefore productivity. It is often defined in apposition with land intensification, which focuses on increasing productivity on land already in use. Region contains many different systems of land management, largely based on tribal arrangements. Pastoral groups in Ethiopia’s lowlands operate under community-based tenure arrangements.

3.1.2 Local Experience of the State.

The Ethiopian state administers policy through a hierarchical system of ethnic federalism with power ostensibly concentrated in regional bureaucracies, from the regional level down through the local woreda (district) and kebele (neighborhood) governments. Woreda and kebele officials are typically loyal to the EPRDF/TPLF ruling party, and decentralization (or more correctly de-concentration) has granted them significant power over daily life. These officials are the main administrators of federal and regional laws and gatekeepers of budgetary aid flows. Local officials are viewed as inconsistent and corrupt, and therefore lack legitimacy and accountability to the people they supposedly serve. Broadly speaking, peasant-to state relations are characterized by vertical power structures that peasants allow to generally go unquestioned. Peasants are typically unaware of their legal rights and therefore are unable to defend themselves against abuse. Even when they are aware of such rights most choose to defer to authority out of fear of reprisal or punishment. These roles and relationships are particularly salient in the case of land administration.

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In Ethiopia, EPRDF functionaries dominate all levels of government, effectively blurring the lines between government and the ruling party. In short, all federal policies, including land policies, are drawn up and implemented largely to reflect the position of the party. This fact complicates reform in that any proposal for change must criticize current policy, and in doing so, criticizes the policy position of the EPRDF. This relationship makes land tenure reform an extremely sensitive political issue in Ethiopia.

3.1. 3 Contemporary Land Restructuring in Ethiopia

Contemporary land tenure reforms in Ethiopia can be characterized by the success of regional certification programs in Tigray, Amhara, Oromia, and the SNNPR. However this success is tempered by failure of administrative institutions to create an environment conducive to development and effective governance and the specter of redistribution and dispossession enshrined in land laws.\footnote{Holden, S., Deininger, K., and Ghebru, H. (2007). Land Certification, Land-Related Investment and Land Productivity Impacts. The World Bank. R}

Ethiopia’s land tenure laws are largely the combination of the Federal Land Proclamation of 2005 and the regional proclamations. The 2005 Proclamation was rushed to passage after the contested 2005 elections and had the effect of increasing federal control over land tenure.\footnote{Abbink, J (2006). “Discomfiture of Democracy? The 2005 Election Crisis in Ethiopia and Its Aftermath.” \textit{African Affairs} 105:419 (2006): 173-99. Print.} Land tenure reforms since 1997 have largely preserved the Derg system of expropriation and redistribution as a means to deal with rural development issues. The focus of the system is to encourage equity in land distribution and prevent the emergence of exploitative land relationships and promote rural development through limited market reforms and providing land to the landless.

Ethiopia’s land laws view land as the “common property of the Nations, Nationalities and Peoples of Ethiopia”\footnote{Holden, Stein, and Haifu Yohannes (2002). “Land Redistribution, Tenure Insecurity, and Intensity of Productivity: A Study of Farm Households in Southern Ethiopia.” \textit{Land Economics} 78:4 (2002): 573-90.} with the right to ownership “exclusively vested in the state and in the people.” Land is essentially the property of the state, which is meant to act as a guardian against predatory land relationships and practices. Landholders are tenants of the state, holding usufruct rights that confirm ownership of everything on the land, but only use of the land itself.

Land laws refer to inheritance as the dominant form of legitimate land transfer. Other legal forms of transfer include voluntary land exchange and government expropriation and/or redistribution of land for the public good. The sale, mortgage, or use of land as collateral is expressly prohibited in order to prevent the development of exploitative land arrangements. On the ground, these laws are largely followed, and there is little evidence of significant underground land sales. Farmers instead have adapted to the prohibition through informal exchanges such as “grass sales,” or informal contracts for grazing rights.

Federal law leaves the details of leasing laws to the regions. Tigray, Oromia, and SNNPR limit leases to 50 percent of landholdings to prevent landholders from leaving the land. Leasing regulations give preference to farmers using undefined “modern” techniques and corporate investors. Most regions allow these types of operations to sign much longer leases than traditional farmers. Federal law also permits foreign investors alone to use their lease as collateral. The result is a disadvantaged position for traditional farmers in the leasing market, especially for the landless and pastoralists.


Federal law sees land redistribution as the dominant mechanism for accomplishing universal rights to land. Except in Oromia, where it is expressly forbidden, regional laws are open to redistribution as a policy tool.\footnote{Jayne, T., Yamano, T., Weber, M., Tschirley, D., Benfica,R., Chapoto, A., Zulu, B.(2003) Smallholder income and land distribution in Africa: implications for poverty reduction strategies. \textit{Food Policy} 28:253-275.} Regional governments are responsible for defining each of these conditions which, in practice, discourage migration and sustainable farming practices, and contribute to tenure insecurity by threat of dispossession (without compensation).\footnote{Jayne, T., Yamano, T., Weber, M., Tschirley, D., Benfica,R., Chapoto, A., Zulu, B.(2003) Smallholder income and land distribution in Africa: implications for poverty reduction strategies. \textit{Food Policy} 28:253-275.} Most regional proclamations require farmers to prevent erosion, preserve irrigation structures, and refrain from planting Eucalyptus trees. Furthermore, laws typically require farmers to live in the same kebele as the land they use (except Oromia) and to leave land...
fallow for no more than one year. Violating any of these conditions may be grounds for dispossession and redistribution of land.

The most ground breaking reform included in the Land Proclamations of 1997 and 2005 was a program to certify and register all of Ethiopia’s agricultural land holdings to individuals. Process. Certification was carried out by Land use Administrative Committees (LACs) composed of local elders, usually twelve, who were democratically elected at public village meetings. Unpaid LAC officials measured land holdings using traditional methods such as rope or tape and in the presence of neighbors. Landholders then received preliminary certificates while official certificates were registered and processed with the kebele or woreda. The certification process took about 11 months with a five-month wait for certificate processing.

3.1.5. Transparency and Democracy.

Studies indicate that as of 2005, 93% of households had a member attend information meetings at least once, 90% of households indicated that information meetings were organized before the start of registration, and 80% considered themselves well informed. Landholders viewed LACs as legitimate because they were fairly elected and less corrupt than kebele and woreda officials, though some LAC members are known to have been EPRDF activists. It is apparent that the process was considered legitimate, democratic, and there was sufficient institutional capacity to inform farmers about certification.

3.1.6. Equity and Fairness.

As of 2005, this process had registered a total of 20 million plots to an estimated 5.5 million households. An estimated 93% plots have been registered in Tigray, 84% in Amhara, and 80% in Oromia and the SNNPR. These rates are generally higher than the African average of 80%, especially considering that certification programs in Amhara, Oromia and the SNNPR had yet to be completed at the time these measurements were taken. Furthermore, few claims were refused, with rates as low as 5% in Amhara. The combination of high rates of registration and successful claims indicate that certification was fair. This is borne out by survey results that indicate that the lowest income quintile was in fact more likely to participate in certification than the richest quintile. Certification was notably inequitable towards women. Land laws stipulate that all LACs were to include at least one woman; however, surveys revealed that only 20% of LACs in fact included a female member. Women were, however, well-informed regarding certification. Joint certificates were required in Amhara, Oromia, and the SNNPR. Actual incidence of joint certificates was mixed, with low readings in Tigray and Oromia, and rates above 70% in Amhara and the SNNPR.

It is suspected that the absence of a requirement to display the picture of the joint holder on the certificate was a main reason for low joint certification rates in Oromia. Results were also mixed for women in polygamous marriages. SNNPR law guarantees women in polygamous marriages their own certificate. Oromia considered such a law, but later rejected it. These joint certification laws. The lower figures here for Oromia and SNNRP are likely due to the fact that certification had only been partially administered in these regions as of 2005. Further monitoring will be necessary in order to determine whether certification is as widely administered in these regions as in Tigray and Amhara, are important because they would guarantee land rights to women in the event of divorce or death of their husband. Therefore, despite overall fairness, equity for women under certification was limited.

27 Ibid

Chekol, Y. G. 2019. Land Tenure System in Contemporary Political ..........
3.1.7. Land Tenure Security

Land tenure security in Ethiopia is low by African standards due to land distribution policies of the EPRDF/TPLF and the Derg.\textsuperscript{28} Certification was shown to increase land tenure security in Tigray and Amhara region, but not in Oromia. Hypotheses regarding lack of gains in Oromia range from higher initial tenure security readings to administrative governance issues; however, there have been no conclusive explanations.\textsuperscript{29} Studies show that tenure security improvements in Tigray and Amhara as a result of certification have led to higher levels of investment in the form of land structures such as stone terraces.\textsuperscript{30} Weak correlations have been found between certification related land investment and productivity, but further study is necessary to verify the link.

The successes of Ethiopia’s certification program stands in stark contrast to the continuing challenges of land administration. Ethiopia’s land tenure reforms vested administrative authority over land tenure policy in officials at the kebele (Tigray) and woreda (Amhara, Oromia, SNNPR) levels. Reforms also call for the creation of Environmental Protection and Natural Resource Use Authorities (EPLAUAs) to regulate conditions of land use.

3.1.8. Institutional Capacity and Governance.

Officials at the kebele and woreda levels have broad, yet ill-defined authority to both dispossess and redistribute land based upon the conditions set forth in land laws. In practice, this authority leads to unchecked power to exploit the vague legal context to The cost to farmers and the cost to the government combined dispossess and reallocate land as a political tool for personal gain. Continued land scarcity under current law makes capacity and governance issues a major threat to the security of certified usufruct rights. Capacity in the court system to settle land disputes is another major problem. Kebele social courts and woreda courts have large backlogs of unresolved cases, a condition exacerbated by the increased frequency of land disputes resulting from imprecise land plot measurement methods.

These backlogs encourage bribery and drive conflict resolution and contract enforcement issues toward settlement by traditional systems which are only competent for solving local disputes. Inconsistent contract enforcement diminishes the security of land tenure certificates and lease contracts, thereby undermining leasing markets and perceptions of tenure security.

Ill-defined land regulatory authority has caused confusion about how to register leases and future certificates in the event of inheritance. This, combined with other governance and capacity issues, has meant that a large portion of leases that should be registered are not and new certificates are often not issued in the case of inheritance. If leases and certificates cease to be registered, then certification could eventually fall out of use, creating parallel formal and informal land tenure systems. This development was fatal for land tenure reform in other African cases and most certainly would lead to the failure of Ethiopia’s certification program.

4. Conclusion

If governance problems were entirely the product of the write of land policy legislation, merely rewriting legislation to clearly assign land regulation jurisdictions and inform farmers of their rights would largely remedy the governance problem. Yet Ethiopian land tenure policy operates within the larger institutional and political context where systemic governance issues adversely affect land tenure security. Regionalization and localization of land policy, while for the most part successfully implemented through the use LACs, are undermined by continued Federal control. While ostensibly decentralized, Ethiopia’s land tenure reforms allow the central government greater control over rural land and at levels closer to the people than before. Vague land laws allow the hierarchical system established under the EPRDF to control


farmers’ access to land through dispossession and redistribution, sometimes resembling a system of rewards and demerits.

In this sense, land tenure reforms have reinforced the political importance of land policy to the EPRDF’s hold on power. As long as land policy is used in this way as a political tool, tenure security gains through “capacity building”-type initiatives will be limited to what the EPRDF finds politically admissible.

This federal control also undermines the goal of land policy decentralization – to allow regions to implement land policies that fit with their distinct cultural histories. There were some successes to this effect. For example, in Oromia, redistribution is expressly forbidden because it is not part of traditional land management there. In the SNNPR, certification laws have been adapted to accommodate the prevalence of polygamous marriages. However, these regional distinctions are the exception rather than the norm. All regions are subject to the basic principles of state ownership, policies that tie farmers to the land and discourage migration, and conditions of land use that threaten land tenure security. This overarching system, while largely compatible with the rist system in Tigray and Amhara, is less compatible with the gada system in Oromia and traditional cultures in the SNNPR.

In all regions, Ethiopia’s land administration is primarily carried out at the woreda and kebele level and, with the exception of many LACs, does not recognize the value of working through traditional land management structures. Instead, the system takes a top down approach that superimposes federal policy (with minor regional variations) on local systems whether it is compatible or not. Thus the political and institutional structure of Ethiopian governance often fights against the traditional system rather than trying to work through it.

The political context limits scope of potential land reforms. It is important to remember the role of politics in Ethiopian land policy. It is no coincidence that land redistribution was the dominant land allocation tool of the Derg, TPLF, and the EPRDF. The disastrous results of free holding initiatives in other sub-Saharan African countries, and the exploitative imperial system of the past, provides the government a historical narrative that exploits fears of market-based land tenure policies. For these reasons, it is difficult to imagine that the current regime would consider any reform that would threaten state ownership of land or allow land rights to be collateralized and sold.

While it is vital to be sensitive to Ethiopia’s unique historical perspective on land tenure policy, it is equally important to understand that it is, in many ways, a political perspective that does not, and cannot, fully recognize that the current political and institutional structure of Ethiopia is itself part of the problem. Thus, while further land tenure reforms will have to work within the current political and institutional context, it also must endeavor to change these systems for the better.

5. Recommendation

After examining the land tenure system in the contemporary political regime of the next recommendations has given. Deficiencies in land administration are a major threat to the sustainability of certificate rights. Ethiopia’s land tenure policy must end the ability of kebele and woreda EPLAUA officials to arbitrarily expropriate and redistribute land. While better legal definitions and the elimination of land use conditions for dispossession will help, the historical context of power relationships between peasants and local government officials makes it doubtful that such measures could eliminate abuse on their own. The solution must be more systemic.

Land tenure reform must not neglect capacity building. Given the current political and institutional environment, empowering smallholders and other politically and economically marginalized groups with the ability to understand and defend their land rights will be one of the most effective means to build capacity for land tenure administration and governance. Land tenure policy should leverage the ongoing work of NGOs to educate farmers about their land rights in order to empower smallholders to speak on their own behalf. Such activities could effectively work around recent federal regulations that prevent NGOs from engaging in human rights advocacy work. Furthermore, it could strengthen the ability of indigenous institutions and organizations to defend the rights of the people, developing the civil society necessary to encourage democratic, transparent application of land laws.
Thus, over time, educating smallholders about their land rights could encourage the development of the institutional capacity to properly administer and sustain the benefits of land certification in Ethiopia. Secondly, the capacity of local government must also be increased to ensure that adjudication, registration, and administration of land and land tenure issues are conducted in a cost-effective, timely, transparent, and downwardly accountable way. Additionally, institutional reform at the local level must also create a more robust separation of power between government functions. Collusion between institutions and individuals who administer, interpret, adjudicate, and enforce the law limit both transparency and accountability and provide considerable opportunity for corruption and the misapplication and abuse of the law by local government officials. Putting an end to such abuse is imperative for creating a more equitable distribution of power and for sustaining tenure security. As such, much reform must be carried out in the realm of land administration.

6. Reference
Berhanu Nega, 2002, Land Policy & Agricultural sector development research, EEA and EEPRI
Berhanu Nega, Berhanu Adenew and S. Gebreselassei, 2005, Current land policy issues in Ethiopia, EEPRI
FDRE Rural Land Administration and Land Use Proclamation, Proclamation No. 456/2005. *Negarit Gazeta*. Year 11, No. 44


SNARE, F. 1972. The Concept of Property. *American Philosophical Quarterly*


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