

LAND TENURE AND CHALLENGES OF TENURE SECURITY: THE CASE OF DEDO DISTRICT, SOUTH WESTERN ETHIOPIA

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ABSTRACT

This study examined rural land tenure issues using mixed research approach. Survey data were collected from 203 randomly selected respondents and qualitative data were generated from focus group discussions, in-depth and key informant interviews. Informal means of land access predominates in the area though some mechanisms such as renting for long period and purchasing deviates from the Federal and regional rural land administration proclamations. Women access to land is not a norm; it is possibility. Established customs held about women victimise their land right mainly post-divorce. Attributed to land fragmentation, competition overland is soaring mainly between natives and illegal settlers. Competition over forestland and land reserved for grazing negatively affected land tenure security. Land expropriation for mining industries also invoked tenure insecurity as it affects not only current holding but also erodes the readiness of farmers to cultivate fearing that they will be dispossessed. Land certification was perceived to enhance tenure security among those who were issued but manipulation by local elites and fraud compromised land rights of rural poor. Conflicts arising from traditional boundary surveying and false certification were found to affect sustainable land utilisation. Land tenure system in the area also affects the environmental resources and livelihood security of the people. This calls for robust land management strategies, which integrates customary land tenure to emerging land administration technologies to assure sustainable utilisation of environmental resources.

Keywords: Land, Tenure, Land Tenure Security.

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Introduction

Land stands as a crucial asset for the rural livelihood and poverty reduction. This is sound for the global South. In Africa, where agriculture accounts for 70 per cent of fulltime employment, 80 per cent of the rural population depend on agriculture for their sustenance (Quan, Tan and Toulmin, 2004:15). Agriculture in Africa is predominantly family farming, which operates on fragmented land size. Africa has 33 million farms of less than two hectares, accounting for 80 per cent of all farms. Hence, land is undoubtedly the most important asset for the majority of people in Africa (NEPAD 2013:8). According to FAO (2002), access to land is frequently critical if vulnerable households are to enjoy sustainable rural livelihoods. Land ownership and related issues have a distinct and profound impact on rural poverty reduction and wealth creation.

Land is both a means of production and a status symbol, determining largely an individual's standard of living in rural communities (Belay, 2016). Land and land resources, however, are not evenly distributed for each individual or household. It is an economic resource governed by a wide range of rights and social relations. Land tenure refers to rules and norms and institutions that govern how, when and where people access land or are excluded from such access. Rules of tenure define how property rights to land are to be allocated within societies (FAO, 2002). Commanding land is mediated

by social systems and at the same time may have legal legitimacy. Not everyone enjoys equal access to land (Samuel, 2006:3). In Africa, attributed to patriarchal social system, custom often excludes women from land ownership. Property is held in a man's name and passed patrilineal within group. Often, a widow's right to remain on the land she has farmed with her husband is not secure (ECA, 2004:71).

Access to land is not sufficient in itself; sustainable utilisation of land is also vital. Secure access to land reduces vulnerability to hunger and poverty. Access and security of tenure influence farmers' investment in improvements in production, sustainable management, and adoption of new technologies and promising innovations (IFAD, 2008:5). Nonetheless, for many of the world's poor rural people in developing countries, access is becoming more tenuous than ever. Competition for land is mounting and so does the pressure on land (IFAD, 2015:1). While the agricultural labour force is comprised mostly of women, rules governing ownership and transfer of land rights are less favorable to women (NEPAD, 2013). In rural societies, the landless and those with insecure tenure rights typically constitute the poorest and vulnerable groups. Land tenure problems are an important contributor to food insecurity, to restricted livelihood opportunities, and therefore to poverty (IFAD, 2008:5). The essence of land tenure in determining livelihood in the context of Africa is not confined to the

existing generation. Rather it determines the sustainable rural livelihood by allowing the posterity to access land (ECA, 2004).

Contrasting arguments of land tenure prevails in literature. As stated by Maxwell and Wiebe (1998:16) some scholars and researchers funded by World Bank advocate for the combination of commercialised production, the liberalisation of markets, and the privatisation of land rights since this amalgamation was believed to help people increase the livelihood sustainability. Contrary to this, some scholars argue that promotion of privatisation of landholdings may result in landlessness, and thus livelihood insecurity. In Ethiopia, State ownership of land is justified with the argument that privatisation will lead to concentration of land in the hands of a few who have the ability to buy, to evict the poor peasants, landless, and rural-urban migration of the same peasants who are left without any alternative means of livelihood (Yigremew, 2002:29; Daniel, 2015). Refuting this assumption, Ethiopian Economic Association found that peasants were not keen to sell their land if they were given the chance (Desalegn, 2004).

Ethiopia is one of the few countries in Africa that has not made significant changes in its basic land policy for over three decades. In Ethiopia, a nation with large small farming, land is conventionally a public property (Hussein, 2004). Yet, access to land is increasingly an important issue for the majority of Ethiopian

people who, one way or the other, depend on agricultural production for their income and subsistence. Rural land is both an economic and a political question in the present-day Ethiopia. At the heart of land ownership, is the debate of private versus public control. Keeping rural land under public ownership is based on the assumption that rural land plays a social security role which otherwise be jeopardised in favour of elites (Samuel, 2006:2). Yet, different social groups prefer different means of accessing and governing land. As Cotula et al. (2004) stated, migrants and women might feel that the formal statutory system provides a better guarantee of their rights over land than would be possible under customary norms. It is evident that customary rules of land ownership victimise women and the poor in Africa.

Numerous land related studies conducted in Ethiopia review policies of land administration and reform (Yigremew, 2002; Samuel, 2006, Dessalegn, 2004; Daniel, 2015), land titling and its impact on natural resource management and security (Berhanu et al. 2003; Ayele, 2015; Enyew et al. 2014; Belay, 2016). Yet, canvassing the subjective perception of respondents pertaining to their own relation to land, the implication on the actor's livelihood security is rarely examined. Yigremew (2002:37) reviewed landholding systems and policies in Ethiopia and noted that studies are concentrated on de jure issues (effectiveness of legislations and proclamations of land

administrations) and lack of enough empirical studies on de facto situations at the local level curtails land administration. Against this backdrop, this study has assessed the situation of land tenure, perceived security of landholding and the challenges they are facing in an effort to maximise their livelihood from their land. The study offers context-specific challenges of land management.

Land Tenure in Ethiopia: An overview

In Ethiopia, land is at the centre of political debates and thus, land tenure system varies with governance. Before 1975, Ethiopia's land tenure system was highly complex and diverse (Deininger et al, 2007). Differential form of land ownership was mainly attributed to country's geographical, ethnic and cultural diversity. The most prevalent tenure in the northern part of the country was the *rist*/ communal or kinship tenure. *Rist* is the right to claim a share of land based on kinship to a historical ancestor held in common with other *rist* holders. However, no user of any piece of land could sell his or her share outside the family since land belonged not to the individual but to the descent group or the community (Behranu and Fayera, 2005:5; Hussien, 2001:39). The other tenure system was *Gult*. *Gult* rights over land were given to members of the ruling elite as a reward to loyal service to their lord and to religious institutions as endowments. The individual or institution that held land as *gult* had the right to collect taxes from those who tilled it. They also had judicial and administrative authority

over those who lived on it. *Gult* rights over land were given to the members of the ruling elite as a reward to loyal service to their lord and to religious institutions as endowments. During the reign of Emperor Haile Selassie, church lands were associated with Ethiopian Orthodox Church. The amount of land under this tenure was never known with a reasonable degree of precision (Yigremew, 2002). Tenure insecurity has been cited as one of the limitations of the pre-1975 land tenure system. It had different forms from endless litigations over land rights to complete eviction from holdings (Eneyew, 2014).

The 1975 land reform of the Derg has been considered by many as a radical measure that has abolished the tenant-landlord relations in Ethiopia. Land is a public property in Ethiopia. It has been administered by the government since the 1975 radical land reform. The reform brought to an end the exploitative type of relationship that existed between tenants and property owners. The 1975 land reform of Derg abolished all customary and other pre-existing rights to land and vested in the State the power to redefine rights of property and access to land (Dessalegn, 2004:1). It nationalised all rural and urban lands. During this regime, individual households had only usufruct right over the land they cultivated, a right they could not transfer by sale, lease, mortgage or gift (Deninger et al., 2007:7). The only 'formal' way of obtaining access to land was through membership in peasant

association and land was subjected to periodic redistribution among households based on family size and land quality (Belay, 2016). It is also asserted that land redistribution has eliminated rural unemployment by safeguarding the right of the former tenants to a source of income. Yet, land reform forced peasants to engage in periodic redistribution of land to accommodate new claimants and new members of peasant associations with the net effect of leveling down and diminution of individual possessions, and repeated redistribution gave rise to and exacerbated tenure insecurity among peasant households (Yigremew, 2002).

The Ethiopian People Democratic Revolutionary Front (EPRDF) overthrew the military government (Derg) in 1991 but maintained the land policy. Land continued to be “public property” where land users are entitled to usufruct right, land marketing and permanent land transfers are prohibited. These rules were strengthened when they were incorporated in the Constitution in 1995. Article 40 of the Constitution provides that: *The right of ownership of rural land and urban land as well as of all natural resources is exclusively vested in the State and the peoples of Ethiopia. Land is a common property of the nations, nationalities and peoples of Ethiopia and shall not be subject to sale or to other means of transfer.* Thus, like the Derg, the present government maintained the State ownership of land.

For government, land privatisation will lead to social stratifications, the eviction

of a wide spectrum of poor farmers, the emergence of massive unemployment and the resurgence of tenancy institution (Hussien, 2001:49). Land selling that may arise from privatisation is feared to result in massive concentration of rural property in the hands of a few, rural elite. Another justification is the assumption that rural land plays a social security role in terms of guaranteeing some form of livelihood through granting free access. For critics, rural land could not play a social security role indefinitely, as the supply of farmland is physically fixed and subjected to decline because of misuse (Samuel, 2006:2). According to Dessalegn (2004), egalitarianism means of land administration has thinned economic and social differentiation within the rural communities. This resulted in land fragmentation and weak performance in agricultural sector.

The Ethiopian government has, in recent years, tried to address the problem of tenure insecurity through issuing certificates of land use rights to peasants (Assefa, 2010). Registration of landholdings and granting land use certificates to holders, become government policy in Ethiopia. Land registration was carried out also to collect taxes from land users (Berhanu and Fayera, 2005). Rural land certification has been implemented in Ethiopia since 1998. The new federal (Proclamation 89/1997) and regional land proclamations that are the basis for this land reform, aim to increase tenure security and strengthen

women's rights to land and to ensure more sustainable use of land resources (Holden and Gebru, 2008). However, sales and mortgaging of land remains illegal, which restrict capital markets development (Holden et al., 2009). The titling process provides certificates of holding but do not bestow ownership since, constitutionally, land belongs to the State.

Methods

Study area and population

Dedo, is one of the districts in Jimma zone, Oromia Regional State, southwestern Ethiopia. It is located at 20 km from Jimma City. It is the largest district of Jimma zone with its large number kebeles¹: 53 rural kebele and 3 urban kebeles. The district is found between 7° 13' - 7° 39' N and 36°43' - 37°12' E. Its altitude ranges from 880 to 2400 metres above sea level. Agro-ecologically, the district is composed of low altitude (18.3 per cent), mid-altitude (47 per cent) and high altitude (34.7 per cent). According to CSA (2007), the total population of the district is 288,457, of which 143,935 were men and 144,522 were women. Ethnic groups reported in Dedo include Oromo (78.87 per cent), Yem (8.75 per cent), Dawro (8.54 per cent), the Amhara (1.47 per cent), and Kafficho (0.94 per cent); all other ethnic groups make 1.43 per cent of the population.

Research approach

This study employed mixed research approach. Quantitative approach assesses means of land acquisition, land size, interests in land tenure, and socio-demographic

aspects. Survey method was used in order to collect measurable data using semi-structured questionnaire. Qualitative data pertaining to land tenure, subjective understanding of land tenure, land tenure security, and challenges of ensuring land tenure security were collected through focus group discussion (FGD), in-depth interview, key informant interview and observation. Both qualitative and quantitative data were gathered concurrently and integrated into the interpretation of the overall results.

Sampling

This study employed multistage cluster sampling since there was no document consisting of all rural households of *Dedo district*. Since rural livelihood analysis in Ethiopia is agro-ecological sensitive, agro-ecology was a stratifying variable. As a result, the sampling technique for this study was stratified area cluster sampling. Specific study areas were clustered depending on the agro-ecological conditions. Fifty-three rural kebeles were identified to their category based on the data from Dedo District Agricultural and Rural Development office. Secondly, three kebeles (one from each agro ecological zone) were selected from each agro ecology through lottery method. The total number of households of three kebeles was 1685 households. Sample size of 203 households was determined by computer at 95 per cent confidence interval for the total population. Finally, the sample size was administered proportionate to the size of the households in each kebele selected.

Methods of data collection and analysis

Primary and secondary sources of data were used in this study. Survey respondents, key informants and interviewees were the primary sources of data. The basic observation unit for survey was household because land is a social asset operated by members of a given social unit. Methodological triangulation used in this study relies on data collected through survey, FGD, key informant interview, in-depth interview and observation. Survey method was mainly employed to collect information related to land access, size, land quality, land tenure security attitudes to the existing land tenure and challenges facing land tenure systems. FGD was employed to generate data on the subjective understanding of land tenure security. Three FGDs (one for each kebele) were conducted. Participants were selected based on their sex, age, wealth rank (as reported by kebele) and landholding. The average number of participants was seven. Key informant interview were conducted with land administration officials and kebele leaders. In-depth interviews were made with female-headed household, landless people, communal land dependent households and elders.

Qualitative data from note taking and recording activities was transcribed, categorised, organised into themes, and expressed. Qualitative data results were triangulated with survey results in order to achieve the objectives comprehensively. Quantitative data analysis involved statistical

tools of data processing. Statistical package for social science (SPSS) version 20 was used for this purpose. Descriptive statistics was used in briefing land access and tenure arrangement issues.

Result and Discussion

Socio-Demographic Profile of Respondents

This study involved 88 per cent male household head and 12 per cent female respondents. Household headship was conceptualised by the respondents themselves by reacting to the question "who maintain this household?" Regarding the marital status, the majority of respondents were married. While 88 per cent of the total respondents were married, only three per cent of the sample reported that they were widowed. The remaining six and three per cent account for never married and divorced respondents, respectively. Respondents were dominantly followers of Islam; 84 per cent of the respondents were Muslim. The followers of Orthodox Christianity constitute 13 per cent and only two per cent reported to be protestant. More than 63 per cent of the respondents have no formal education of which 43.8 do not write and read. The average household size of the study area was six, which is greater than the average family size of Oromia regional State, which was found to be five according to Central Statistical Agency (2007). The average age of sample respondent was 44 years.

Access to Land and Land Tenure System

Access to Land

In this study, land access is emphasised than land ownership, which involves the ability to use, control, transfer, or otherwise enjoy a land parcel as long as those activities are allowed by law. This was mainly because in rural areas, people access land to make their livelihood through diverse social relationships, even when they have no 'own' land. Of the 203 respondents, only two per cent of the respondents indicated that they had no any means of land access. These were retired elderly people as noted during fieldwork. Land access is not a sufficient condition for household's decision to choose between alternative livelihoods activities. Size of landholding is another determining factor of livelihood activities mainly in the intensification of smallholder farming systems (Samuel, 2006). The majority of respondents have access to land. The majority has a landholding size ranging between 0.5 and 1.5 hectare. Significant number of respondents makes their living from land, which is less than half a hectare. This is equivalent to less than two *Timads*².

Attributed to high land pressure and fragmentation, households rarely hold larger land size. Table 1 shows that only 1.5 per cent of the respondents have access to land size more than 3.6 hectares. Interview with district land administration and environmental protection officer revealed the wide inequality of landholding size among the residents.

District land administration document depicts larger holding of nine hectares while the lowest is 0.25. This disparity fomented fierce competition over State forest and communal land, which was reported to hamper the natural resource base and livelihood of the poor. On an average, sample households access 1.2-hectares of land. The largest holding in the sample was six hectares.

Different forms of land access are identified in rural Ethiopia. Nevertheless, there is no State allocation of land for rural households except when the land considered is "vacant". Oromia Rural Land Use and Administration Proclamation No. 130 /2007 also corroborate this. As a result, people who hold land during the military regime maintained their holding. Echoing this, land administration chairperson noted that the only land allocation currently is for youth enterprise as a strategy to create job opportunity for the landless poor. This is assumed to address the claimed equitable access to land by rural household and reduce the pressure on communal land by the landless rural people. Recognising the existence of plural means of accessing land in rural areas, multiple data sets were generated for the respondents in this study.

More than half of the respondents mentioned their main access to land through inheritance. This customary form of land transfer is promulgated in both Federal and Oromia National Regional State (ONRS) rural land use and administration. Inheritance was

Table 1: Access to Land of Respondents

Items	Categories	Frequency (N=203)	Percentage
Households access to land	No	4	2.0
	Yes	199	98.0
Landholding size	0-0.5	61	30.7
	0.51-1.5	93	46.7
	1.6-2.5	30	15.1
	2.6-3.5	12	6.0
	3.6+	3	1.5
Means of accessing land land^a	Allotment	86	43.2
	Purchase	57	28.6
	Rented	12	6.0
	Inheritance	111	55.8
	Sharecropping	25	12.6
	Gift from relatives	21	10.6

a. Dichotomy group tabulated at value 1. (multiple response)

found to be the most effective way of land resource redistribution among rural kinships. According to FGD participants, inheritance represents the social value of land among generations. Hence, inheritance plays a redistributive role, which is not possible under de jure administration. This is in line with the national land transfer assessment by Daniel (2015:56) which posited land inheritance as the most important means of accessing land even relative to government grant.

According to key informants, however, the possibility of women to claim land is very low. Kebele chairpersons commonly argued that for the area being dominated by Muslims,

there is a strong belief among the community that land inheritance is more identified with male household member. Females are entitled to get bride price than permanent properties like land. Land is commonly passed through patrilineal descent rules. Less possibility to claim land for women is partly attributed to low awareness of women about land rights and other outdoor activities, which are assumed to be males' tasks. However, it was noted during an in-depth interview that women start to claim land and challenge the long-lived biased property right issue. Yet, due to established customs, women of this kind are labelled as deviant according to elders interviewed.

More than 43 per cent of respondents accessed land through government allotment during the military regime of Derg. The condition of land distribution under the current government is not the same. The only exception is where the government allocates unoccupied rural land for landless to both develop the land and make their livelihood. In Dedo, youth enterprises were given land and they were producing vegetables through irrigation. Nonetheless, this means of land acquisition is becoming jeopardised. Since youths have no capital to manage the land, they illegally transfer the land to the third party and migrate for more opportunity. In areas where relatively new resettlement programmes have occurred, many farmers acquire land through State allocation. Although markets have been discouraged by government policy, people circumvent this by exaggerating the value of land and engage in land transaction.

Such a transfer of land is aggravated by uncontrolled rural to rural migration and settlement programme that resulted in the flow of people from different corner of the country to the district. High land values are partly attributed to land competition between locals and migrants. Financial resources have become more significant than membership of landholding communities in gaining access to land. With the increase in local population accompanied by large inflow of people from other areas, purchasing land in the name of rent or lease is emerging and proliferating,

according to FGD participants. An agricultural extension worker, aged 25, posited his observation on land access as below:

In de jure, the district, an authorised body of land administration, prohibits land selling and mortgaging. In hidden way, even in a way that is not detected by kebele, people transfer their land to other person to get cash, which is a main constraint for farmers to sustain their livelihood. However, they enclosed their agreement under name of "rent" and they depend on oral contracts. These conditions, indeed, are resulting in disputes and underutilisation of land.

This de facto landholding is against the legal means of accessing land promulgated by the Constitution, which excludes and prohibits transfer of land through purchase and sell. From the total sample, more than 28 per cent of the respondents mentioned that they have purchased a plot of land.

Gift from relatives and sharecropping are other important arrangements that enable the land-poor people to access land and generate livelihood. Gift is mainly when the parents or relatives provide part of their land to the adult male. Again, women are less privileged to get land in the form of gift. According to the elders interviewed, this denotes the recognition of kinship and the passage of responsibility to retain patrilineal system of commanding property. From the sample, 10.6 per cent of the respondents have accessed land through gift. Land-poor households also engage in

oral contract of sharecropping, locally referred to as *yokuto*³. This is a situation where the landless persons work on the land of others, contribute inputs and take the initiative of land management and finally share the produce equally with the landholder. This is mostly the case when the holders are female-headed households, elders and farmers with serious health problems and hence could not operate the land. This form of land access not only prevents underutilisation of land due to lack of labour but also redistributes the land for the poor.

Communal Holding as an Option for Land Poor

Communal ownership is a property right allocation made in the interest of group of users. Communal holding is rural land, which is given by the government to local residents for common grazing, forestry and other social services. According to the document of Dedo District Land Administration and Environmental Protection Office (DLAEP), 414.6 hectares are reserved for communal purpose in the study area. Communal land is accessed by being a member of the social grouping, which is in most cases defined geographically. Communal land is used for grazing. It is mainly conserved by the local community. Grazing land is protected by the locally elected leader called *Abba Ule*, who is responsible to protect the boundary and govern the utilisation of communal land. In most cases, livestock are kept turn by turn by members of that specific

sub-kebele over that communal land. *Abba Ule* monitors the turn of herding in the community. *Abba Ule* also owes the responsibility to report the case of encroachment and any disputes over the grazing land to the kebele and kebele will report to the district land administration and environmental protection office for further action.

Government supports households using communal land through mapping and registration. Article 15 (16) of Oromia Rural Land Use and Administration Proclamation dictates, "Any one (governmental or non-governmental organisation or community, etc.) who has the right to use rural land shall be given a holding certificate by their name. Whereas for the communal lands held in the kebele, the holding certificate shall be given by the name of the community using the land jointly." Rural community in the study area has been benefited from communal forest, which has been sold through bid. This has different contribution to the local community according to kebele chairpersons.

First, it fills the financial gap of the kebele in order to provide social service. Second, communal land is a safety net for the poor who have small land or landless. Landless rural community is not only beneficiaries of community assets produced from selling communal forest at kebele level, but also earns benefit through extracting forest produces though these in some cases are illegal. Wood fuel, charcoal, timber and beekeeping are the

main benefits to the community. Women are the main beneficiaries of forest produces from communal land through sale of wood fuel and hence, earn regular income to support their livelihood. Women were observed to collect dry plants for fuel wood and sell it to urban consumers. The emerging problem, however, is the greediness of local community in exploiting the forest only for personal end by downplaying the value of forest as common ecological resource.

All land, which is not held privately or communally, is State holding. The FDRE Rural Land Administration and Use Proclamation (RLAUP) identifies, under Article 2(13), "forestlands, wildlife protected areas, State farms, mining lands, lakes, rivers and other rural lands," as State holding lands.

Land Tenure Security

Different actors: migrants, settlers, illegal occupants, local people, district government, regional government and federal government were observed to have interest on land in the study area. This affects tenure security. Land tenure security is indispensable to assure the sustainable land utilisation and pursuing viable rural livelihood. Land tenure security denotes people's ability to control and manage a parcel of land, use it and dispose of its produce and engage in transactions, including transfers. According to Belay (2010:31), without security of tenure, households are significantly impaired in their ability to secure sufficient

food and to enjoy sustainable rural livelihoods. Security of tenure cannot be measured directly and, largely, it is what people perceive it to be.

Land tenure security, in this study, was examined from the subjective understanding of the respondents. The following issues were clarified during survey: whether respondents could cultivate land for sustained period, whether there is competition over the same land and whether the protection of the land right is clear and robust. Accordingly, 71 per cent of the respondents asserted that their access to land is secured while the remaining 29 per cent stated that their relation to their land is not secured. The main reasons for tenure security, as generated from open-ended survey, were found to be social solidarity and rural land certification. According to FGD participants, land access and its sustainable utilisation are governed by the social court system among the community members. Hence, there was less imposition on land tenure security of the farmer. However, this becomes tenuous with increasing population pressure in the area. Land certification was introduced to assure land tenure security nationally.

Rural Land Certification and Tenure Security

As observed during fieldwork, land title certificate is issued in the name of the husband and wife. It contains a list of all plots measured and names of family members. In addition to this, it includes the land use type, the status of soil fertility, the size of plot in local

units and the names of holders of bordering parcels. According to the data of district land administration, 23281 farmers possess landholding certification when this study was conducted. Of this number, 21684 were men while the remaining 1597 were women. From the total sampling reported their access to land, about 70 per cent have received land certification document, which entitle them holding of the land while 30 per cent of them have not received it. FGD participants enunciated that not all households, who have access to rural land, received land certification. Prolonged evidence compilation, boundary issues and disputes were among the major factors for the delay. On the contrary, however, there were households who have received land certification without legally defined means rather accessed land through rent, lease and in some cases, purchase.

Majority of the respondents who have no land certification asserted that their right of governing land over a sustained period is insecure; 18 per cent of those who had no land certification feel that their land tenure is not secured. In other words, their confidence over land utilisation is not robust. On the other hand, those respondents who have received land certification, as indicated in Table 2, are concentrated in a category who argued that they have secured land tenure. More than half of the respondents, who have land certification, claimed that their land tenure is secure while only 13 per cent indicated about

their insecure land tenure. Pearson Chi-square computed to test the association between holding land certificate and perceived tenure security of respondents, yield significant association between the two variables. Hence, the null hypothesis of no association was rejected against the alternative hypothesis; having landholding certificate is associated with perceived tenure security of respondents at $p < 0.001$.

Binary logistic regression computed shows that not having certificate highly predicts the odd ratio of the household to perceive insecure tenure overland. Those who have land certificate are more likely to perceive their land right secured as compared to who have no land certificate. Odd ratio of 6.6 and P-value of 0.000 denote that landholding certification largely determine the perception of land tenure security. This confirms the study by Hibret (2008) which found that the perception of the majority of farmers on the rural land certification programme is associated with enhancing tenure security. Desalegn (2004) also mentioned that land certification benefits in Ethiopia were reduction in boundary disputes and improvement in tenure security.

FGD and key informant interview also revealed that land certification has many benefits in the study area where land competition is challenging land administration; population pressure is high and the number of illegal settlers is surging and encroachment into communal land is expanding. Kebele

Table 2: Perceived Land Tenure Security and Holding Certification

Land Holding Certificate * HHHs' feeling of tenure security Cross tabulation				
Land Holding Certificate	Respondents Perception of land tenure security		Total (N=199 ^y)	2
	Secured	Insecure		
No	23	37	60	34.2*
	11.6%	18.6%	30.2%	
Yes	112	27	139	
	56.3%	13.6%	69.8%	

Note:^yrespondents who have access to land at a time of survey.

chairpersons commonly argued that land certification serves as guarantee document, which enhances secured land tenure rights and reinforces private incentives to make long-term investments. Social court leader in Chalte Bullo kebele extended this saying, "the majority of our farmers have land titling document. This process assures the land transfer to their children and hence protects the landholding throughout the generation. Green card given to farmers is believed to guarantee land ownership of farmers. Disputes of boundary and ownership are to some extent mitigated."

Land certification was also argued for vital marginalised group of the society: women, elderly, and migrants. In the study area where women have little or no access to resources such as land, credit and extension services, land certification has brought a paradigm shift of the de facto means of accessing land which favours males. Woman informant (aged 42) in Askira Kebele makes a point on the role of certification for rural women as follows:

The certificate is documented in such a way that the photograph of household head, mostly male where both spouses are together, is attached to the certificate with other members of the household listed in the document. This allows other members of the household to claim the right to use land. Once she has been registered as a spouse during land registration, a woman has a right to claim land during divorce, which is rarely the case in the past. In fact, women still hardly succeed in claiming resource after divorce. In most cases, husbands refuse to share the land for wives during divorce and land certification is vital in settling disputes that may arise from this male dominancy. Women sometimes are victims of false testimony that makes them landless upon divorce. However, if she has land titling document, she can claim land without any additional witnesses. There is no subversion of rights attached to using land if there is land certification.

This excerpt depicts not only the role of land certification in assuring land tenure security but also its contribution to women's

empowerment to claim resources and support their livelihood. Land certification guarantees the right of women to utilise land of the country, which is promulgated by the Constitution. Culturally, divorce ends in victimising women who in most cases are landless and have children with them. Legally, they may get land after long appointment and hearings. Women have no social backup and assets to push this disappointing system of legislation. Land registration has eased this process. This is in contrast to the review of Lavers (2017) which posits that registration risks exacerbating gender inequality by formalising the customary rights of male landholders to the exclusion of women.

Tenure security is important not only for agricultural production. It also allows people to diversify their livelihoods by using their land as collateral, or renting it out. Land certification also allows the farmer to rent his/her land according to key informants. Authors like Holt and Rahmato (1997) mention that existing land tenure system, through its egalitarianism of land division policy and impeding long-term migration, has affected livelihood diversification. Land certification renounces this criticism as it allows people to move from place to place and pursue non-farm employment once assured that the land is their holding. According to the district land administration and environmental protection office, there are farmers who live in cities having their land in rural areas but working in different non-farm sectors. In the same vein,

Cotula (2004) argued that land registration provides farmers with a title that can be offered as collateral to financial institutions, thereby improving farmers' access to credit and allowing them to invest in land improvements. FGD participants noted that land certification enables farmers to feel confident to invest on the land and utilise it properly for the future. It allows the farmer to grow crops of his interest and protect the land simultaneously.

However, there are emerging problems of land registration as noted from FGD and key informant interview. Some financially good farmers deliberately escape the first round land registration. Those who have less land mostly want to buy and increase their holding size and then attempt to register his/her land after this deceiving process. This was the main challenge for the local social court to identify the real holder. Similarly, Deininger et al. (2007) found that the problem relates to sale of land affected the process of land certification and hence tenure security. These are officially illegal. Cotula et al. (2004) noted that elite groups might seek to assert claims over land, which was not theirs under customary law, in the knowledge of impending registration.

Views and Preferences of Land Tenure Systems

Examining views and preferences of land tenure of farmers is very important in understanding the micro-level issues affecting land tenure system. Under this study, perception of the effect of current land tenure system in

promoting social equality was assessed. 'Social equity' is considered because land is beyond natural resource in Ethiopia. Table 3 presents respondents' views of current land tenure with regard to socio-economic parity. The majority of respondents (48 per cent) indicated that the existing land tenure arrangement perpetuates socio-economic disparity between the poor and the rich. Informant (age 33) in Garima Guda kebele stated, "*Wealth ranking in the rural areas of the study area involves land, livestock, and technology utilisation. Landless are by default poor and of course they are poor as they cannot pursue viable livelihood. Those who have land formerly add to their holding through different means of acquisitions while youths remain impoverished. The woreda promised us to allot us hillside land but there are corruptive processes. As a result, the gap between the haves and have not is widening. Young people are victim with this regard.*"

This case indicates that the inflexibility of land tenure curtails the possible options of large youth population to make their livelihood in the agricultural sector. FGD participants also marked that population pressure and land fragmentation in the study area pushes the productive segment of the population to urban areas and beyond. Disparity created in land ownership between those who were allotted land through land reform and landless perpetuated the rural poverty arising from land fragmentation and utilisation, according to FGD participants. Some 32 per cent contrarily argued that the existing land tenure

system guarantee social equality between the rural poor and rich. The remaining 20 per cent argued indifferently regarding the effect of land tenure arrangement on the disparity on the socio-economic level of the rural community.

It is not only having access to land that affect the livelihood of rural people. Size and quality of land are also vital. In rural Ethiopia where production is mainly a function of expanding land than intensifying technologies, economies of scale affects the livelihood of actors. Households with relatively small farm size are relatively poor in cash income. They have less access to extension services, credit, and have less risk coping opportunities to take risks of rain failure (Samuel, 2006:4; Yigremew, 2002:11). Rating of own land access adequacy made by the respondent reveals that majority of the respondents perceive their land as inadequate.

Only 4 per cent mentioned that their land is very adequate. According to this survey, the ratio of the household size to land was found to be five. This denotes that there are five household members for every one hectare in the study area. Conversely, land to household ratio was computed to 0.2; there was 0.2 hectare of land for every household member. This is below the standard set by Oromia land use and administration proclamation 456/2005 Art 7 (1) and (2) which stipulates, *maintaining the existing farm plot size as it is, the holding size for the future shall not be less than 0.5 hectares*

Table 3: Respondents' Views and Preferences of Land Tenure Systems

Perception of existing land tenure system with respect to ensuring social equality	Frequency (N=203)	Percent
It promotes parity between the poor and the rich	65	32
It widens the disparity between the poor and the rich	97	48
It has nothing to do with parity	41	20
Own Rating of land holding adequacy	Frequency (N=199) ^{y)}	Percent
Very adequate	8	4.0
Adequate	52	26.1
Inadequate	72	36.2
Extremely inadequate	67	33.7
Respondents preference of land tenure arrangement	Frequency (N=203)	Percent
Private	28	13.8
Public [State owned]	154	75.9
Communal	8	3.9
Open access	13	6.4

Note: ^{y)}respondents who have access to land at a time of survey

for annual crops, and 0.25 hectares for perennial crops. Those who argued that their land is extremely scarce account for 34 per cent of the sample.

The study also assessed the preferences of different social groups in the community regarding the type of landholding. From the total sample, 76 per cent claimed that State ownership of land is better than other land tenure arrangements. While 4 per cent of the respondents preferred communal landholding about 6 per cent indicated that they prefer open access land access. District land administration and environmental protection chairperson stated that youths, landless and women derive

their livelihood mainly from communal land. This is attributed to lack of access to own holding. Since no land distribution was made in the region, large number of youth is landless according to the interview. Open access land, which is locally considered *kebele land*, supports the livelihood of these vulnerable groups of the community.

Tested Likert scale (1= strongly disagree to 5= strongly agree) was developed to measure the preferences of the respondents between government and private holding. The larger value of the Likert scale for positive statement (5=disagree) was labeled with in favor of public ownership. In measuring

internal consistency between constructs, Cronbach's alpha was computed and the result of 0.8 high internal consistency and hence the survey scale was considered reliable. Mean of response to the statement "Some improvements should be made on the current land tenure rules in our community" was 1.8 indicating the lowest measure as compared to responses for other statements. In other words, respondents applaud State ownership of land than private. On the contrary, largest mean was identified with statement "If land is privatised and its transaction is allowed, then peasants may lose their farmlands for various reasons."

This is in line with the Ethiopian government's justification for State ownership of land. Similarly, MOFED (2003:24) stated that private ownership of rural land would lead to massive eviction or migration of the farming population, as poor farmers would be forced to sell their plots to unscrupulous urban speculators, particularly during periods of hardship. FGD participants, as mentioned above, argued for public ownership of land mainly to administer the land under competing interest. In other words, informants underlined that only government can control fierce competition over land, which would have made majority of the poor farmers, and women landless. Worrying dilemma, however, the local people reiterated during an in-depth interview, was that illegal land transfer is still underway despite the recognition that land is a public property.

Land Tenure Interests and Land Tenure Security

Access to land is governed by a major web of four intersecting interests: overlapping, overriding, complementary and competing interests (FAO, 2002:7). Of the total, 115 respondents indicated the manifestations of different forms of interests in landholding. There is a fierce competition over land in the area according to FGD participants and survey data in Table 4. The competition is not confined to local farmers but also with settlers coming from other regions of the country. The district is the highest destination of migrant settlers from other Jimma zone (Limmu, Gera and Mana districts) and other areas like Harar, North Shoa and Tigray who occupy the perceived "vacant land." Some of these settlers have good financial capital but lack arable land in their place of origin and thus settled in fertile land of Dedo. Thus, they can access land in two ways. First, the government has settled these people as vulnerable segment of the population in Dedo where there is an assumed vacant land is largely available. Second, attributed to their financial capital, they also buy and rent land from the local community. This was found to result in igniting the competition and pressure over land. DLAE expert mentioned that farmers cope with this competition through farming land beyond the maximum recommended slope of 35 per cent and causing environmental degradation, which in turn, affects the livelihood base of rural community.

FGD participants in Chalte Bullo kebele asserted the continuous conflict among the users and competition to claim communal land to maximise their private holding. Farmers who have their land nearby communal land always attempt to expand their land to encroach communal land and feel careless to protect communal land. Communal holders were always protected from encroachment by local officials. The issue is that no single responsible body is in place where the land is held commonly. Some people plant a tree on the boundary and afforest the communal land gradually.

The other critical interest is overriding interest with the government. This is when the government allocates or relocates land for extraction of coal mining. This extraction is extensive and involves deforestation and it is being expanded over years. East African Coal Mining Corporation and Sheab are companies working on the coal mining extractions. The effect of coal extraction is not limited to affecting the land under mining but also

the adjacent farmland of the community. Overriding interest by the government to encourage private investment by claiming land of farmers results in livelihood challenges and it dwindles the confidence of farmers for sustainable investment on land.

Problem of scarcity of land, which forces villagers to occupy land, perceived as “vacant,” creates an overlapping interest between district rural land administration authority and residents. State forest, which is out of private and communal holding, is overexploited by illegal intruders. The main factor triggering occupation of State forest according to kebele chairpersons was that people perceive land out of private and communal holding as ‘vacant land’ or open access, which can be utilised by any person at disposal. In addition to local farmers, new settlers coming from other areas; Hararge, Hararge, Tigray and North Shoa are among the illegal intruders. According to the district report, the government evicted 340 illegal occupants of State forest in 2015 but they reoccupy. The difficulty of overlapping

Table 4: Intersecting land Tenure Interests

Land Tenure interests ^a	Responses	
	Frequency (N=115 ^b)	Percent
Overriding interest with the government	17	14.8
Overlapping interest with local farmers	22	19.1
Complementing interest with local farmers	31	27.0
Competing interest among differ actors	77	67.0
a. Dichotomy group tabulated at value 1.		

Note: ^bExcluding respondents who did not identify any of these tenure interests.

interest between the district authorities and the occupants is well elaborated by DLAEF officer as below.

These occupants have children, house, livestock, coffee, neighbours and different household investments in the forest. Though the district does not recognise them, they are well recognised by their community as a resident of the area and this makes enforcing law difficult. Whether we provide landholding certificate or not these intruders have well established their social bond, and has social presence. These people have common self-help associations, religious associations and institutions with the community. Occupants value the de facto recognition than what is claimed to be right way of holding as per the legally defined landholding. Legally you can disposes them, but the social unrest and misery that may come out of that would be unmanageable. They are illegal occupant. Difficult is that kebele official themselves are in some cases found to perpetuate the practice. They receive certain amount of money and allow settlement in State forest. Since the area is remote, it is less reachable. If you go and ask the occupants, they say they occupy the land because they have no alternative livelihood.

This condition shows that State holding is undertreat, particularly where some actors in the government structure fail to mitigate and rectify the issue. Once people establish their livelihood, dispossession results in unbearable consequences. Of the respondents, who claimed the existence of land tenure interest

in the study area, 19 per cent indicates the manifestation of overlapping interest.

Challenges of Land Tenure Security

When many parties have claims to the same piece of land, it is apparent to exacerbate tensions and generate mistrust, especially in areas with shortage of land and population density. In addition to intersecting interests, some challenges to tenure security were identified in the study area. Post-coded data from open-ended questions were categorised into administrative, demographic and environmental related problems. Of the total sample, 190 respondents identified at least one land tenure related challenge that affected and affecting the sustainable land utilisation. As depicted in Table 5, land administration related issues, increasing population density and conflict are the main factors enunciated by the respondents. Administration related issues are identified with lack of information about land administration, corrupted environment in land administration office and lengthy justice system according to elders and FGD participants. As reiterated by FGD participants, farmers have no clear information about land administration. As a result, they transfer their land to another party in the form of sharing or lease most of the time without defined agreement. This may involve even in violation of land administration proclamations that define the specific termination period of agreements for land lease. In some circumstances, claimants do not want to leave the farmer's land he/she had given out to him on sharecropping.

Related to lack of information about land administration, corruptive conditions prevail around land management. Since land has higher value in the area, there are so many brokers deceiving farmers to sell their land, particularly during lean season, according to key informants. District Land Administration Officer mentioned that some kebele officials engaged in the process. As a result, farmers transfer their land under deceptive circumstance and unable to use the land for themselves.

Another administrative issue affecting land tenure security is prolonged hearing. During FGD, participants reported that bureaucratic process related to land cases affects land utilisation of farmers. When land dispute cases are reported to court, it takes long time to get decision. Until the case is settled, farmers cannot utilise the land, which in turn, affects their livelihood. This situation was reported by women who rarely access land after divorce due to the pressure of patriarchal system.

Land Conflict: Challenge to Land Tenure Security

According to the data synthesised from FGD, key informant and in-depth interview, the nature of land conflict occurring in the area was categorized into four. The first cause is identified as problems with traditional surveying. According to elders, boundaries of rural land, be it grazing, forest or farming land, are demarcated by traditional methods. These involve using vegetation, river, mountain and gorge as boundary. The problem arises when these resources dwindle, and the boundary between plots become blur. In Garima Guda kebele, for instance, during floods, the river displaces the riverside plot, and places it in another kebele. This provoked conflict not only among farmers but also between kebeles. Deforestation for timber production affected the long-lived boundary demarcation and resulted in different disputes. One farmer explains this by saying:

"My neighbour and I have coffee land aside. For many years, our land had been demarcated

Table 5. Challenges to Land Tenure Security

Land tenure challenges ^a	Frequency (N=190 ^b)	Percent of Cases
Land conflict	97	51.1
Natural factor related such as land slide	40	21.1
Land administration related	101	53.2
Land expropriation by investment	16	8.4
Illegal settlement	73	38.4
Increasing population density	113	59.5

with a large tree in the middle of our coffee land. That tree was first planted by the father of my neighbour eight years ago. In 2016, my neighbour cut trees, which have been serving as boundary and start to claim land adjacent to the boundary as his. Then, we entered into unresolvable dispute for five years. Though our case was seemingly settled by social court, we have no relationship even at this time. We both are not using that parcel of land, on the boundary. If we had farmed that piece, we would have added certain production to our subsistence living."

This case indicates two main things regarding rural land: land competition and land underutilisation. Similarly, Falco *et al.* (2016) found that ill-defined tenure system causes land conflict and curtails sustainable land utilisation. Furthermore, according to elders and social court leaders, in periods of insecurity, land related disputes can turn increasingly violent, and are linked to broader livelihood security. According to Deininger *et al.* (2007), the main reasons for the increasing incidence of land-related conflicts in Africa is the failure of land tenure systems to respond to the increasing land pressures and this undermines investment incentives and land productivity.

The second reason is competition over land. As stated earlier, Dedo has large number of migrants. This escalated population density of the district, which is already higher. Due to shortage of land, this communal land is diminishing as farmers illegally use it for

farming. This communal grazing land is administered by local elected leader called *Aba Ule*. *Aba Ule* schedules the pattern of keeping herds turn by turn. According to local elders, not all farmers have equal herds. While those who have large herds benefit from both communal labour allocation and communal land those, who have limited herds costs much. One *Aba Ule* in Garima Guda kebele explained more problematic issue pertaining to land utilisation in the area, which is provoking conflict saying "...not all farmers want to expand their land for farming. Others choose livestock raising as a livelihood strategy. Hence, when some farmers expand their land to communal land to escalate their crop farming, while those who are interested to raise livestock want to protect the land for grazing. As a result it is not uncommon to observe disputes among rural population, of course not only farmers." The case also corroborate what Hardin (1968) called "The Tragedy of the Commons," a situation where common or open access resources exhausted quickly by unregulated overexploitation.

The third and emerging source of conflict is illegal land transfer and certification. Land certification was introduced to ensure land tenure security, increase investment on land, and promote land management and increase agricultural production. This is challenged nowadays due to illegal transfer having no proclamation backup. Farmers, who were found to have financial constraint, transfer

their land for individuals, who are relatively better. In most cases, land transfer is made in the presence of local brokers for undefined time. Once the seller runs out of money, he/she attempts to claim back the land and then dispute arises between two parties. *"Once, they have transferred their de jure landholding for the third party illegally, the only means they can use to claim or at least block land utilisation of buyer is just grievance,"* said social court leader during FGD.

The fourth set of reasons is associated with inter and intra-family affairs. During FGDs, divorce, inheritance and land custody were identified as major sources of conflict over land. Land custody to indicate a situation whereby farmers, who are legally holder of land, request other resident to protect and manage land on behalf of them, particularly where the former is not in the area. The possibility of women to claim land is very low. District land administration and environmental expert mentioned that women rarely know the boundary of their plots even when they are in marital relationship and thus, they are reluctant to claim their land. According to elders,

"If a woman wants divorce, the man prefers giving her money to land because he is responsible to establish another family and protect the status of family of procreation. If a woman is given a land, she will marry other man in the area and gives that land for him. She is assumed to create another contender in the

farming economy. She is believed to impoverish her first husband."

Locally defined gender norms inflicts on the property ownership. Similarly, Mehari and Mamo (2006) found that when land pressures become severe, vulnerable social groups such as women, particularly if they are divorced/widowed are often denied land rights. Another most common issue involved in inheritance induced land conflict is household size and composition. The district households have large household size. The number of claimants becomes higher when the male head deceases. According to Dedo land administration officer, this is partly attributed to polygamous marriage.

When different interest groups claim the land, their probability of investment on the land is low. Registering land of the deceased landholder, land renting and manipulation of agreement, land transfer among settlers and native and landslide were other causes of land conflict and land tenure insecurity in the study area. Informants noted that attributed to corruptive kebele structure, people deceive social court committee and register the land as if it is theirs. When the true claimer comes, the issue becomes ignited and conflict arises. This contributes to land tenure insecurity and thus, underutilisation of scarce land resource. For Qaun et al. (2004), legislative framework is not accessible to ordinary citizens, it may be manipulated by elites.

Land Tenure Issues and Environment

According to FGD participants, competition over land and overutilisation of communal land were the two most critical land tenure related problems, which in turn ignited environmental degradation. As noted from interview, land tenure and environmental problems affect each other dialectically. In the first place, insecure land tenure, particularly where there is fierce competition between the legal holders and illegal occupants, affects the norm of protecting the environment. According to social court representatives, who deal with land issues, competition over land results in insecurity of sustainable utilisation of land. In such a situation, people use land just for securing annual production, as they have no guarantee to produce from the same land next production year. Moreover, they farm a border of their plots, which have been used for both demarcating their plots from another and bunding surface erosion over the field. Worrying more, however, is the attempt of some farmers to cultivate land beyond recommended slope of 35 per cent. Despite a regional guideline that dictate farmers to cultivate only lands with slopes with gradients below 35 per cent, increased population pressure has forced farmers to cultivate areas with gradients of 50 per cent, thereby contributing to the degradation. When people found their land tenure security threatened, they strive to support their livelihood through cultivating sloppy area, which in turn, aggravates the land degradation.

Landslide is a typical environmental problem in the study area. Landslide challenged tenure security of the farmers. Farmers in slide-prone areas pointed out that landslides in the area are recurrent and frustrating. This has various ramifications. First, attributed to the sudden nature and devastating effect, farmers rarely invest on such a land and this affected their production. Farmers were observed to plant trees of low economic value than cultivating such land for cereal and cash crop. Second, it is a disincentive for farmers to invest on this land. As district land administration and environmental protection noted, farmers rarely conserve land in area where there is landslide. They rather let it for grazing or haw collection. This, in turn, affects the productivity and environmental resources of the area. Hence, the relation between tenure security and land managing is spiral and dialectical. Berhanu, Pender and Ehui (2003) also found that perceived tenure security is important for making land investments and use of improved farming practices.

Conclusion and Policy Implications

This study assessed land tenure issues and challenges in sustainable land utilisation. Informal means of accessing land were commonly observed. Some people access rural land illegally. This was attributed to high population inflow and hence land pressure. This was reported to victimise the vulnerable group of holders like women. Females no longer stand to inherit land once they marry due to

the established norms. Land registration was introduced to assure land tenure security of the rural poor. Majority of the certified argued that registration enabled them to invest on their land sustainably and feel secure. However, manipulation of land registration by elites remains a challenge in the area. Moreover, rural land expropriation for mining industries caused sense of insecurity and ignited land shortage. Land disputes arising from blurred boundary, family dissolution and false certification were also reported to challenge tenure security. Not only land tenure causes disputes, land disputes affects tenure security. More important is the dialectical relationship between land tenure

security and environmental degradation. Undefined land tenure exacerbates environmental degradation while this, in turn, intensifies competition for survival and hence challenging land tenure.

Hence, authors suggest the designation of participatory land management. Involving vulnerable groups like women in land tenure strategies is believed to be vital. Revising land certification is also equally important for local government. Technologically supported land administration could have reduced the boundary disputes. In order to reduce land pressure, it is suggested to develop agricultural intensification technologies.

Notes

1. Lowest administrative unit in Federal Democratic Republic of Ethiopia.
2. Timad is a local unit used to measure land size (one timad of land is equivalent to 1/4 of hectare)
3. The informal land sharing system where the landless contributes all inputs to cultivate the land of other farmer and share the produce equally.

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