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*Full Length Research Paper*

# **Analysis of politics in the land tenure system: Experience of successive Ethiopian regimes since 1930**

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**This paper reviews the politics of land tenure in the last three regimes in Ethiopia, the Imperial, Derg and the incumbent government. It critically examines the nature and mechanisms of land alienation and related controversial issues carried out in the context of Ethiopian history by national actors. Ethiopian regimes have experienced a strong political debate on the appropriate land tenure policy. Imperial regime encouraged complex tenure system characterized by extreme state intervention. However, Derg effectively abolished previous feudal land owning system thereby distribute access to land through Peasant Associations. The incumbent government on the other hand changed certain the policies of former regime by declaring state land ownership in the Federal Constitution. The debate continued yet again with privatization -vs- state ownership dichotomy. The key source of controversy is emanated from how Ethiopian regimes have used land resource as an instrument to realize sustainable development. Therefore, the nature of those contentions would be analyzed by taking into account private and government ownership system from theoretical perspective in need of policy option in this subject.**

**Key words:** Land tenure system, state land ownership, Derg, Ethiopian People Revolution Democratic Front (EPRDF).

## **INTRODUCTION**

Ethiopia's modern history reflects the institutional legacy of centuries of internal conflict and external threat. Internally, religion, regional location, ethnicity, and nationality have been serving as focal points for the contest of power and control over economic resources. Externally, although the country was never colonized, different hostile and powerful colonial forces made unsuccessful attempt to attack it from the last quarter of the 19th century. However, the country survived all attacks and maintained its independence. On the other side, expansion project followed by conquest (viewed as

colonization by ethno-nationalist groups like Ogaden National Liberation Front and the Oromo Liberation Front), carried out by Abyssinian state created new chapter in the Ethiopian political history. It followed by incorporation of the southern territories in which large portion of arable lands were confiscated from the indigenous population in the region to benefit northern powerful landlords and political elites (Hussien, 2004:13). Menelik needed resources to feed his large army and to pay for weapons that he was importing in large amounts (Mekuria, 1993: 5). Therefore, he grabbed land forcefully in

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those parts of Oromo and the present southern parts of the country for this purpose. Consequently, between 1880s and early decades of the present century, subjugated region economic resources were severely depleted, many of its provinces were laid waste and depopulated, first by war, and then by starvation and epidemics followed the conquest (ibid). The political reason behind such claim was that land was acquired through conquest of local tribes by the Ethiopian kings transferred to them in ownership as compensation (Ambaye, 2015: 38). As a result, the native people who now became landless were given contradictory the name called *gabbars*. This system was based on the confiscation of land and its distribution along with its ex-owners to the nobility, the state agents, the Coptic Church and settlers who came there in the wake of the conquest. The *gabbar* was obliged to provide free services settlers in different ways such as by cultivating their land, providing labor, building houses (Hussien, 2004). Moreover, these land title right strategies resulted not only in exploitative economic relations between the southern peasants and northern landlords, but also absolute political subordination of the southerners to the imperial agents and northern landlords (Ujulu, 2013: 72). During this period not only the land but also the peasants (tillers) theoretically belonged to the state or the emperor (Atsbaha and Tessema, nd: 47). Thus, the changes in landownership and the introduction of the *gabbar* system lowered the standard of living and undermined the economic security of the subjugated region which the former socio-political structures had afforded them.

So, land resource which has been potential source of power in both traditional and modern Ethiopia is the focal point of policy debate. The main source of controversy is related to land allocation (means of ownership) since it has been surrounded by politics. As Ethiopia is predominantly an agrarian state, land has been a crucial means of production for both rural society and the ruling elite. For rural society land is very valuable because its entire life is depended on land. It served the people as its house; as a means of production. Even, land was taken as symbol of freedom in the pre-1974 revolutionary Ethiopia because only those people with land use right or *rist* land were considered as a liberated, while people without *rist* land were considered either as slaves for landowners (Binayew, 2015:44). For the rulers of the country themselves land has been the basis of their political and economic power. Therefore, ruling elite land used as political instrument to manipulate the people. For this reason, question of land remains an economically critical and politically contested resource, reflecting the age-old antagonism between a landed aristocracy, the church and the peasantry, since 4th century (Alemayehu, 2007:2). From history, we understood that land policy issues have been driven politics in Ethiopia for several years. Up on seizing political power, each regime in Ethiopian has been promising the people about land

ownership, another promise that previous administration could not materialize (Miller and Eyob, 2008: 348). Similar trends also continued with incumbent government which promised the declaration of new land policy in similar fashion. Notwithstanding of the significance of land in the social, economic and political institutions of the Ethiopians, scholars on land tenure studies in relation to politics is limited until recent time. So, researcher motivated to study the role of politics in the Ethiopian land owning system in the last three regimes. Accordingly, this paper is organized into the following sections. The first section reviews historical perspectives of land tenure system in the last three Ethiopian regimes. The next section compare and contrast land tenure system in each regime by pointing out continuities and changes. And finally, theoretical framework of private land titling rights and government land titling rights analyzed, in order to identify relationship between land productivity and titling.

### Imperial regime (1930-1974)

As mentioned previously, the land forcefully incorporated under Emperor Menelik II was a feudal system of land ownership and agricultural production. In this system, the ownership of land carried the greater part of power in Ethiopia (Miller and Eyob, 2008:352). In this system the land resource was controlled and administered by the Emperor, feudal nobility and the Ethiopian Orthodox Church. Basically, Emperor Haile Selassie's land tenure policy was similar to Emperor Menelik's tenure policy of encouraging feudal landlordism. Generally, this system was characterized by heavy exploitation by those had land owning rights since most of the land was controlled by the state and feudal lords in pre 1975. So, in this system citizens were adopted customary and complex land using system in Africa known by different names. These tenure arrangement were termed as communal (*rist*), grant land (*gult*), freehold, or sometimes referred to as private (*gebbar tenures*), church (*samon*), and state (*maderia, mengist*) tenure regimes in local language (Wibke et al., 2008:7, Hussien, 2004, Daniel, 2013). These terminologies were commonly used classification of the pre-revolutionary land tenure types but there is no comprehensive and commonly accepted definition of these land tenure types. Geographically, there is a difference in tenure system between Northern and Southern part of the country. In the northern part an ancient communal tenure system of *rist*, renting and sharecropping was customary practice (Abera, 2000:131 as cited in Wibke et al). This system was characterized by less exploitation and peasants maintained less restriction over control of landholdings from state authorities' interventions, including the Emperor, landlord as well as with no tenure insecurity or fear of being evicted from the *rist* land (Hussien, 2004: 3). Since the northern part of Ethiopia is regarded as the cradle of

Ethiopian civilization, and the historical southern part lacked this privilege, land tenure system in this region are described as a fusion of private land tenure, pastoralist communal regimes, and government tenure (Ibid, 2001). And it was done out of political imposition from local authorities rather practiced by local communities to provide young generation (Ujulu, 2013: 71). Since peasants were not allowed to leave to their descendants, tenure security was guaranteed for northern peasants comparing with Southern peasants.

So, the Southern part of the country was affected by massive political intervention in the land grabbing favoring landlords and political authorities. They were forced to pay heavy tax and tribute system (gult) that Northern settlers had imposed up on the indigenous population. They had been victimized because they used most of their small production to pay taxes, rents, debt payments, and bribes to the feudal land lords and their affiliates (Shimelles et al., 2009:13, Hussein, 2004:6 to 11). As a result of feudal exploitation system about 4/5 of the population were subsistence farmers lived in miserable poverty during this period. Particularly, majority of the peasants in the south and west were transformed into tenants (locally known as *Chiseгна*) live and work under uncertain conditions and excessive dependence on the predominantly northern landlords and imperial representatives. Tenants were subjected to feudal dues like working on the landlord's farm and giving him presents on special occasions for fear of eviction (Hussien, 2004). In addition, Southern peasants had faced problem of eviction basically emanated from introduction of mechanized farming took place in 1960s; because land transferred from owners to new investors in form of sale. Like his predecessor, Haile Sellassie also maintained grant land to different groups in form of compensation. Particularly after the Italian war (1935 to 1941), intensive land grant was carried out to those groups like patriots, exiles, soldiers and civil servants as private property (Ambaye, 2015:52). Cumulative effect of the land policy had created political inequality and social structure among ethnic groups. In most extreme case, the regime deprived of fundamental rights of Southern farmers, and reduced them to second class citizens in relation with northern landlords and government officials. Land was also used as political instrument of obtaining fidelity from subjects because those disloyal subjects were punished in return which finally created grievances against imperial government. In general, the system was politically unjust and exploitative; economically inefficient and unproductive, due to the fact that it did not give incentive to tenants during production process. Even though Ethiopia achieved an economic growth of average of 4% per annum during 1960 to 1974, it did not improve the lives of most Ethiopians (Tadesse, 2011: 7). On the other side, Italian invasion of Ethiopia (1935 to 1941) had also its own effect on traditional land ownership in Ethiopia. The most victims of Italian invasion were not

poor peasants, but nobility and land owners. By appropriating gult and rist lands Italians distributed it to their loyal servants. As a result, the existing tenure system was disrupted. With this occasion the nobility and other land owners who had been closely associated with the ruling class became victims of the Italian land grabbing policy. By doing so, the Italians seriously weakened land owning nobility and in some parts of Ethiopia, they totally eliminated it. This event can be taken as a turning point in the history of lord tenancy relationship and the whole land tenure system in Ethiopia (Habtamu, 2011). Before Italian invasion nobility maintained their privilege in land owning because no one could intervene. But during Italian invasion (1935 to 1941), this status was taken away from them.

Apparently land tenure system during this period was characterized by absolute power imbalance between feudal lords and peasants, given that the importance of land resource used as a source of power that served Monarchy and the Feudal land lords as institution to exploit the masses. The Emperor had absolute right over all land with the authority to grant and withdraw land rights at all levels. The power of Emperor was clearly asserted in the 1931 constitution and 1955 revised Ethiopian constitution. Article 6 of 1931 constitution declares that, in the Ethiopian Empire supreme power rests in the hands of the Emperor. Similarly, Article 26 of 1955 revised constitution declared that Sovereignty of the Empire is vested in the Emperor and supreme authority over all the affairs of the empire is exercised by Him as the Head of State, in the manner provided for in the present Constitution. These rights not only privileged him to control and enforce his obligation on peasants but also on his follower's like war lords, governors and nobles (Pausewang, 1983: 24). So, rewarding local and regional authorities for their political support by handing out land as quid pro quo was common practice. Political power is largely linked to the size and quality of land owned. This means men who enjoyed high positions of secular authority usually controlled much land and placed at the top of a redistributive economic organization. They collected tax and tribute from those over whom they held authority and expended a large portion of it again on the feasts and followers that were essential to the maintenance of their political power and their legitimacy in the eye of their subjects. Consequently, while aristocrats and the church owning most arable land, tenant farmers (mostly in the southern part of the country) paid excessive rents. Surprisingly, this period was a time when more than 70% of the fertile land was possessed only by 1% of the property owner of the entire population in Ethiopia (Shimelles et al., 2009:13). The existing system restored and continued after Ethiopian liberation with help of British military in 1941).

Even though much less comparing to peasants in the Southern part of the country, exploitative nature of feudal land tenure system also affects peasant population in the



northern part of the country. However, the existing land ownership was not changed. Discontents of peasants emerged out of land reform which sets the base line for a large transformation of the agrarian structure followed by many restrictive laws about the use of land (Temesgen, 2013: 149). All land reforms attempts of the imperial period were opposed by peasants in the Northern provinces of Gonder and Wollo which were reflected by the 1942, 1951 and 1969 revolts. Marginalization of people for their political outlook was even employed as punishment mechanism by imperial regime. Thus, land alienation was used as instrument for political reprisal against the people due to their political outlook. For instance, Raya and Azebo Oromo people had been forced to massive land alienation after they participated in the Weyane revolt against Haile Selassie regime in 1943, while others were forced to mortgage or sell their land by the stresses of repeated harvest failures in the early 1970s (An African Report, 1991: 59). They were subjected to extensive land alienation, and much of their territory was transferred to the province of Wollo (ibid: 56). Finally the power of the imperial government started to weaken in 1970s. The combination of drought and harsh feudal political system in land owning prevailed in a country for over a century and was unable to adapt to the needs of the agricultural sector and ultimately provide the flexibility for a modern economy. The regime failed to provide political opportunities for the urban intellectuals and problems in the countryside. The power of the state was declining with the advancing age of the Emperor and the imperial system became incapable of accommodating political change related with land questions. Oppositions continued in all parts of the country. Coupled with these harsh political exploitation peasants, students, teachers taxi drivers in different parts of the country started to express their grievances against the ruling regime for political change. Particularly, land question of the 1960s or early 1970s was primarily a politically motivated question raised by Ethiopian University students aimed to end the exploitation of peasants by imperial regime, especially in the southern part of the country.

### **Derg regime (1974-1991)**

During this period land was used basically as a significant political instrument for struggle against exploitative imperial regime. It was more propagated when Derg used slogan *land to the tiller* as a political manifesto. In fact, this policy was applauded first by majority of farmers because this slogan promised to end the previous exploitative feudalism land owning system to allow farmers to own the land they were working. It seems a time the question of rural land get an adequate answer. Actually it was radical land reform considering the difference in agrarian relations that had existed in the North and South prior to the reform, given that land distribution in the rist system was relatively more

egalitarian for tenant cultivators (and landlords) in the South than for *rist* rights holders in the North (Atakile, 2004; Pausewang, 1983). In addition, the reform was the first uniform tenure system imposed upon Ethiopia as a whole with the purpose of abolishing feudal system in order to release human labor suppressed within such system for industry. When Derg revealed its ten-point program of Ethiopian Socialism on December 20 1974, it declared that land would be owned by the people. However, on March 4, 1975, the Derg declared public/state ownership of all rural land (Proclamation 31/1975). The main reasons for the nationalization of rural land from the previous owners/holders and their transfers to state ownership are envisaged in the preamble of the proclamation as follows:

*Whereas, in countries like Ethiopia a person's right, honor, status, and standard of living is determined by his relation to land;... that several thousand gashas of land was grabbed by insignificant number of feudal lords while the masses live under serfdom; ... that it is necessary to change the past injustices and lay a base upon which Ethiopians may live in equality, freedom and fraternity;...that development could be achieved through the abolition of exploitation of many by the few;...In order to increase productivity by making the tiller the owner of the fruits of his labour;...to provide work for all rural people;...it becomes necessary to distribute land and increase rural income and thereby laying the basis for the expansion of industry (Daniel, 2013: 16).*

The proclamation ban usufruct rights of farmers including sale, mortgage, lease, and donation but with limited conditions. For instance, the plot size per family was restricted to a maximum of 10 hectares, and the use of hired agricultural labor was completely prohibited (Proclamation 1975, Article 5). The positive contribution of the Derg land tenure system was that it eliminated the landlord-tenant relations and the political as well as economic power of the land owning class. However, state monopoly of land ownership remained as it was and farmers provided only right to use with limited conditions. Even use rights were not allowed permanently; as they could not be sold, exchanged, mortgaged and even not leased except in particular circumstances (Adal, 2002: 23, Proclamation 1975, Article 5). Since the reform was restrictive in different ways, it affects democratic rights of citizens' property transferability given that in democratic state citizens have right to handover their property. For instance, the 1995 FDRE Constitution declared that every Ethiopian citizens has right to acquire, to use and, in a manner compatible with the rights of other citizens, to dispose a property by sale or bequest or to transfer it (1995 FDRE Constitution, Article 40(1)). Limited number of those rights and lack of detailed provisions about their enforcement and administration also meant that the reform law had not adequately addressed the issue of insecurity. Periodic and the frequent land distribution

and redistribution programmes monopolized by state victimized rural peasants by exposing to severe poverty. This was caused due to lack of incentive by peasants in investing in land and managing land properly.

As a result they forced to convert their assets in return of food, and overuse their contracting land to compensate lost production through mismanagement in the way that could lead into the gradual conversion of productive lands into waste or infertile land (Samuel, 2006: 3). This happened due to the fact that the system was not appropriate for rural peasants to adopt modern technologies. This process has contributed for the creation of egalitarian social structure in rural areas. Besides, land tenure system during this period had demographic impacts. The policy was not suitable to move from rural area to urban areas because the system could not allow people to sell their land. For instance, if former user is out of the geographical location of the land, or if he is engaged in other economic activities within the area or both, suspended land could be given for another user (Teshome, 2009:49). And as a result, they fear being losing their land if they leave it unfarmed land for a season or more in search of non-farm employment in urban areas. This principle of the Derg regime had restricted farmers to live only in their specific location as opposed to democratic right of citizens, freedom of movement. Surely, this is denial of citizens' democratic rights freedom of movement as indicated in every democratic government. For instance, the current FDRE Constitution clearly declared that, "any Ethiopian or foreign national lawfully in Ethiopia has, within national territory, the right to liberty of movement and freedom to choose his residence, as well as the freedom to leave the country at any time he wishes to" (1995 FDRE Constitution, Article 32). The combination of legal and practical restrictions in land transfer rights coupled with other rural policies and activities had aggravated tenure insecurity and finally resulted in misallocation and underutilization of land and other resources.

Designed land law itself was not clearly address land related questions. It did not adequately address capable government body responsible for administrating land issues. This facts on the other side, paves the way for arbitrary decision making by high-handed land administration of local authorities and political cadres (Adal, 2002:23). On the other side, like Imperial regime, Derg also employed access to land as a mechanism of reward to those supports the regime and this led into arbitrary administration, corruption and favoritism at the local level. This in turn, created complaints among rural peasants concerning access to land, aside from the absolute shortage of land and unfairness during land distribution (Bruce et al., 1993). Even though State effectively abolished of previous institutions land tenure systems, it took over the control to distribute access to land through state machinery called Peasant Associations (Crewett et al., 2008: 13). In the first place Peasant

Association was established in order to promote local democracy, justice, and peasants' rights. However, in a process membership in Peasant Associations was established as the central element of the state's rural bureaucracy and became mandatory for all farmers. The leadership of the Peasant Associations was entitled to expropriate land from the landholders and distribute it equally among its members, which made the collectivity of the members of the Peasant Association proprietors of the land. Interestingly, during distribution process many authorities were involved in the decision making including wereda administration, wereda peasant association, kebele administration, political cadres, wereda villagization task force. So, state used the Peasant Association as instruments of control rather than allowing them to develop and promote self-administration. Unfair division of land was also sustained due to the fact that peasant association officials favored their friends and relatives and those who gave them bribes with more or better quality land. To sum up, the early achievement of land reform carried out by Derg did not last long. It restricts the peasant independence in decision making and free choices about their lands and productions. Derg replaced domination of land lord with peasant domination in order to build Socialist state and institutions. So, the combination of above mentioned problems in general and a land tenure issue during this period was recognized as one cause of Ethiopia's overall development problems during Derg regime.

### Post 1991

After fall of Derg, The Transitional Government of Ethiopia, in its declaration on economic policy in November 1991 announced the continuation of the land policy of the Derg regime. By inserting the land policy in the constitution, the current government has approved and confirmed the state ownership of land in Ethiopia (1995 FDRE Constitution, Article 40(3)). Constitution explicitly states that, the right to ownership of rural and urban land ...is exclusively vested in the state and in the Peoples of Ethiopia." It goes on add, "Land is a common property of the Nations, Nationalities and Peoples of Ethiopia and shall not be subject to sale or other means of transfer." However, since the proclamation does not clearly indicate the exact duration of usufruct for land holders, tenure security remained the problem. The argument is taken from past Ethiopian history since; Ethiopia had no experience in considering both urban and rural land as a commodity exchanged in a market. The extra ordinary significance attached to land that propels it beyond market forces is usually put in philosophical language. Land is seen in an inter-generational manner as having belonged to one's parents, grandparents, great grandparents and will belong to one's children, grandchildren, great grandchildren

(Fasil, 1997). Beyond that, land is also seen as common property of extended family, the clan, the tribe, etc. One cannot forget that land touches sensitive chords in a traditional society that is particularly subsistence agriculture based.

Thus, according to the FDRE Constitution, all urban and rural lands and natural resources belong to the state and the public. The only departure from previous government is that constitution guarantee peasants with lifetime rights (holding right) to rural land including, lease/rent, donation and inheritance rights. The Constitution clearly says: "... the government may expropriate private property for public purposes subject to payment in advance of compensation commensurate to the value of the property (ibid). Unlike the Derg era, peasants have the full right to their produce and can sell it at market value. However, sale, exchange (barter) and mortgage are not allowed (1995 FDRE Constitution, Article 40). The rights of lease/rent, donation and inheritance are allowed, but their usage is restricted for different reasons. The rural lands laws also create (at least in principle) free access to rural land although, because of land shortage and restriction on land distribution, this right has not been realized. In urban areas, land can be held only through lease system. This does not mean, however, that land is therefore frozen in the interest of the status quo. Exploitation through market forces and otherwise is not only permitted but expected and encouraged. The uses of the land enjoyment of its fruits through market forces and in accordance with the laws and regulations that pertain to it are not affected. Thus, renting, leasing, and developing of land is both expected and encouraged (Fasil, 1997). The most political debate in the current land tenure system is private-state dichotomy. In fact, the arguments towards those positions are not unique and limited to Ethiopia, but the experience of other rest of the world. The only limitation of this argument is that it does not involve peasants and pastoralists, civil societies and other concerned parties. The only problem in this regard is the debate focuses narrowly on ownership issues and is not based on the Ethiopian and international experiences and theories. Such features of the land debate in this country have also diminished the possibility of influencing future policy making on land matters. Obviously incumbent government and some scholars in this field are in favor of State land ownership.

The strong justification of incumbent government in this regard is that, if land is privately owned, peasants departed from their land by selling it to bourgeois class. They argue that, private ownership will lead to concentration of land in the hands of a few who have the ability to buy, to eviction of the poor peasants, landlessness, and rural-urban migration of the same peasants who are left without any alternative means of livelihood (Ethiopian Economic Association (EEA), 2002). In some cases the issue becomes part of the political

ideology and an issue of class alliance, at times it is given an ethnic dimension, and some cite the pre-revolution situation of landlord-tenant relations and warn that privatization will bring such an order back. For example Gebru (1998:9) argues against privatization saying:

*... privatization of land will create a massive eviction of peasants and the displacement of pastoralists. Landless and poor peasants, who comprise the overwhelming majority of the rural population, will be the first victims of that policy. Moreover, the pre-reform landlords, who batted on the meager 'surplus' produced by the peasants, mostly tenants, will now be replaced by 'capitalist' farmers who will alienate small peasants from their land.*

Gebru (1998: 10) cited empirical evidence where a limited penetration of capital in the central and southern parts of the country caused massive misery to peasants and tenants. His concerns also emanated from nationality dimension by indicating peasants and pastoralist as the victims of oppressed nationalities. For this reason, he strongly stood against private ownership of land. On the other side, Western neoliberal advocates like World Bank (WB 1992), some scholars and opposition political parties are in favor of private ownership of land. Particularly, the Ethiopian opposition parties accused the incumbent government of state land ownership policy as a hidden political agenda aimed to benefit cadres by exploiting peasants. Not only opposition political parties but also many experts in this field urged privatization of land provide the best environment to maximize the economic efficiency of the land. Proponents of privatization believe that re-privatization should be a necessary part of a second agrarian reform for Ethiopia in order to take advantage of the economic benefits for the entire country. Nevertheless, government included land issue in the 1995 constitution for political and doctrinal purpose, and politicizes this issue further, given that land issues is not constitutional issue in other state (Fasil, 1997, Desalegn, 2009: ix). Particularly, Desalegn Rehamato, one of leading scholar in land tenure system debating in support of privatization has identified land insecurity, land fragmentation, land management as a major rationale for his argument behind state-private landownership dichotomy. Although, opponents of privatization in Ethiopia are many, it seems the current land problems have been furthered through the current land policy.

Ethiopian People Revolution Democratic Front (EPRDF) government authorizes ethnically isolated regional state in Ethiopia to administer land fall under their jurisdiction. However, due to the fact that EPRDF officials dominate all levels of government, it is difficult to make clear lines between government and the ruling party. This means since all federal policies, including land policies are drawn up and implemented largely to reflect

the position of the party, it complicates reform and paves the way for criticism for any proposal of change in the current policy position of the EPRDF. In some regions political participation in the previous regime was also considered as significant criteria to access land. In this regard for instance, political primacy in land administration has been demonstrated by the 1996 land redistribution of the Amhara Region where access to land was based primarily on political criteria of participation or not in the Derg local administrative structures. Neither social equity nor economic considerations were given enough attention in such politically motivated redistribution. On the other side, ethnic federalism adopted by government could make difficult for farmers to access land in other region. This relationship makes land tenure reform an extremely sensitive political issue in Ethiopia. So, in general, even though government is successful in the opening markets for other purposes, land markets are still impeded, and this relationship makes land tenure reform an extremely sensitive political issue in Ethiopia.

### **Continuities and changes**

The evidence from above discussion shows that the quest for state control over rural land exhibits a long continuity in Ethiopian history. Particularly from economic point of view, the Ethiopian rural land tenure systems under the three regimes have shown a substantial degree of continuity than change. The ruling regimes are reluctant to hand over the power resource of land distribution in which they have legitimized it with the historical legacy of the imperial oppression of the rural peasantry, although the degree and scale of oppression differed significantly from one regime to another. State control is legitimized as historically and socially just. When governments needed those resources, they have full freedom to put them to such uses without compensation or community consultation. Historical trend of state hegemony and peasant subordination is recognized. As a result, fundamental change is not observed in the land policy at national level. The policy of regimes designed from the center in order to protect the interest of top level politicians. Other relevant stake holders such as farmers, civil society and businesses were not involved in land policy decision making. So, this policy of not being participatory in land policy decision making is commonly characterize all Ethiopian regime. Similarly three regimes allowed by agreement rural communities to occupy and use common lands until they needed them for their own ends. Again three regimes also used lands under state domain for imposed conservation measures, parks and wildlife sanctuaries in a manner that excluded the local people. In fact, with such arguments the government seems to find significant support among some segments of rural peasantry.

The only tangible policy change observed in this regard is motivation of using land resources in the field of

political setting. Relatively, the differences in social and political aspects of the land tenure systems are exhibited between the pre-1975 and post-1975 periods rather than among the different political regimes. The imperial regime had been used the lands in order to build political patronage and expand modern agriculture marked by expansion of large commercial farms, while the Derg used those lands for the purpose of undertaking resettlements, villagization and socialist agriculture in the forms of state farms and producers cooperatives while the present state is using these lands for massive large farms both by itself and private investors. Since each regime exhibit different political ideology, they designed possible institutions realize this political objective. For instance, Socialist Derg replaced the imperial communal *rist* system with its own state's organ called Peasant Associations as a means to control peasants. On the other side, the incumbent government policy of developmental state embodies the combination of socialist and market oriented principles by seeking to allow land market as controlled by the State through retention of restrictions on transferability of land use right for the same purpose. Unlike Derg regime, EPRDF land administration given to ethnically separated regional states.

### **Theoretical framework of land titling rights**

The scientific evidence on the extent to which different forms of land tenure reduce poverty in developing countries is contested. A study carried out by (Gerstter et al., 2011:8) shows that land property rights title in developing countries should be privatized in order to increase investment in land and, it enable the poor to access credit markets. The argument concerning investments is that, tenure security makes improvements to the land cost effective. As the risk of land expropriation decreases, a so called assurance effect arises, and improving the land becomes more attractive. The right to sell the land also gives any improvement or investment in it a greater expected return. Such investments are seen as instrumental to improving the land's productivity.

Farmers who do not own the land they cultivate have fewer incentives to invest in land and maximize its productivity (Ibid). Therefore, developing countries' legal property systems should be reformed by restructuring the legalization process by reducing the high costs and time it takes to register property. These assumption supported by empirical study carried out in Thailand. In contrary other side study conducted by (Gezaey, n.d:20) shows positive relationship between tenure security and its productivity does not emanated from tenure security, rather attached to different factors. For instance, study conducted in the Njoro District of Kenya show that, the positive relationship between agricultural productivity and land tenure system does not stem from improved tenure security rather than large-scale farmers having access to

factors like imperfect labour market, capital, and insurance markets that small farmers do not have (Shimelis et al., 2009:8). So, tenure security-agricultural productivity positive correlation remained mixed and inconclusive. Consequently, there are no one-size-fits all approach towards land reforms, due to divergence of political, economic, environmental and cultural available across countries. Thus, in the scholarly debate on tenure policy, it is difficult to discern clear policy recommendations.

## CONCLUSION

In the foregoing discussion I have seen land tenure as the contentious topic throughout Ethiopian history. Each regime has been monopolized state land ownership by understanding its political and economic significance. During the Imperial regime, a class of landed nobility had extensive land holdings making them not only economic masters but also political masters over landless tenants. Farming peasants paid rent and the entire family rendered a variety of services to their landlords. Expansion of large-scale mechanized agriculture became a factor for eviction of peasants in 1960s and 1970s. So, for land owners the system was an instrument of wealth making and sustaining their power, while for peasants it is an instrument of manipulation.

As soon as the Derg regime comes to power in 1974, it implemented the most radical policy initiative in the country's history with the slogan *land to the tiller* land reform. The slogan had its own political objective; since the regime intended to end landlordism with its all exploitative production described as exploitative in the previous regime. As a result, complex tenure patterns of the pre-1975 period have been abolished and assigned land ownership rights to the state and allowed use rights by other actors. However, in many respects, the reform was not successful due to factors related to absence of compensation and redistribution attached with strict conditions (Amdissa, 2006:17). Thus, the experience of land redistribution during the Derg regime was the greatest sources of land tenure insecurity and anxiety among the rural population. EPRDF on its hand maintained Derg land policy with minor modifications including the ability to sub-contract or rent land on a short-term basis. During this period the argument and debates lays with privatization visa-vis state land ownership politics. Like previous regimes, the problem of tenure insecurity remains in Ethiopia.

## Conflict of Interests

The author has not declared any conflict of interests.

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