

## Review

# A history of land measurement in Shashemene (Ethiopia), 1941 - 1974

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**In history, land tenure system refers to the social and administrative concept. It does not show physical or geographical concept. Land has been one of the most highly valued possessions of human society. In Ethiopia, the rules to measure, share and use land have evolved over time. In this regard, there are ample sources at Teshafe Tezaz Wolde-Mesqel Tariku Research Center. The collection of the Center Contains many surprises. There are ample of materials on the twentieth century Ethiopian History, particularly, in relation to land tenure and measurement. For a historian working with such archival materials is entertaining and stimulating. The archives are indispensable sources for the study of the twentieth century Ethiopian land tenure. It is possible to arrive at an impressive conclusion on political economy of Ethiopia particularly on land matters, with all its implications and complexities, if one writes and researches with reference to the center. This study highlights several points of paramount importance. To begin with, this paper investigates the factors that made land measurement in Shashemene District too sensitive and challenging. Secondly, an attempt was made to bring out the historical, political, economical and social dimensions of the process. Thirdly, an attempt was made to assess the degree of originality and authenticity of the available literature in the topic under consideration. That is, all documents will be compared and contrast with the texts. Finally, this study also fills in some gaps in the study of land tenure and measurement in the district under study.**

**Key words:** History, land measurement, Ethiopia.

## INTRODUCTION

Until the 1974 Ethiopian revolution, there were different types of land tenure systems in Shashemene including communal, rist, gult and riste-gult. In Ethiopia, the most ancient system of land holding is the communal land tenure system. It has survived to this day in many parts of the country. With the formation of states in the northern part of the country, the ancient form of land tenure gradually changed. New forms of land right emerged and additional claims on the ownership of land came into being. There are three technical terms connected with this development. These were rist, gult and riste-gult.

All such and other land holding types were dominant in Shashemene District during the imperial period that made issues of land measurement to be complex and time consuming.

The content and organization of this paper is essentially based on archival materials. In this research, only

16(sixteen) boxes of Institute of Ethiopian Studies were consulted (in the Welde-Mesqel Research Center). A comparative and contrastive analysis on some of the existing literature on land tenure in relation to land measurement with that of archival materials was carefully given. Finally, it is important to mention that discussion made in this research is essentially and exclusively based on archives and literature consulted.

## FACTORS AFFECTING LAND MEASUREMENT INITIATION IN SHASHEMENE DISTRICTS

It is believed that land measurement started during the Gondarine period. But it was in 19<sup>th</sup> and 20<sup>th</sup> centuries of Shewa that land measurement reached its height and continued until the collapse of the imperial in 1974. During

the imperial period, a number of factors could be mentioned for the necessity and expansion of land measurement in Ethiopia in general and Shashemene Woreda in particular.

To begin with, there was land selling in Woreda. The process of privatization of land assumed to have reached its momentum there. This can be further substantiated in the letter addressed to the Ministry of Interior from Head of the Land Surveying in Woreda. This process necessitated measurement as prerequisite in order to classify and determine the size and value of the land. Moreover, preparation of plan that shows location and ownership of land demanded the need for land measurement.<sup>1</sup>

Secondly, the government was working vigorously to increase its income. This was done to hold a sort of balance with the increasing government expenses. The attempt was made in different ways including selling of lands under its disposition. This was particularly observed in Shashemene where one thousand Gasha of land was ordered to be sold by the Emperor.<sup>2</sup>

Thirdly, in the first and second quarter of the twentieth century, land measurement was carried out very inconsistently. It was crudely done. This resulted in enormous variations. As a result, it became complex to implement land tenure reforms and administration.<sup>3</sup>

For this reason, in 1949, the Ministry of Interior Wrote to Shashemene Woreda Ghezat, the need for land measurement.<sup>4</sup> The government wanted to have accurate, legally binding land measurement system. This would provide certainty of statistical data and security of land tenure and thereby reduce the possibilities of litigations and making land transaction easy.<sup>5</sup>

Fourthly, measurement or/and re-measurement, particularly in the last two decades of the regime, was initiated in Shashemene Woreda when dispute cases arose. This happened between private owners or between a private owner and the state. In Woreda, there were cases when private initiative became the factors for

“kalad” (measurement) to be carried out.<sup>6</sup> For Example, Ras Mesfin Sileshi, Governor General of Shewa, wrote about sending two demarcators to settle the boundary dispute between two persons.

Fifthly, there were also conditions when the pressure for remeasurement of land had come from either land surveyors or landholders’ themselves.<sup>7</sup> In Shashemene, there were reports that the landowners requested the measurement of their land. Essentially, applicants, such as Dereje Gadissa, wanted the measurement in order to pay taxes on an excess land, if any. In such cases, discovering excess land was more likely. According to Markakis (1974), the disposition of the excess was handled differently in different Woredas of the provinces.<sup>8</sup> In Shashemene District two actions were taken. In some areas the excess was simply taken by the government. In other areas where the holder admitted the excess and because of the legislation, he was allowed to keep the entire excess amount on the condition that he could pay tax and the registration fee within six months.<sup>9</sup>

Sixthly, there was measurement due to a ‘land finder’ who had certificate of eligibility for land grant. Here, the motive behind the remeasurement was getting land. Yet, in Shashemene the holder denied the presence of excess land under his ownership. The process was brought to the court and order was given for the remeasurement of the land. The land was remeasured. Excess land was discovered. The state took part of the excess and the rest was given to land finder.<sup>10</sup>

Similarly, surveyors themselves took the initiative for remeasurement. Finding excess land seemed to be part of their main objective in the Woreda under discussion. There are a number of reports that explain how they tried at most to discover excess. Moreover, the surveyors reported to the respective officials that many holders had incorporated the excess with their actual holding by destroying symbols they (surveyors) had made representing the boundary. Such things, irritated them as they were mainly working for the purpose of getting an extra land and then to increase government income by selling or taxing it. Accordingly, they urged the government for remeasurement. Otherwise, according to the 4<sup>th</sup> Surveying group report, they would regret that effort was becoming fruitless as the owners continued to hold the excess or encroached upon government lands

<sup>1</sup>Institute of Ethiopian Studies (in the Welde-Mesquel Research Center), box title and number Qalad Denb 2266, file number 2200, the year the file was generated in 1939 E.C. Therefore, it can be abbreviated as IES/WMRC/2266/2200/1939. Hence forth, the source of the archives, specific series number of the file and the year the file was generated are not written. Therefore, the first series of letters and/or letters refers to the box and file number. All dates of the archival materials are written as they are, that is, in Ethiopian calendar except change of Amharic names of months into English names.

<sup>2</sup>It was memorandum presented to the emperor. It has no date and personal signature. It is headed by ‘Mastawesha’. Equivalent to M. (or Memo)

<sup>3</sup> Ibid

<sup>4</sup> 2157/28: the Director of the Department of Acts and Rist to Ras Mesfin Sileshi. It deals on boundary disputes between claimants.

<sup>5</sup> Ibid: 2189/121: to Sheshmene Woreda, 4 May 1948

<sup>6</sup> It a minutes on land measurement and taxation between two misters: Interior and Finance

<sup>7</sup> 2188/1465

<sup>8</sup> Ibid; John Markias, Ethiopia: Anatomy of a Traditional Polity (oxford: Clarendron Press, 1974), 12

<sup>9</sup> 2131/2200: A letter to the Ministry of Interior, Pagume 1953

<sup>10</sup> I have discovered two cases in Shashemen Woreda. For further information, see, for example, Mahetam Selassie, Zikre Neger

by bribing local officials.<sup>11</sup>

Others, probably because of personal conflicts or unhappy feelings of the better fortune of others, made known to the government officials the presence of excess land at the possession of a certain individual. This can be further explained in the letter addressed to the Imperial Government of Ethiopia from a certain individual of the woreda. Finally, the person brought the case to the court and requested the court to give an order of re-measurement.<sup>12</sup>

Seventhly, land was measured for the direct purpose of taxation. Owners would pay land tax according to the size and fertility of their land. Yet, prior measurements were not accurate source of information. This became a problem to facilitate land taxation and administration.<sup>13</sup> The letter from Ministry of Finance to the provincial offices of the Ministry of Interior may elaborate the statement. The Ministry described that unmeasured and unknown lands had created difficulties for tax assessors. Accordingly, the Ministry of Interior was requested to send surveyors to Shashemene to measure the land and thereby to make land taxation simple and efficient. Surveyors were sent to measure the land and identify the type of tenure. However, the re-measurement for a tax purpose was not done smoothly. There were series of conflicts and intrigues. For instance, many times court order was requested in order to proceed with re-measurement and classification because of the objection of the landholder.<sup>14</sup>

Thus, to implement successful land tax reforms, an efficient system of land registration became a necessity. This should include, according to the report of the Ministry of Land Reform and Administration, a cadastral survey and larger scale maps. This was also explained in the 1959 letter of Kifle Ergetu, Vice-Minister, on the need for land measurement in Shashemene woreda.<sup>15</sup>

Similarly, the letter from the Ministry of Finance to the provincial office appreciated the preparation of the office to start land measurement in Shashemene Woreda Ghezat. Further, the minister recommended having measurement not only in Shashemene but also in all other

areas of the country where "Kalad" had not yet taken place. According to many, in Shashemene, there was no an efficient and effective taxation system because of absence of modern land records. The amount of land tax was so small.<sup>16</sup> This was also true in other areas of the country and at different times as explained in "Zikre Neger"; as a problem during the reign of Menelik II and his successors. Accordingly, the government had tried many times to have an accurately measured and registered land.<sup>17</sup>

In Shashemene Woreda, it was also reported that the then system of classification of measured lands was into three categories: Infertile, semi fertile and fertile; for the purpose that land taxation was crude, because of differences in the factors affecting land's potential in different parts of the district and inaccuracies of measurement and classification. The Director of the Department of Rist and Wul presented recommendation to the Emperor about the need for a wide categorization of land to make the system of classification more equitable. The Emperor replied that the proposed amendment was good, but ordered that it should not be enforced for sometime, for different reasons.<sup>18</sup>

Finally, there were land grants to the landless peasants, exiles, patriots, government officials and unemployed. Land grant was one of the dominant features of the regime.<sup>19</sup> In 1952, the Emperor issued a proclamation that all landless Ethiopians were entitled to get land. Unlike what Bizuwork argues in Shashemene, there was land grant to local peasantry upon their request. There was land grant to more than 1553 local people, ½ gasha of land each, since 1946. It was the Emperor who ordered land grant to the Belbela peoples, name of the local peasantry. In 1958, the local peoples requested further land for the second time for which 193 and ½ gasha of land was prepared and given.<sup>20</sup>

There was also land grant to the 'renowned Hamaseins' (and is equivalent to mean Eritreans) in Shashemene. There were two rationales for the eligibility of Hamaseins' for land grant. First, there were Eritreans (Hamaseins) who came to Ethiopia opposing the colonization of Eritrea in 1890. Second, during the 1935 - 1936, Italo-Ethiopian war and period of resistance, a

<sup>11</sup> It seemed that the prime objective of the office in the woreda was to discover excess land that could be sold or granted. Reports tell that government land was not known precisely.

<sup>12</sup> Ibid

<sup>13</sup> 213/2200: From the ministry of Finance to Arsi Governorate General 2 October 1941

<sup>14</sup> Ibid: from Birhan Wolde-Mesqel, head of the demarcators in Shashemene Woreda to the Ministry of Interior. The man describes logistics and financial problems his team faced.

<sup>15</sup> 2234/211: to Kifle Ergetu, the Vice- Minister of interior 4 July, 1943. He highlights the absence of accurate land measurement in the past as the factor of the problem for tax collection.

<sup>16</sup> 2131/2200: to the head of the 4<sup>th</sup> Surveyor Group, 24 March 1955

<sup>17</sup> Mahteme-Selassie Wolde-Mesqel, *Zikre Neger* (Addis Abeba: Netsanet printing press, 1942); MIA no box number/250/1958: to Eguale Zewlde. Director of the Department of Acts and Rist 11 May 1961.

<sup>18</sup> Ibid: a report on land Tenure Survey of Arsi province. Addis Ababa: August 1959.

<sup>19</sup> John Bruce and Zegey Asfaw, *Grants of Government Land: Legal Constitutions* (Addis Ababa, November 1971)

<sup>20</sup> Bizuwork Zewde, "Land Grant and Tenancy: A Case Study of Arsi" In the 12<sup>th</sup> International Conference of Ethiopian Studies. Vol.1 (Michigan state University, 1994)

number of Eritreans deserted the Italians and joined the Ethiopians. Accordingly, there was land grant to them or their families in the Shashemene Woreda. They were absentee landholders.<sup>21</sup>

Initially, land grantees through manipulations and absence of standardization of measurement were able to possess more lands than they were required to have. Gradually, however, the need for land became acute because of the influx of land grantees. In this regard, in reference to a letter of 3 June 1965 from Ministry of Interior addressed to Ras Mesfin Sileshi concerning the increment of request for land grant in Shashemene,<sup>22</sup> The Minister pointed out the need for more accurate identification of government lands to facilitate land distribution to eligible grantees.

In this connection, Ketema Meskela wrote a thesis on Land Tenure of Arsi. Shashemene was part of Arsi till 1960. His explanation on the process of land grant and measurement coincides more or less with archival materials. Likewise, Shiferaw, in his article, wrote that the expansion of grants of government lands to individuals had been intensified during the 1941 - 1974.<sup>23</sup> This by implication led to land measurement.

There were procedures of measurement of land to be granted. A would be beneficiary of land grant was required to produce a certificate of eligibility before submitting an application for a grant of land to the Ministry of land Reform and Administration. Once eligibility was proven, the applicant must locate a parcel of government land. The procedure is also explained in the paper by Bruce and Zegeye. The authors have stated that once the grantee found the presence and location of government land, he would write application for land grant to the Ministry or its provincial offices. Government offices then would commence an inquiry to determine whether the particular piece of land proposed was in fact government land available for granting or occupied by other peasants.<sup>24</sup> This was the legal constitution and process that some literature and archival materials are telling us.

However, there exist a conflict of information from Bizuwork and Pausweang Bizuwork wrote;

“All lands granted to patriots and others were not empty lands but fertile lands on which indigenous farmers lived as government tenants.”<sup>25</sup>

Other works claim on the abnormalities arisen in practice. The grantee might bribe the local balabats who might not be honest and sincere in their reports. This caused land disputes between the grantees and local people who considered the lands they settled as part of their community's heritage.<sup>26</sup> This resulted in continuous court cases for which the court ordered measurement and remeasurement of land in Shashemene.<sup>27</sup>

In supporting this, there is a report that in Shashemene Woreda Ghezat land grant had been taken place through ‘eye-guessing’. Moreover, the register book of the Woreda was lost. As a result, land taxation was very low. The owners were paying only for their proper holding. But the government wanted to increase its income. For such reasons, government lands should be identified to distribute or sell to those who deserved it. On 9 January, 1952, the Ministry of Pen wrote to the Ministry of Interior and Finance the need to sell government lands to the people.<sup>28</sup>

Generally, these were major factors for initiating land measurement or re-measurement in Shashemene in the period under discussion or before.

## **HISTORICAL, POLITICAL, ECONOMICAL AND SOCIAL DIMENSIONS OF LAND TENURE**

In the last decades of the old regime, the issue of land tenure was becoming complex and politically sensitive. According to Chohen and Dov land measurement and procedures for obtaining land under the existing bureaucracy was very difficult. Yet, the government showed little commitment to have an accurate cadastral survey as a prerequisite to land and agrarian reform.<sup>29</sup> Shashemene Woredas Ghezat was one of the areas in the country where such problems had been observed.

Theoretically, lands discovered in the process of measurement with no private rights were considered

<sup>21</sup> 112105. No date.

<sup>22</sup> 2189/2106. from the ministry of Interior to the Governor General of Shewa 5 June 1958

<sup>23</sup> Ketema Meskela, “The Evolution of Land- Ownership and Tenancy and Tenancy in Highland bale: A case Study of Goba, Sinana and Dodola to 1974” (M.A thesis, Addis Ababa University, June, 2001); Shiferaw Bekele. “The Evolution of Land Tenure in the Imperial Era” in Shiferaw Bekele (ed.) *An Economic History of Ethiopia*. Vol. I (Dakar: CODESRIA, 1995)

<sup>24</sup> John Bruce and Zegaye Asfaw.

<sup>25</sup> Bizwork Zewde, “The problem of Tenancy and Tenancy Bills with Particular Reference to Arssi” (M.A Thesis, AAU, 1992),32; Siegfried Pausweang, *Land, Society and Peasants: A Social History of land Reform in Ethiopia* (Nairobi, 1981), 41.

<sup>26</sup> 2184/211. The date is not legible. The file describes problems arose in the process of land grant in the absence of accurate information about the type of the tenure.

<sup>27</sup> Ibid

<sup>28</sup> 28 2158/2206: from the Ministry of pen to the Ministry of Finance and Interior 9 February 1944.

<sup>29</sup> John Cohen M. and Dov Weintraub, *Land and Peasants in Imperial Ethiopia: The Social background to a Revolution*. (Cornell University, 1975),60

government lands. To this end, following discovery of the excess land, the former holder was permitted to choose part of the holding constituting the excess. However, in Shashemene Woreda, the holder refused presence of excess land as well as to make his decision of choice. For such reasons, taking of the excess was often delayed indefinitely.<sup>30</sup>

Before 1965, land measurement in Shashemene and other southern provinces had procedures. To measure a land, five entities were required to participate. These were the governor, the local balabat, neighbors (of the land), the contending parties, five elders of the community and the demarcators. However, according to the 10 July, 1965 report of the Ministry of Interior, one of the problems that faced surveyors was getting all these parties together. Accordingly, the Ministry enforced an alternative for land measurement. According to the new legislation, whenever there was court order or individual request for land measurement, the Ministry would send the registration form to the respective persons and offices. This would be filled and signed, under the authority of Woreda governor, by four parties. Then after, the surveyors would be sent for confirmation and checking purpose.<sup>31</sup> This amendment came into practice in Shashemene starting from April 1966. This became the principle despite variations in practice.

Many times in Shashemene, remeasurement was made because of disputes and court order.<sup>32</sup> In such processes, as archival materials claim, problems arose. Theoretically and principally demarcation would be made only if both or all disputants were available in the field. But there were cases when one of the contentious parties was not able to present himself intentionally or otherwise. This made the demarcators to stay for days or months without any work. In such cases, the government would continue to pay the salary of the surveyors though they were required to refund the money they had received (\$7.00 per gasha) from the disputants. This happened when they returned without measuring the land.<sup>33</sup>

According to Pankhurst (1968), persons responsible for surveying the land were themselves allocated land called 'land of the thorn', an allusion to the thorns which got caught in the surveyors' clothing. During Menelikk's time, surveyors received one, two or three gashas of government land under the title of Meder-

ya land. This continued during the reign of Haile-Selassie I in Shashemene.<sup>34</sup>

## PROBLEMS ON LAND TENURE IN RELATION TO LAND MEASUREMENT

From discussion so far, land issue was complex and time consuming. Below, are discussions on problems of land tenure in relation to land measurement, starting with court cases on land disputes. Mostly, skill, time, money and influence were important to be considered to be the winner of court cases, during the imperial period. In Shashemene, there were court cases on land dispute which took two years. For whatever each hearing was short the plaintiff and his witnesses as well as defendant would waste a whole day traveling to and from the rural areas of Shashemene or remote towns to the woreda or awraja or provincial courts of Shashemene.<sup>35</sup>

The other challenge of land measurement in Shashemene was absence of standardize unit of measurement. Historically, there was no uniformity of land measurement. The following factors contributed for the inaccuracies of land measurement. These were irregular shape of plots, the hilly nature of land surface and the variation in the length of the instrument of land measurement. Kalad was used as a measurement while gasha denoted the area of a given piece of land. In addition, since gasha was a very large unit, it was inconvenient as a measurement unit. In 1944, in order to have uniformity in the length of the instrument of land measurement, by the order of the Ministry of Pen, a gasha of land was proposed to be equivalent to 40 hectares (400,000 sq. m.)<sup>36</sup> In practice, however, variations continued. The worst happened when there were lack of skill and loyalty among the surveyors. This could be particularized in the woreda where fictitious measurements were reported. In later days, such reports were discovered. As a result, on 5 February, 1969, the Director of Land Administration Department, in the Ministry of Land Reform and Administration, wrote a strongly worded letter to all eighteen surveying groups of the country.<sup>37</sup> According to the letter,

<sup>30</sup> 2189/1858: From Chamber of Deputies to the Ministry of Interior 12 August 1957

<sup>31</sup> 2131/2200: From Solomon Abraham, Acts and Rist Vice-Minister, to 11 Governorate General Inderasses 19 January 1958. The minister announces the replacement of the old system of land measurement by new ones

<sup>32</sup> *ibid*: 2234/2077: From the Ministry of Interior to Director of the Department of Acts and Rist 3 Meskerem 1959

<sup>33</sup> 2135/223: A memorandum presented to the director of the Department of Acts and Rist Department, Hamle 1957

<sup>34</sup> Richard Pankhurst, *Economic History of Ethiopia, 1800-1935* (Addis Ababa: Haile-Selassie I University Press, 1968), 151

<sup>35</sup> This is what I have explored and understood from court case of the period

<sup>36</sup> Imperial Ethiopian Government Ministry of Land Reform and Administration.

A pilot Study of Agricultural land Disputes on Lume Woreda and Year and Kereyu Araja courts (Shewa province). Addis Ababa, March 1969. The paper has brief historical background on instruments of land measurements.

<sup>37</sup> 2234/253: From the Department of land Administration to all 18 Surveyor Groups 2 Tiqemt 1961

whenever fallacious statistical statement or reports were made, two actions would be taken: First, the land would be remeasured at the expense of the surveyors themselves. Second, if the mistake was repeated, further disciplinary action would be followed.<sup>38</sup>

There were also logistical problems in the course of land measurement. The process was carried out under the instruction and administration of the central government. At the national level, the demarcators were classified into 18 (eighteen) groups. There was continuous transfer of surveyors from one province or awraja or woreda to other areas. This resulted in unnecessary expenses and financial problems to the workers. The inefficiency of the bureaucracy and lack of coordination among government offices made the problems worse in Shashemene. Delayance of salary and absence of per diem was reported many times to the Ministry. Sometimes, they were starved. In addition, as they moved further into interior, in the absence of modern transport service, more time was spent traveling from and to their center. There were also health problems and tent shortages. This was particularly observed in malaria infected areas.<sup>39</sup>

Sometimes local balabats and other land owners were not cooperative in land measurement. For example, landholders who knew their encroachment of government lands were against the process.

In other cases the surveyors themselves became the problem makers. In Shashemene, there was an attempt of measuring a land in the absence of the balabat and Melkegna. Procedurally, this was not correct in accordance with the new legislation. Thus, a conflict happened between the landowners against the surveyors. The opposition involved physical attack and destruction of measurement instruments and register books by the peasantry.<sup>40</sup> The workers left the area. The measurement process was interrupted for sometime. The case was taken to court which settled the issue in favour of the peasants.

Sometimes, assessors' motive to find excess land or hide land caused grievances among the local peoples. Peoples might fear that remeasurement would result in heavy taxation or losing the ownership due to the underestimated holdings against land measurement.<sup>41</sup>

There was a case when the surveyors attempted to measure the land which they were not supposed to do so. This caused a conflict between the Alaba and Sidama peoples against local balabats of Shashemene.<sup>42</sup> The letter of local governor addressed to the Director of the Department of Land Tenure has stated the situation in detail. According to the letter, the surveyors, under the chief of Birhan Wolde-Meskel, were so corrupt that excess land could not be discovered. Rather, they became cause of conflict among different tribes of the region. Therefore, the letter concludes, their salary was more than their contribution to the government as they were working for their own benefit. Finally, the group was ordered to stop measurement and left Shashemene.<sup>43</sup>

In other way round, local balabats and government officials did not want to see accurate identification of government land. Both were the beneficiaries in the presence of excess lands. Apparently, records about government land were often incomplete. There was possibility of deliberate bias on the part of Woreda officials in providing information. According to 2 October, 1951 report to the Ministry of Interior from the chief of demarcators as they were becoming nearer and nearer to discover excess land, the local balabat, Girazmach Tuki Urgessa, backed by Woreda Governor, forced them to stop the measurement. The balabat claimed that the 10 gashas of land was his proper holding.<sup>44</sup>

For the most part, land could be sold after identifying the type of tenure and if it had no disputants. The signature of the local official should declare this. In Shashemene, there were cases of failure to follow the procedure, however. The selling of land without having accurate information regarding the type of land tenure resulted in disputes. For example, land under the domain of the monarchy (madbet) was sold. This caused dispute between the new holders versus Azazh. The dispute was brought to the court hearings which continued for a long period of time.<sup>45</sup> The presence of such unending disputes became a problem in the process of the registration of land ownership and distribution of bill. Similarly, in the woreda, there was boundary dispute between the heirs of Dajjach Amberber versus the azazh of Princess Tenagnework and prince Makonnen's Bete-ris.<sup>46</sup>

Such cases became problems for the Ministry of Fi-

<sup>38</sup>Shashemene. No Box numbe/45: To Governor of Shashemene December 1961

<sup>39</sup> 2189/2119: From 4<sup>th</sup> Surveyor Group to the Ministry of Interior 2 January 1960

<sup>40</sup> 2131/2200: A report on problems of land measurement

<sup>41</sup>Donald Crummey, *Land and Society in the Christian Kingdom of Ethiopia*:

From Thirteenth to the Twentieth Century (Urbana: University of Illinois press, 2000), 237-39

<sup>42</sup> 2266/2200" From Shashemene Woreda Governor to the Ministry of interior 2 November 1954

<sup>43</sup> 2131/2206: To the Ministry of Interior, 1954

<sup>44</sup> 2131/1058: From Birhan Wolde-Meskel to the Ministry of Interior on their attack by Grazmach Tuki 2 October 1958

<sup>45</sup> 213/45: A letter from the Azazn of Shaashemene Woreda Ghezat of the office of Crown. It tells the selling of Madbet land by local official to the people

<sup>46</sup> Ibid

nance to collect land tax despite the fact that emphasis of the Ministry was on payment of taxation as opposed to occupation and use.<sup>47</sup> In this regard, Gebru (1991) argues that though the provisions of the 1942 decree aimed at standardizing tax structure, the unmeasured holdings were made to pay the least due to landlord opposition.

In Shashemene, there were unmeasured lands in the period under consideration and tax collected was generally low as report describe.<sup>48</sup> But, it was not because of landlord opposition. In the district, there were no open rebellions against the government. Rather, the factor lies on other way round. In the context of the archives consulted, it was the inefficiency of the bureaucracy and political system that made land tax low. The system made landlords to hide their lands during measurement. Bribery for example was one of the methods for manipulating local officials<sup>49</sup>.

In Shashemene, despite the 23 October, 1952 proclamation, the procedure for obtaining land grant was complex. It took many administrative and political procedures. Such things have been stated in the book authored by Cohen and Dov (1975). The writers argued that despite complications of the procedure and system on land tenure, the government had showed little commitment to bring transformation.<sup>50</sup> The absence of an efficient and effective political structure made things more distressing. Therefore, despite imperial orders of land grant, it could not be effectual in the Woreda as it was though to be. The grantee went years of ups and downs to receive the land. Sometimes, the governor gave deaf ears to the applicant. The official even reported the presence of less Maderya lands under government control than supposed to have.<sup>51</sup>

This does not mean that there was no justice. There was law and order. There was land grant not only to favorites but also to the poor Shashemene peasants. The district was characterized by an excess land grant by the Emperor himself in the name of the state to the peoples.

Bizuwork argued that;

“Despite the Imperial order that all landless Ethiopians is to have a half gasha of land, all Arsi tenants were not granted land up to 1974”<sup>52</sup>.

This was not the case in Shashemen as some, not all, peasants were granted land. In supporting Bizuwork, Dessalegn concluded the totality of the peasants' life as total subjugation. For him, like Addis Hiwot (1975), justice was blind to the dispossessed Ethiopian peasantry.<sup>53</sup>

Still, archives tell us that justice was not blind. Yet, there were manipulations and biases. There were inconsistencies in applying the rules and regulations. In Shashemene, it was observed when an ordinary surveyor incorporated one's legally purchased land to government land.<sup>54</sup> For the owner, the process took nearly three years to repossess his property because of an extended court proceeding. There was also a case when the land of crown (Madbet) was sold and became impossible to get back.

Therefore, it would be better to argue, with all its limitations that those decisions were made in accordance with the rules of law. For instance, as it is known, the state was the owner of land by the fact of sovereignty and power. The state had the right to repossess one's land. This happened in Shashemene but through legal channels. The owner was given compensation, that is, land in other areas with similar category was given. Such cases may invalid the argument of Dessalegn that “Peasants were not only property-less and authority-less but were also prevented from making over the smallest decisions affecting their lives”.<sup>55</sup>

Such statements are, perhaps either exaggerated or written for political agenda. Total subjugation did not happen in Shashemene as reports and court cases claim. Moreover, according to Article XXVI of the 1931 constitution;

“Except in cases public utility determined by law, no one shall be entitled to deprive an Ethiopian subject of the movable or landed property which he holds.”<sup>56</sup>

This constitution had gone through a number of progressive amendments. Yes, such provisions were often violated by the Melkeganans (local officials) or others who were sometimes profited by the peasants' ignorance and backwardness as well as by their own authority. Otherwise, the government was not ambitious to take measures that would make peasants landless in their ancestral lands.

<sup>47</sup> Cohen, pp. 78-80

<sup>48</sup> Gebru Tareke, Ethiopia, Power and Protest: Peasant Revolts in the Twentieth Century (Cambridge: Cambridge University, press, 1991), 81

<sup>49</sup> This is what I understood and concluded from the archival materials I have gone through.

<sup>50</sup> 2123//168; Cohen, 78

<sup>51</sup> Ibid; From Asfaw Belete to the Ministry of Interior 20 January 1965

<sup>52</sup> Bizuwork Zewde. The problem of ...52

<sup>53</sup> Ibid; Addis Hiwot, Ethiopia: From Autocracy to Revolution. (London: Merlin Press, 1975), 99; Dessalgn Rahamato. Conditions of the Ethiopian Peasantry. vol. 10, no.2, (July 1960), 34

<sup>54</sup> 2234/206: From the Ministry of Interior to Shashemene woreda Ghezat, August 1956

<sup>55</sup> Dessalegn, 48; There were many reversionary cases in Shashemene Woreda.

<sup>56</sup> Pankhurst, 155

To consolidate this view, two cases and one article was mentioned. In July 1956, the Vice-Minister of Acts and Rist wrote to the province stating that peasants who were granted land in the Woreda were selling instead of developing and using their land. They were selling it because, the Minister believes, they had no awareness on the disadvantages and consequences of it. Therefore, the letter strongly recommends Woreda officials could help them in cultivating their land.<sup>57</sup>

Secondly, according to law, failure to pay tax for three consecutive years would result in land confiscation. In Shashemene, there were a number of defaulters. Large amount of land tax was not collected in the Woreda as correspondences among government officials explained. Yet, no letter from what was seen raised the issue of land confiscation. The state might be abided by customary rules. Senior officials were urging Woreda officials to collect taxes. For them, absence of uniform measurement and registration, lack of commitment among tax collectors and ambiguity of some tenure types had made tax collection slow and low.<sup>58</sup> In this connection, Markakis has discussion on land measurement and issue related to it in his book entitled "Ethiopia: Anatomy of Traditional Polity".<sup>59</sup> For Markakis (1974), "Ethiopian rule didn't prove devastating to internal organization of most southern provinces." The book and the archives may make Addis Hiwot's argument that

". . . at the turn of the century resulted in the enserfment of the incorporated peoples . . . the Oromo peasantry is a landless peasantry" not valid.<sup>60</sup>

And thirdly, the work of Bahru supports this argument. Bahru wrote a chapter in a book entitled "Ethiopia in change". He, in comparative and contrastive perspective, argues that the Ethiopian peasantry whom the 1975 rural land proclamation promised to liberate had enjoyed a higher standard of living than the post-1974 periods.<sup>61</sup> This argument can be brought down to the peasantry of Shashemene as all Ethiopian peasants, particularly the south, were ruled in one political system. It is therefore wise to conclude that the whole peasants were landless.

Still, however, as Markakis pointed it out, the process

of land alienation was continuing for different reasons.<sup>62</sup> The peasants were the victims of court cases. Court processes became so complex and problem for the political stability of the regime itself. The state seemed to be in state of political and administrative confusion with regard to land issue. In Shashemene, the government stopped selling and granting land for sometime. The grievances of Shashemene peasants on the land demarcators were paid attention to by senior officials. In 1959, the Emperor made visit to Shashemene. There are also a number of minutes in the Tsehafe Tezaz Wolde-Mesqel Research Center on land and related issues in Shashemene Woreda in particular and Ethiopia in general. The officials (Ministers) focused on making further provisions in the existing legislation on land registration and administration as well as the need for more precise cadastral survey.<sup>63</sup>

Otherwise, archival materials that raised the issue of land to the tiller were not discovered. Finally, land measurement continued in Woreda and was completed on 12 September, 1971, within 405 pages.<sup>64</sup>

## CONCLUSION

The archival materials in the Tsehafe Tezaz Wolde-Mesqel memorial Research Center show that the Day-to-Day functioning and decision making of the government on land issues was complex. The political system was inviting for continuous and unending court cases. For this reason, to write the very final and clear picture on the evolution of land tenure types (Gebbar, Samon, Maderya and Madbet) and measurement in the Shashemene Woreda Ghezat is yet more difficult. The archives of the center should be analyzed and then synthesized critically in order to have understanding and power of clear thought on the subject.

In this regard, a preliminary work on the processes and challenges of land measurement is produced. It, perhaps, can be an important contribution to rouse further debate on land holding and its dynamics with its political and administrative as well as legal implications in twentieth century socio-economic and political history of Ethiopia. The Ethiopian land tenure and issues related to it, particularly in the southern provinces, have nearly been misinterpreted and misunderstood. Some of the available literature on the subject seemed to have been written for political consumptions.

<sup>57</sup> Harrge 2154/311: From the Ministry of Interior to Shashemene Woreda office July 1956

<sup>58</sup> it is a report on problems of tax collection in Shewa 6 July 1966. There were a number of correspondences on the process as and problems of tax collection

<sup>59</sup> Markakis, 136

<sup>60</sup> Ibid; Addis Hiwot, 99

<sup>61</sup> Bahru Zewde, Nationalism and Democracy (London: British Academic press, 1994) ,35

<sup>62</sup> Markakis, 136

<sup>63</sup> Imperial Ethiopian Governments: Ministry of Land reform and Administration. A pilot study of Agricultural land Disputes. Moreover, it can be part of my general understanding on the processes and problems of land measurement in the area under consideration.

<sup>64</sup> 2144/45: A report on the completion and submission of land measurement in Shashemene.

Accordingly, further study to have original, reliable and authoritative work will be a necessity. The materials of the Center, still least explored, would further stimulate and initiate a comprehensive scholarly study on land tenure and land measurement in the Country in general and Shashemene in particular.

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