



**AN ASSESSEMENT ON RURAL LAND USE AND ADMINISTRATION POLICY
IMPLEMENTATION WITH RESPECT TO WOMEN'S EQUAL ACCESS AND
CONTROL OVER LAND RIGHTS IN ETHIOPIA.**

**A CASE STUDY OF DEGEM DISTRICT, NORTH SHEWA, OROMIA NATIONAL
REGIONAL STATE.**

BY

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Enrolment No: ID1326801

May, 2016

Addis Ababa, Ethiopia



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**A thesis submitted to Indira Gandhi National Open University (IGNOU) continued
Education, Department of Rural Development for partial fulfillment of requirement for
the Degree of Master of Art in Rural Development.**

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Declaration

I hereby declare that the dissertation entitled “**An Assessment on Rural Land use and Administration Policy implementation with respect to Women’s equal access and control over land Rights in Ethiopia: A case study of Degem District, North Shea, Oromia National Regional State**” submitted by me for the partial fulfillment of the M.A. in Rural Development to Indira Gandhi National Open University,(IGNOU) New Delhi is my own original work and has not been submitted earlier either to IGNOU or to any other institution for the fulfillment of the requirement for any course of study. I also declare that no chapter of this manuscript in whole or in part is lifted and incorporated in this report from any earlier work done by me or others.

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Student of M.A.(RD) from Indira Gandhi National Open University, New Delhi was working under my supervision and guidance for the course MRDP-001 his dissertation work entitled:

An Assessment on Rural Land use and Administration Policy Implementation with respect to Women’s equal access and control over land Rights in Ethiopia. A case study of Degem District, North Shewa, Oromia National Regional State; which he is submitting his genuine and original work.

Place: _____

Date: _____

Signature: _____

Name: _____

Address of the Supervisor:

Acknowledgments

I always recall the challenges and complications I faced and passed through my life and in the course of my studies beginning from elementary school to this study. The challenges and complications I faced imposed upon me a sense of "no more to move forward and no success in your future career". But things became "possible" at each step when I move one step forward. In those events I learnt one great secret; that is the presence, guidance and protection of God was with me throughout my life in those battles. He was the one who changed those "impossible" events to "possible" in my life. Therefore, I reserve respectful word of thanks and glory to almighty God.

I would like to express my deepest gratitude and appreciation to my advisor Dr. Wondimagegn Chekol, for his knowledgeable advice and constructive comments in the course of my research work. His unreserved advice, comments and encouragement were great in bringing this thesis into being.

I would like to extend my heartfelt thanks and appreciation to Government authorities and experts of Degem District Administration, Agriculture and Rural Development Department, Women and Children Affairs office of the District and Ano Kere Peasant Administration officials and members of Land Administration Committee and community members for their cooperation and willingness by providing me information and data; sharing their valuable views, comments and recommendation during my discussion and interview with them and for sparing their valuable time.

I would also like to extend my heartfelt thanks and appreciation to my employer organization, the EECMY-DASSC Central Ethiopia Synod Branch office and its management for their encouragement, care and financial support provided for me from the Branch office for my field research work.

I would like to express my heartfelt thanks and appreciation to my beloved Wife Mestawet Mamo and my beloved children Nardos, Minase, Ephrem and Alazar Tessema who have been my energizers and for their unreserved encouragement and concern which I give significant value and place.

I would also like to express my sincere thanks to Korecho Gonfa, ex-head of Degem District Social and Labor Affairs office for his genuine cooperation in facilitating and taking great leading role during my household survey work and his beloved wife Ture Tadesse, for her touching and respectful concern and service she rendered for me during my stay in the area for my research work.

Furthermore, I would like to extend my deepest thanks to Wogene Asefa and Fikru Habtamu, members of my household survey data enumerators for their patience, commitment and genuine participation they showed by withstanding hardships and unfavorable conditions during their stay in the field.

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ACRONYMS and ABBREVIATIONS

CEDAW:	Convention on the Elimination of All Forms of Discrimination Against Women
FDRE:	Federal Democratic Republic of Ethiopia
FRLALUL:	Federal Rural Land Administration and Land Use Law
FHHs:	Female Headed Households
FLLC:	First Level Land Certification
GAD:	Gender an Development
ILC:	International Land Coalition
KA:	Kebele Administration
LAC:	Land Administration Committee
MHHs:	Male Headed Households
OBRLEP:	Oromia Bureau of Rural Land and Environmental protection
PA	Peasant Administration
RLAS:	Rural Land Administration System
RRLAULs:	Regional Rural Land Administration and Use Laws
SLLC:	Second Level Land Certification
SSI:	Semi-Structured Interviewing

ABSTRACT

This thesis dealt with assessment on rural land use and administration Policy implementation with respect to women's equal access to and control over land rights in Ethiopia taking a case study of Degem District in North Shewa Administrative Zone of Oromia National Regional State. The Specific objectives of the study were to examine implementation of the Federal and Regional Rural Land use and Administration Laws in terms of women's access to and control over rural land, assess the extent to enforcement of International, National and Regional laws regarding women's access to and control over rural land in the study area, Explore impact of customary land holding practices on women's access to and control over land in the study area and analyze the practice of land registration and certification in terms of women's socio- economic benefits and decision-making power. Based on this, the research applied both quantitative and qualitative methods to properly address issues from a gender perspective. Survey of 294 households was conducted administering questionnaires in the quantitative method. The qualitative method applied was interviews with relevant district Government office officials & experts, Peasant Administration Land Administration Committees(LAC),focus group discussions with rural women, case stories and observation. Study findings reveal that women's access rights to land is less equal than legally provided. This study evidences gaps between policy and implementation. According to the study finding, customary laws and traditional practices generally have negative impacts on land access rights of women the study area. Women's control over land is not efficiently addressed by the regional rural land policy. The land administration system in general and the land registration process in particular has not considered women's participation in community activities and decision-making. Women are not represented in LACs and Sub-Committees in the study area. Study findings indicate absence of autonomous institution as gap in addressing women's issues in the land administration system. Therefore, this study forwards recommendation to address gender gaps identified to ensure women's equal access to and control over land in the study area. The Oromia rural land proclamation needs revision from a gender perspective to address women's specific issues and the land administration system should consider women's active participation in the process, their contribution to the system as well as their equal benefits from policy outcomes.

CHAPTER ONE: INTRODUCTION

1.1 Background

The issue of land and women's land rights in rural Africa is at the heart of scholarly literature written by African and non-African scholars. According to Cotula (2007); Logo and Bikie (2003) Africa is a continent where most of its rural communities still use land based on traditional/customary land tenure schemes instead of modern land tenure systems (as dictated by statutory laws) established by state institutions. Basically, the nature of the land tenure system in rural parts of the sub-continent seems to be male-dominated and the social organization of most groups of people is designed to meet that goal. Accordingly, Cotula (2007) and Zenabaworke (2003) argue that African rural women are one of the disadvantaged sections of society when one looks at their entitlements to land.

The foregoing argument on the land rights of rural women in sub-Saharan Africa seems to also apply for women of rural Ethiopia. In rural Ethiopia, land appears to be one of the causes for social inequality and conflict among most households despite the fact that it was redistributed "equally" after the 1974 revolution. In addition, as Tesfaye (2003) notes, the availability and quality of rural land to users has decreased greatly because of population growth and environmental deterioration. These and other factors seem to exert negative impacts on the land rights of women in rural Ethiopia.

Until the recent past, according to Zenabaworke (2000), many women of rural Ethiopia have had almost no land rights in practical terms due to discriminatory cultural values and belief systems. As the Ethiopian rural society is traditional and patriarchal in nature, men have been controllers of almost every facet of rural life in the country—social, economic, and political (ibid). In this regard, the situation/status of women living in different regions and villages of rural Ethiopia appears to be critical when one looks into aspects of gender equality and land entitlements of them.

Ethiopia experienced different land tenure systems. Without further going to old times and only looking at the past one century, it is possible to classify the land tenure systems of the country into two. Pre-1974 period could be characterized as a feudal system where a mixture of private, government, church and communal land holdings coexisted. These land tenure systems had various kinds of landholding arrangements. The two prominent kings of the country in the contemporary era—Emperor Minlik and Emperor Hailesilassie introduced written land laws, which were believed to benefit certain land lords and to affect majority of the farming communities

(Solomon 1994 and Witten2007:158). However, the laws during the emperors' time allowed sale, exchange and mortgage of individual holdings.

The post-1974 period could be characterized by public ownership of all land. With the dawn fall of Emperor Hailesilassie, all rural and urban lands were declared to be a state property abolishing all private and communal land holding rights without compensations. Individuals and communities were given only use rights. In 1991, the current Government took power after defeated the socialist oriented Military Government. Despite the introduced political and economic changes, land remained public property.

The Constitution of the Federal Democratic Republic of Ethiopia (FDRE) unequivocally states that land shall not be individual's property. The law is quoted as:-

“The right to 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.” (TGE 1995: Article 40).

“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 exchange.”(ibid.)

“Government has the duty to hold, on behalf of the People, land and other natural resources and to deploy them for their common benefit and development.” (ibid.)

There have been critics against these constitutional provisions and the land administration proclamations derived from it. Many believe that limiting land holders ownership to certain use rights not only infringe basic property rights, but also restrict users in many ways. According to UNECA (2002) economic report in Africa, as cited by Gebresilasie (2006:2), the Ethiopian Government land policy has been a reflection of a centralized and top-down approach, which has not taken into consideration the need of the farmers, civil society and businesses. However, the Ethiopian Government argued that free property rights including sale of land could lead to distress migration of the poor.

Land is a very decisive factor for the livelihoods of human beings, as it has political, economic, social and cultural intrinsic value. Access to land and the effect use of it has great

importance for poverty reduction, economic growth and investment (Deininger 2003). Equitable access to land is a human right issue and its discrimination is regarded as violation of human rights. Land particularly has a big economic value for countries which are more dependent on it, such as, Ethiopia. Ethiopia's economy is mainly based on agriculture which is the main source of livelihood for more than 85% of the total population (CIA 2007). The issue of land has therefore become a main debatable political issue in both the former and recent governments in Ethiopia.

Women's economic condition, empowerment and social security are uncertain in the absence of rights to land (Mutangadura 2004). The ownership right and access to land determines the social status of women at household level and in the society (Ellis 2000; SDPI 2008). Independent asset ownership right enhances women's livelihood opportunities and increases bargaining power within the household (Agarwal 2003; Deininger 2003). Access to land is also one of the basic fundamental rights of women that ensure the equality of women with men. However, irrespective of the significance of land access to women, most of the African countries past tenure systems did not guarantee the equal rights of women (Deininger 2003). The land tenure systems failed to recognize how assets were controlled inside the household. Tenure system was discriminatory to women equal rights by taking the household as unitary model of system (Deininger 2003).

Women in Ethiopia have a vital role in the country's economy, mainly in the agricultural sector which is the backbone of the country's economy. Women in the country comprise half of the country's population and the majorities are poor and live in the rural part of the country (Tesfa 2002). Women have a significant role in the country's economic and social development and have a triple role in the society which is reproduction, production and social role. However, most of them lack independent access to production resources such as, credit, land and so on. Despite the significance of land and the fact that women have an important role in the country's economy and for well being of individual household, land tenure system in both Derg (military regime) and Haile Selassie (the emperor) didn't guarantee the equal right of women to own land. The tenure systems in both regimes were discriminatory to women and it did not improve the situation of women. Unlike the land tenure system in pre-revolutionary and post-revolutionary Ethiopia, the FDREP (Federal Democratic Republic of Ethiopia) with the new constitution declares land to be the property of the state and the people. Particularly, in article 35 of the constitution it clearly stated that women have equal access to economic opportunities, including land, employment and related matters. As a matter of fact women's right to land is clearly stated in the new constitution

and it guarantee the equal rights of women to own land but in practice it is not all women who own land and the situation is different from one region to another.

Based on the constitution, many of the regional states made their own proclamation to implement the new land tenure system that assures the right of women to own land, and Tigray region is the first region to implement the constitution. Women in Tigray got land that was under the land lords in 1987 when there was a fight between the Tigray Liberation Front and the Derg regime. The land reform (redistribution) was made to all women and men who were old enough to get the land regardless of their marital status and assets of their parents (Wanyeki 2003). The new proclamation has given women the opportunity to enjoy their constitutional right in order to access resources and also improve their living conditions significantly like their counter partner. Some research findings also shows that the land reform has given the women to built self confidence within the household and the community (Tesfa 2002).

1.2 Statement of the Problem

Women are the most marginalized group of the society in relation to accessing and controlling rural land in Ethiopia. The main challenge for an effective implementation of women's right to rural land in the country is largely attributable to the negative attitudes and harmful practices which deny a woman's right to own, administer property and control the rural land (Hussein Ahmed, 2014).

Moreover, different studies reveal that women do not have a customary right to inherit land from their family; and the control of land during marriage falls chiefly under the control of their husband. Besides, a woman cannot control the fruits of the land as she does not successfully involve in household decision making. Worst of all, after divorce, a woman has to leave her husband's home and look for another marriage without claiming her share of the matrimonial property (ESSAI, 2002).

On the other hand, the 1995 Federal Democratic Republic of Ethiopia (FDRE) Constitution recognizes gender equality (FDRE Constitution, Arts. 25, 34, 35 and 40). Furthermore, the Oromia National Regional State issued rural land policy in 2002 by Proclamation No. 56/2002 (ONRS, 2002) in realizing the FDRE constitutional mandate and mandate provided by the 1997 FDRE Rural Land Administration and Use Proclamation (FDRE, 1997). Rural land administration regulation is issued by Proclamation No. 39/2003 to give directives on detail implementation of the policy (ONRS, 2003). A new land administration system has been introduced and land administration programme is

being implemented throughout the region. The rural land policy provides equal landholding rights to men and women.

Moreover, the revised family law (Arts. 57-73) of the Revised Federal Family Code adopted following this Constitution, also recognizes the equality of men and women in all aspects particularly regarding the ownership and administration of personal and common property. Furthermore, the Ethiopian government has enacted rural land administration legislations which recognize a woman's equal right to rural land. Land registration and titling, which are aimed, inter alia, at ensuring women's right to and control over rural land in the country have also been implemented in four States including Oromia, Tigray, the Southern Nations, Nationalities and Peoples Region (SNNPR) and Amhara regions. Gender policies are also introduced both at the federal and States levels. Moreover, institutions working on empowerment of women are established in the country.

However, effectiveness of the rural land policies and laws in addressing rural women's specific issues and challenging existing gender disparities in access to and control over land needs to be examined from a gender perspective. Land is not only scarce and highly fragmented; it is also mainly accessible to males even though women's contribution to agricultural development is substantial. This scenario sums up the gender-based discrimination and lack of equitable distribution of land as a productive resource which presents problems in the implementation of policies, projects and programmes. Therefore, this study will critically assess the law and the practice on a woman's right to and control over rural land in Ethiopia with specific reference to a case study in Degem Woreda/District community.

1.3 Objective of the Study

1.3.1 General Objective

The overall objective of this study is to examine and analyze policies, programmes, legal instruments and cultural practices that have an impact on women's access to and control right over rural land and identify factors that constrain women from exercising their land rights.

1.3.2 Specific Objectives

Specific objectives of the study were to:

- Examine implementation of the Federal and regional rural land use and administration laws in terms of women's access to and control right over rural land
- Assess the extent of enforcement of international, National and regional laws regarding women's access to and control over rural land in the study area,
- Explore impacts of customary landholding practices on women's access to and control over land in the study area.
- Analyze the practice of land registration and certification in terms of women's socio- economic benefits and decision-making power; and
- Comment on the regional land administration processes with respect to its contribution to women's access to and control over land in the study area and make recommendations believed to mitigate the anticipated problems.

1.4 Research Questions

- How do the current federal and Oromia regional state rural land use and administration laws and the traditional/customary laws ascertain the land rights of women in the study area?
- What provisions are in place in International, National and Regional policy and legislative frameworks with regards to women's rights to land in the study area?
- What type of customary laws and land holding practices have negative impact on women's access to and control over land in the study area?
- To what extent does the practice of land registration and certification in the study area bring positive impacts in terms of women's socio- economic benefits and decision-making power?

1.5 Significance of the study

Women's right to land is a critical factor in social status, economic well-being and empowerment. It is also a social asset, crucial for cultural identity, political power and participation in local decision-making processes. Moreover, land is a basic source of livelihood as it provides employment, it is the key agricultural input and it is a major determinant of women farmers' access to other productive resources and services.

Despite multi-dimensional effort at various levels and the crucial contribution of women to agricultural production in Ethiopia, women's access to and control over land in Ethiopia remains minimal. There are considerable social, economic, political and institutional challenges faced in

ensuring women's access to and control over rural land researches carried out on the current rural land policy implementation in the country reveal that the current land administration system has not challenged pre-existing gender biases in actual implementation. In the current regime the FDRE Constitution states that land is property of the state and the people and land tenure system is based on land administration and use proclamations issued by FDRE and regional governments. In this respect Oromia National Regional State had issued land proclamation in 2002 and had started land administration programme implementation. Therefore, this study is considered to be appropriate as the rural land policy issued introduced a new land tenure system and implementation started in 2006 in the proposed research areas. The study examines gender sensitivity of the policy and its implementation regulation as well as gender inclusiveness of the land administration process at the level of implementation. The study is also help to identify gaps and barriers to women's equal access to and control over land in the study area which will give a general idea about other parts of the region. The researcher also believes that the study will serve as an entry point for further research undertakings in areas of women's land rights and rural development.

1.6 Scope of the Study

The study is conducted in Ano Kere peasant administrations of Degem District, in North shewa zone of Oromia Region located at about 125 kms to north of Addis Ababa on the high way to Gojam. The research Kebeles, Ano Kere is located adjscnt to Hambisso town, capital of the District to right side direction while driving to north or Gojam direction. The study is limited to the above mentioned one Peasant Administration due to financial constraint. However, since sufficient sample is used in the study it hopefully gives insight to gender aspect of the country's rural land policy and land administration system with regards to rural women's access to and control over land in the current land tenure system

1.7 Working Definition

1.7.1 Land administration: is the process of recording and disseminating information about the ownership, value and use (the way it is used) of land and its associated resources. Such processes include the determination of rights (ELTAP, 2006).

1.7.2 Knowledge of land right: understanding the land entitlement and rules about what is allowed for men and women, according to legal system and social convention.

1.7.3 Access to land: Access to resource implies the opportunity to use, benefit from, and make short-term decisions about the resources (Beatrice, 2004). Following the same, women's access to land can be defined as the level of opportunities open to women to use, get benefits from, and make

decisions about land.

1.7.4 Control over land: Control over resources refers to the ability that resource owners have already possessed to make major decisions about the resources. Therefore, women's control over land implies women's ability to make major decisions on land.

1.7.5 Decision-making: In the context of women's access to land use and administration rights, the decisions that women make about such aspects as land use for agriculture, land improvements strategies, control of products harvested from land including incomes earned from sales of products and decisions on land transfer through bequeath, inheritance, sale or rent etc of land and identifying its current owner/holder and the form of ownership she/he or they had. It is a process of recording rights.

1.7.6 Land registration: is a process for recording, and guaranteeing, information about the ownership of land. The function of land registration is to provide a safe.

1.7.7 Land holding certificate: land registration shall be accompanied by the issuance of holding certificates that bears the name(s) of the holder(s). Land holding certificate could be issued to individual person and to spouses jointly.

1.7.8. Patriarchy: Patriarchy is defined as of social relationships which cause domination of men over women. Men are regarded as the authority within the family and the community and power and possessions are passed on from father to son.

1.7.9 Land rights registration: It is a recording procedure describing a parcel on land which provides safe and certain foundation of acquisition and disposal of rights on land (ELTAP,2006:165). Landholding registration and issuing certificate to holders is a recent phenomenon in Ethiopia. Women's land rights registration and titling need to be defined explicitly in order to ensure their equal rights on land.

1.7.10 Tenure system: Is the way in which ownership of land or rights to land is organized. Tenure system may be determined by statute, agreed precedent or by customary practices. Tenure systems represent relations of people as individual and as group in society with respect to their access to and control over land (Moyo, 2002). It is culture-specific and dynamic, changing as social, economic and political situations change. In Ethiopia for example, different regimes followed different tenure systems.

1.8 Thesis structure/organization of the Research report

The thesis is structured in 5 categories as follows.

1.8.1 Introduction part: presents background the study, problem statement, objectives of the study and research questions, significance of the study, scope of the study and working definitions.

1.8.2 **Chapter two:** presents a condensed relevant literature review on Women's access to and control over land issues and practical a application of land administration laws and policies in Ethiopia;

1.8.3 **chapter three:** presents Research design and Methodology(Study area, conceptual frame work, research design, method of study, data collection methods and tool, sample size determination, data collection procedures and approaches, quality and ethical consideration and data analysis)

1.8.4 **Chapter four:** focuses on data presentation, findings and analysis of major findings;

1.8.5 Chapter five: presents summary of findings, conclusion and recommendations

Chapter Two

2. Literature Review

2.1 Theoretical Foundations of Women, Gender, and Development Agenda

Women have been playing pivotal roles in realizing development objectives though such determinations were not at least literally recognized up until the work of Ester Boserup's (1970). Boserup (1910-1999) a Danish agricultural economist was able to successfully bring, to a global concern, the significant roles that women play in economic development through her 1970's written book "Women's Role in Economic Development". Such type of documents could only give birth to Women in Development (WID) policies. WID policies focused on fulfilling practical gender needs although they were able to help improving some opportunities for women. However, more complicated developmental challenges faced by policy makers and which are attributable to differences between the sexes in roles and statuses, initiated upcoming of different policy approaches that link gender issues to development (Parpart, 1989). These policies do consider the gender related problems of development as strategic and power relations between male and females rather than the sole focus on women's practical needs. This is the Gender and Development (GAD) approach (ibid). Capitalizing on the later, then, achievements and equity in development policies and institutions should be evaluated in terms of how strategies and approaches altered the power relationship statuesque between males and females more importantly much they contributed to female's practical needs

2.2 Why land is important for women

2.2.1. Economic Value

Women's need secured land rights to be food secured at household or individual level. Rights to access land make women to be economically strong, be less affected by shock or less susceptible to poverty. According to Agarwal (1994) women with secures land rights can send their children to school, get better facility to health center, and faces fewer problems in relation to income as the example from her study in India showed, the family can sustain with strong economy as women spend most of their income to cover the expenses of the household than the man who spend most of his income in liquor and other personal expenses outside the household. Female headed households who owns land but who has lack of supplementary resources such as, oxen, labor, knowledge and so on, have a better chance to be less susceptible to poverty than women without rights to land. To elaborate this idea, Agarwal (1994) stated that single women or elderly people get a good support from families or societies because of the ownership rights they have.

Agarwal(1994) also stated that landless women get difficulty in engaging themselves in development activity such as cattle production in order to improve their livelihood. This means that rights to land for women is a prerequisite for any development activity related to land. Land is the basis for shelter, food and economic activities (FAO 2002) and increasing women's control over land could have a strong and immediate effect on the welfare of the next generation (Deininger 2003). Rights to land are very vital for countries that use land as a prerequisite to access for credit. Rights to land helps women to use the land as mortgage to get loan and the loan helps the women in order to engage in small enterprises which brings a positive changes in the livelihood status of the women (Deininger 2003). According to his explanation, whether or not women's being engaged in agriculture, access rights to land is very important to change the economic status of women.

Insecure land rights, which means land access through husbands and relatives of men has a negative impact on the survival of women. Particularly, up on divorce time women loses the use right they have to the land (Deininger 2003; Ikdahl et al.2005).According to (Agarwal 1994:30) in cases of divorce and widowhood or desertion, even women whose parental and martial households are classified as rich peasants' become economically vulnerable due to the absence of independent economic resources, such as land. Therefore, independent land rights ensure the economic existence of women and reduce vulnerability to risk; in a way it secures the sources of than how Income for the women and their family. Even up on marriage, independent right of women's to land has more advantages to households as women get incentives to invest more on the land and it improves the economic status of the household in general.

2.2.2. Land right as a basic Human Right issue

Land right is not only about economic issue it is also about right issue. According to the UN declaration on Human rights in Article 17 of the convention all human beings have equal rights to own property. CEDAW Article 14 of the convention also stated clearly the rights of women to have equal right to access in land reform and economic activities. The Article 14) also state how land resources are critical for women's ability to earn a livelihood from it and provide adequate housing and nutrition for herself and for her family.

The issue of economic development and being food secured is related with land that having a land or not. Land right is a human right by itself which is linked with a right to develop, to be economically viable and strong. The UN convention also stated women's right to have access to development and to

involve in agricultural sectors where development and engaging in agriculture is a matter of having land or not having it. CEDAW clearly states the significance of rights to own land by women. Land in terms of human rights should not be discriminatory and in Africa where the gender balance is not neutral, assuring right to land for women has to be taken as affirmative action to balance the gender inequality. Therefore, land has a human right perspective to develop, to have an income and to be food secured besides for countries to have economic development and agricultural production, women should have a role in the process which obviously requires land as a basic ground. In countries that land rights is discriminatory to women, recognition of access to land as basic human rights solves the cultural and social problem of women. As Agarwal explanation on her equality argument to land rights states that land rights to women is about sense of equality which is an indicator of economic empowerment and it facilitates in challenging gender inequality in social and political areas (Agarwal 1994).

2.2.3. Empowerment

Agarwal (1994) developed a definition of empowerment based on the concept of Morgan (1988:4). According to her definition empowerment is a “process that enhances the ability of disadvantaged (powerless) individuals or groups to challenge and change (in their favor) the existing power relationships that place them in a subordinate economic, social, and political position” (Agarwal 1994:39). Land ownership rights to land, having access right to land gives economic empowerment to women as well as social and political power (Agarwal 1994:39) and being empowered means it will give them the ability to struggle for their freedom and to reduce the gender disparity in the household and the society (Agarwal 1994; 2002). Besides, empowered women gets social security where everyone treat them with a respect, acceptance in a society and decision making power within the household and family and women rights to land ‘can make a notable difference to women’s bargaining power within the home and community’(Agarwal 2003). According to Agarwal (1994) an old woman with a land gets good respect from grandchild than a woman without access or ownership right to land.

Giving land rights to women would empowered them economically and it strengths the women’s ability to question social and cultural inequalities (Agarwal 2002).Jackson(2003) argued the rights to land alone do not guarantee the power of women within the household or society either. The author argument emphasizes that ownership of assets does not simply increases the bargaining power and material outcomes of women. Rather, ‘values, norms, words and ideas’ are also resources that can give power to women as ownership of assets. However, she emphasizes that women’s position in

society is strengthened by the women ownership right to land (Jackson 2003).

2.3 Empirical review on women's access to land use and Administration rights in Ethiopia.

Prior to 1975, Ethiopia's long, feudalistic system of land tenure rarely recognized independent land ownership by women, except through marriage and inheritance. While women could inherit land from their parents or deceased husbands, they could not own land in their own right (Crummy 2000).

The Derg regime that overthrew the last imperial government in 1975 abruptly instituted a series of measures that changed the political and economic landscape of the country from a feudal system to a socialist state (Kebede 2002). Among the many radical measures, the land reform proclamation of February 1975 nationalized all rural lands, announcing that all land was owned by the state and given to farmers on a right-to-use basis, organized via peasant associations (Kebede 2008). The farmers' membership in the peasant associations made them claimants, endowed with rights, such as access, some management rights, and limited exclusion rights. Per the 1975 legislation, spouses enjoyed joint ownership of the land, implying that on paper men and women were entitled to the same land rights. However, women's rights to land depended on marriage and were not registered separately; they therefore had no control of the land (Crewett et al. 2008).

The EPRDF-led government that overthrew the military government (Derg) in 1991 largely maintained the land policy of its predecessor, keeping all rural and urban land under public (government) ownership (Gebreselassie 2006). Significant changes included formal confirmation that land rights were to be granted to men and women, including the right to lease out land. However, most regions limited the period of the lease and restricted leasing rights to only a share of the farmland. The severe limitations in these provisions still exist, particularly for women. For instance, divorced women lack secure land rights, due to numerous exceptions which strictly curtail these rights (Crewett et al. 2008).

Hadera Tesfa in his comparative study of two communities (one from Tigray and another from Oromia regional states of Ethiopia) argues that women "in many parts of the country are not given land since there is a belief that once they are married, they belong to their husbands' places and families" (Hadera, 2002). He has also seen that in Oromia, women who are in MHHs do not access land in their own right and, during divorce, they not only lose their right of access to land, but are also forced to leave their marital homes and return to their places of birth (ibid). Holden and

Tewodros compare woredas of Oromia and SNNP (two woredas from each) and find that girls do not inherit land from their parents because they move to their husband's home upon marriage (Holden and Tewodros, 2008). Among other groups in rural areas of Oromia, in particular, widows and divorced women do not have equal rights to land.

In Oromia, a report finds that land use certificates lists the name of all spouses (although only the picture of the husband appears on the certificate), and that women consider themselves co-owners although they did not really understand what co-ownership means or allows them to do (Giovarelli, 2007). In Tigray, Holden and others found that "certificates have made FHHs more willing to rent out their land, probably because the certificates have made them more tenure secure" (Holden, et.al, 2007). However, divorced women have difficulty defending their rights in the process of land registration (Berhanu and Fayera, 2005; Giovarelli, 2007).

In a study conducted in Amhara, Berhanu and Fayera revealed that land administration committees are composed of men only, since government officials do not promote participation of women (Berhanu and Fayera, 2005). The findings seem to contradict with that of Mintewab and Holden who found more female participation in the certification process in Amhara (Mintewab and Holden, 2010). In Oromia, Amhara, and SNNP, Deininger and others identified lack of implementing "clear and gender balanced provisions in the law" as one of the weaknesses of the certification process that requires improvement (Deininger, 2006).

In Ethiopia, female-headed households (FHHs) give out their land for sharecropping on terms unfair to them (Belachew, 2009). In Amhara region, Mintewab and Holden find that FHHs are dependent on renting out land for production usually to blood related or in-law tenants although they do not have effective command over their tenants (Mintewab and Holden, 2010). A survey in Southern Ethiopia also confirms that Female Headed House Holds (FHHs) share out land since they lack physical and managerial ability to farm, and assets such as oxen and easy access to credit (Tesfaye and Adugna, 2004).

According to a study comparing Tigray and Oromia, women's access to land alone does not address their poverty and food insecurity unless they have access to farming inputs, equipment, and credit facilities (Hadera, 2002). The revised land laws that require the consent of family members for renting out land and the corresponding formal reporting requirements appears to enhance the rights of women

(Holden and Tewodros, 2008). Belachew also argues that women are discriminated before religious and customary dispute resolution mechanisms when they submit dispute over land (Belachew, 2009).

2.4 Land policies and legislations

Ascertaining gender equality in rights and using regulatory policies to address specific areas of gender inequalities are critical roles of the state since gender equality has been formally acknowledged as a goal by most governments (Lastarria-Cornhiel, 1995). Addressing women's particular disadvantages in relation to land ownership, access and control should be major focus in drafting new land policies. However, creating gender equality is a principal challenge for land policies and land administration systems. This is mainly because of lack of understanding on complex nature of property rights in existing gender relations in society. Regimes are not able to provide effective institutional structures that can protect and strengthen equitable access to land within the framework of a country's land policy goals. There are evidences where outcomes of land reforms and land administration systems resulted in different repercussions for men and women (Agarwal, 1994; Lastarria-Cornhiel, 1995). Disparities exist between land policy goals and implementation practices in many countries. In the face of these limitations land policies and land administration systems need to consider impacts of land reforms from a gender perspective. Policy makers should take gender equality as major component in land policy formulation. Progress achieved on issuing gender-equitable land policy became deficient at level of implementation in most African countries (Jacobs, 2001). Patriarchal norms prevail even where land legislation specifically recognizes women's equal rights on land. Constitutional and legislative provisions on women's equal access rights to land become quite worthless unless effectively enforced. Land policy implementation basically needs efficient land administration system and strategy to address gender inequality and to ensure gender equality.

Bina Agarwal provided explanation on why gender equality should be major component of land reform policies in her book *A Field of one's own* (Agarwal, 1994). Agrarwal emphasized on the need for land policy focus on women's access to and control over land. She particularly stressed on the need for policy to address women's control over land and identified four main reasons on the need for women's control over land in addition to getting access to it. Agarwal identified welfare, efficiency, equity and empowerment as major reasons for women's need in gaining access and control over land. With respects to welfare she stated that women's control over land improve their households' livelihood and thus, improves household food security. In terms of efficiency, women's control over

land increases agricultural productivity. Equity is gaining justice for women so it is recognizing women's equal access to land. With regards to empowerment, she emphasized that gaining control over land strengthens women's ability to struggle for equality, dignity and additional economic rights. Agarwal justified and stressed on significance of women's access to and control over land to achieve economic, social and political equality with men. In recent years land administration reforms have been projected in the notion of good governance focusing on decentralization and democratization of land administration institutions (Quan, 2000; Adams, 2001).

This is practiced through initiating community participation at local levels and restructuring local land administration within the framework of statutory laws. Land administration system includes land ownership or holding rights registration and entitlements. In such documentation whose name(s) is/are registered on certificates or records will be an issue. Land titling is an area where most gender issues prevail in access to and control over land. Land titling tend to be vested on men either by legal condition or by socio-cultural norms (World Bank, 2001). Even where formal title is given jointly to husband and wife, women might lose decision-making power in management of household land (Rocheleau and E. David, 1997). In this regard unregistered marriages, divorces and polygamy have major impacts on women's rights to land. Polygamy is a significant complicating factor in issuing land titles. Land administration institutions have got problems with respect t registering full information, documentation and updating. Land registers could not be reliable sources of information on all rights related to land because registers record limited set of rights in most cases (ELTAP,2006).Such limitations could result in significant impacts on women's land rights. The situation becomes more complex when documents or registers are not kept safely and in cases where registers are not updated. Updating is very important since changes in landholdings and entitlements could occur in course of time.

Moreover, linkage of land tenure legislations with other relevant legislations is very important. Land tenure legislations may not cover whole issues that affect gender equality unless the remaining part is addressed by other relevant legislations. A major step is to establish basic equal rights in family laws for protection of equal rights on marital property within marriage or at divorce (Agarwal, 2001). Such targeted laws and regulations can address critical gender inequalities on rights to land if implemented effectively. Effective implementation of these laws depends on the degree of access to law enforcing institutions, ability to finance litigations and level of support provided by the family and the community (Ogendo,2005). This is critical to rural women because they lack family and

community support due to gender biases and their low economic status affect their capacity to finance litigations. Land policies should also explicitly address gender inequalities in inheritance to ensure equal landholding rights of women.

2.5 Legal Recognition of Women's Right to Land

2.5.1 International Legal Frameworks

Women's property rights include the right of women to acquire, manage and dispose of any movable or immovable property obtained either through self-acquired means or inheritance. Women's property rights are protected under international frameworks such as the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). Given the centrality of land to development and livelihoods, and the role of women in such processes, discrimination in access to and possession of land is both a violation of the human rights of women and a barrier to economic development.

Article 14 (g) of CEDAW provides for equal treatment of women in land and agrarian reform as well as in land resettlement schemes. This provision also calls on State Parties to facilitate access to complementary measures such as credit. Making significant progress over CEDAW, the Protocol to the African Charter on Human and Peoples Rights in Africa (the African Women's Protocol) approaches the issue of women's property rights more purposefully.

Under Article 19 entitled 'Sustainable Development', the Protocol's Sub Article (c) provides that African governments should "promote women's access to and control over productive resources such as land and guarantee their right to property". Article 16 also obliges State Parties to grant women access to housing irrespective of their marital status. Furthermore, Article 21 entitles the 'Right to Inheritance' guarantees the equal right of women to division of property upon divorce, and the right of widows to continue to live in their matrimonial home. Similarly, the Beijing Declaration, Beijing Platform for Action (BPFA), 1995 and the Solomon Declaration on Gender Equality in Africa, 2004, provide for governments to undertake all necessary administrative and legislative reforms with respect to land and other property in order to ensure equitable access.

The United Nations Higher Commission on Human Rights passed resolution on women's equal ownership access to and control over property and land (UNHCR 2003/ 22). International conventions ratified by governments including international human rights instruments and women's equal rights conventions were bases for considering women's access to and control over land as human rights issue in the resolution. African Protocol to the African Charter on the Rights of

Women in Africa adopted by the then OAU called upon all African states to eliminate discrimination against women and to ensure women's rights as set in international declarations and conventions (OAU, 2003). It demanded African governments to combat all forms of discrimination against women through appropriate legislative and institutional measures. The protocol includes a number of articles on women's social, economic and political equality and gives particular emphasis to the rights of widows and divorcees.

UN agencies and international organizations play significant roles in supporting women's equal rights on access to and control over land. FAO is the responsible UN agency to lead international efforts to overcome hunger. FAO draws special attention to rural development and facilitates debate forums on land policy issues. FAO established ILC that focuses on women's access to land and gender relations in land tenure. ILC runs 'Gender Relations in Tenure Project' on women's rights to land which focuses on key issues regarding women's access to land (ILC, 2007). Furthermore, the World Bank, USAID, SIDA, Oxfam GB, etc. are taking gender issues as major concern in land policy formulation in their land and agriculture related development programs in developing countries

2.5.2 Women's Rights in Ethiopia

2.5.2.1 Women's Rights under the FDRE Constitution

Ethiopia adopted laws and policies to ensure gender equality since 1991. Taking the historical legacy of women's discrimination in the country and with a view to remedying the historical gender inequality, the FDRE Constitution separately provides for women's rights under Articles 34 and 35. Under Article 34, the Constitution explicitly stipulates that:

Men and women, without any distinction as to race, nation, nationality or religion, who have attained marriageable age as defined by law, have the right to marry and find a family. They have equal rights while entering into, during marriage and at the time of divorce. Furthermore, it stipulates that "Women shall, in the enjoyment of rights and protections provided for by this Constitution, have equal right with men" (FDRE Constitution, Art. 35 (1)).

The same provision also prescribes that "the historical legacy of inequality and discrimination suffered by women in Ethiopia taken into account, women, in order to remedy this legacy, are entitled to affirmative measures. The purpose of such measures shall be to provide special attention to women so as to enable them to compete and participate on the basis of equality with men in

political, social and economic life as well as in public and private institutions” (Ibid, Art. 35 (3)). The State is duty bound to enforce the right of women to eliminate the influences of harmful customs. Laws, customs and practices that oppress or cause bodily or mental harm to women are prohibited (Ibid, Art. 35 (4)). The Constitution further stipulates that Customs. Laws, customs and practices that oppress or cause bodily or mental harm to women are prohibited (Ibid, Art. 35 (4)). The Constitution further stipulates that Women have the right to acquire, administer, control, use and transfer property. In particular, they have equal rights with men with respect to use, transfer, administration and control of land. Women shall also enjoy equal treatment in the inheritance of property (Ibid, Art. 35 (7)).

As can be discerned from these constitutional provisions, Ethiopia showed its commitment to protect women’s rights in general and their right to use and control land fruits on equal footing with men. As the problem of gender inequality is rooted in both attitudes and practice of the community, the State entitles women to affirmative action in which women may be afforded with special and differential treatment in enjoying some rights. The Constitution also tries to give special emphasis to the protection of women’s property rights including acquisition, administration, control, use and transfer. Particular emphasis is also given to the importance of land to the empowerment of women. The law signifies the recognition and enforcement of women’s right to use, transfer, administration and control of land. In cognizant of gender inequality and discrimination in the country with respect to property inheritance, the law again stresses the recognition and enforcement of the principle of equality with respect to the inheritance of property. In addition, the Constitution lays down a duty of the Ethiopian government to enforce the right of women to eliminate the influences of harmful customs.

It is worth noting that verbatim copies of Article 34 and 35 of the FDRE Constitution are adopted in the constitutions of all regional States. Furthermore, Art.’9 (4 of the FDRE Constitution stipulates that international treaties ratified by Ethiopia are the part and parcel of the law of the land.

2.5.2.2 Women’s Right to Property under the Revised Family Codes

Ethiopia has also given a due attention to the women’s equality with men in all aspects in its family laws. The revised family codes of the Federal and state governments, which are updated in line with the FDRE Constitution, recognize the pecuniary effects of marriage whose primary aim is to protect the women’s right to property before marriage, during marriage and upon its dissolution. Spouses have a right to own personal property in addition to their common property which they own jointly. But any property obtained in the form of income is always considered to be the common property of spouses

although it is derived from the personal income of one of the spouses (Arts. 57-73 of the Revised Federal Family Code (RFC); Arts. 73-89 of the Oromia Family Code; Arts. 80 - 94 of the Tigray Family Code; Arts. 66 - 82 of the SNNPR Family Code).

Pursuant to Art. 57 of the RFC, any property that is owned by a spouse on the day of marriage shall remain his/her personal property. This is to mean that any property owned by a spouse prior to marriage (if s/he is already the owner of such property on the day of the marriage) will be her/his own property even after the conclusion of the marriage. This provision also prescribes that if one of the spouses acquires property by way of donation or succession (acquisition not by onerous title) during the marriage, such property shall belong to the spouse, to whom the donation was made even if the property is acquired after the celebration of the marriage. Moreover, Art. 59 of the RFC stipulate that each spouse shall administer her/his own personal property. It also prescribes that if this property generates an income, the owner spouse shall collect the income. Moreover, the owner spouse can freely dispose of her/his personal property. Freely disposing a property is the power of selling or exchanging or donating the property to somebody by one's free will and volition. This power shows the full ownership over a property.

The law also provides another option for the administration of personal property of spouses. As provided in Article 60 (1) of the RFC, spouses may agree in their contract of marriage that the whole or part of the personal property of one spouse to be administered by the other spouse. However, sub-article (2) of the same provision obliges the spouse to whom this power was given to submit a yearly report of accounts regarding the property at the request of her/his spouse.

Besides, Art. 61 of the RFC provides that one of the spouses may freely appoint the other spouse as an agent to administer her/his personal property. This is possible even in the absence of a contract of marriage.

In the family codes, the notion of common property is stipulated in a broader manner mainly to protect women's property rights which have been long denied by men who work and generate income while most women are busy in domestic works and child rearing and bearing.

Thus, in Ethiopia all property that is not specifically defined as personal property is the common property of spouses. All incomes of the spouses that are derived by their efforts shall make the

common property of the spouses. Salaries and wages of spouses are their incomes derived by their efforts. Moreover, any income from an income generating property is also a common property. This is true irrespective of whether the income generating property is personal or common property. Art. 62 (2) of the RFC states that any property acquired by any of the spouses by onerous title shall be the common property of the spouses unless it is declared by a court of law to be the personal property of one of the spouses as specified in Art.58 (2) of the RFC. When any change is made to a personally owned property (e.g., when it is sold, exchanged with another property or when a new property is purchased by money that is personally owned), this situation has to be reported to the court. Any property acquired through donation or inheritance during marriage shall be the personal property of one spouse if the donation or the will clearly indicates that it is made to one of the spouses. However, this rule will not apply if the act of the donation or will does not state any of the spouses but simply made to them jointly.

The law generally presumes that any property in the hands of the spouses is their common property. This is true even if the property is registered in the name of only one of the spouses. This rule is crucial in a country like Ethiopia where it is customary that almost all very important properties are registered in the name of the husband. But the presumption is a rebuttable one. That is, a spouse who claims that he/she owns a property personally can prove that he is the sole owner of that property.

The Ethiopian family law generally prohibits the disposal of a common property only by one spouse. In order to alienate a common property, both spouses should give their respective consents. However, the law does not tell us how each party is to express his/her consent. Sometimes it may be difficult to know if both spouses have given their consent.

2.5.3 History of land registration in Ethiopia

Historical records reveal that land registration started almost a century ago in Ethiopia. It began during Emperor Menelik's reign (Pankhrust, 1966). The emperor issued decree on land registration throughout the country and ordered land registration to include cadastral survey in Addis Ababa city. Land owners were issued certificates written in Amharic and French with a map showing boundaries of land owners attached in Addis Ababa.

An independent ministry was established during Emperor Haile Selassie's regime. Ministry of Land Reform and Administration was established to create free hold tenure system (Hoben,1973). This ministry was responsible for measuring and registering rural land in collaboration with the Mapping

Agency and was functional until 1974. Land measurement was carried out using cadastral survey and individual title to land was registered. Land market system was institutionalized during Haile Selassie's regim.

The Derg rural land reform gave mandate to the newly established PAs to register land and to set boundaries in their respective areas. Land was registered on names of PA members entitled to use rights and the registry was used for tax collection (ELTAP, 2006). Land users do not hold any legal document on their landholdings except, receipt they get upon tax payments.

The current land administration system is based on land administration and use proclamations issued by regional governments that have provisions on land registration. The land registration process includes land measurement, boundary setting, collecting information on different parcels under individual holdings, etc. and data are kept in official records. Land holders are issued with a certificate or book of holdings carrying information about the landholder and landholdings registered under his/her name (FDRE, 1997, FDRE, 2005)

2.5.4 Rural land policy and legislations in Ethiopia

As stated on the first part of this chapter national legislations incorporate international conventions ratified and commitments entered by governments. In view of this the FDRE Constitution explicitly states that “all international agreements ratified by the country are integral parts of the law of the land” (FDRE, 1995: 9/4). Hence, all international conventions ratified on women's rights and commitments entered to implement the Beijing Platform for Action and to meet the MDGs are included in the constitution and government is obliged to implement these provisions Land policy measures taken by the current government affirm that land is public property. Land policy is embedded in the FDRE's Constitution and the constitution states:

“The Right to ownership of urban and rural land, as well as of all natural resources is exclusively vested in the state and in the peoples of Ethiopia. Land is a common property of the Nations, Nationalities and Peoples of Ethiopia and shall not be subjected to sale or to other means of exchange” (FDRE, 1995: 40/3).The FDRE land policy confirms constitutional provisions. Rural Land Administration and Use Proclamations issued at different times, Proclamation No.89/1997 and Proclamation No.456/2005 affirm that every Ethiopian national without discrimination has right to use rural and urban land (FDRE, 1997,FDRE2005). Every rural resident who wants to

make a livelihood from farming is entitled to use a plot of land free of charge and women have rights to access rural land (FDRE, 1997, FDRE, 2005).

These proclamations include provisions on rural land administration. Accordingly rural land should be measured, registered and land holding certificate should be provided to users/holders. Rural landholding certificate should contain information on land size, land use type and cover, level of fertility and borders. Rural land use has no time limit and farmers are provided rights to lease transfer or inherit rural land use right to family members. Rural landholders are also entitled to compensation in case of eviction. The FDRE Rural Land Administration and Use Proclamation provides mandate to regional governments to enact their own rural land legislations. Four regions including Oromia Region issued land policies afterwards based on FDRE provision.

2.5.5 The registration process and the gender implications

The actual process of securing land tenure in Ethiopia is through land registration and certification. The Government of Ethiopia has made significant progress in land registration. At Federal level significant support for this has been provided through the land component of the national Sustainable Land Management Project (SLMP).

The land registration and certification process in Ethiopia has followed two steps:

- **First-level certification-** which involves the identification, adjudication and registration of land holding rights at the local (Kebele) level without the surveying of land parcels, the issuing of certificates at Woreda level and the computerization of land registration records;
- **Second-level registration** -which involves the surveying of land parcels.

First level rural land holding certificates have been issued by the four regional states of Amhara, Oromia, SNNPR, and Tigray mainly with direct funding from the Federal government. It is estimated that more than 95% or 50 million parcels of about 13 million rural households in the four regional states have been certified. It is estimated that less than 1 million holdings have been issued second level certificates in the four regions (Chiara Romano,2013)

The registration process gives women an opportunity to fix their own property rights within the family as family land is registered in the names of both spouses. The First level certification appears to have contributed positively to tenure security, sustainable land management and investment in agriculture

by smallholder farmers and in particular women. The major feature of the certification program is the decentralized implementation process through elected Land Use and Administration Committees (LACs) at the village level. The LACs are primarily involved in land registration and certification, having also tasks of preventing and managing conflicts and identifying constraints regarding land tenure with a view to finding solutions.

2.5.6 Rural land legislation of Oromia Region

Oromia Region issued Proclamation No. 56/2002, on rural land use and administration (ONRS, 2002) and Regulation No. 39/2003, the implementation regulation (ONRS, 2003), based on the mandate provided by FDRE rural land administration and use proclamation (FDRE, 1997). Women's equal right with men in rural land use and administration was put as an underlying principle in the Oromia rural land proclamation. The proclamation affirmed free access to land to any resident of the region 18 years or above who wishes to live by farming. Land use right is for life and no one will be deprived of these rights unless, land is needed for investment by the regional state. The person will be fully compensated for investments she/he made on the land in this case.

Although land distribution was not carried out in the region after the Derg regime the rural land proclamation prohibits future land redistribution. Future land redistribution in the region is conditional to government's need to use land for irrigation schemes or lease for investment or distribution of unoccupied or abandoned land to the landless. Lifelong certificate of holding will be provided to every landholder to ensure tenure security. Spousal joint registration and certification will be applied in the land administration system of the region. Land use right is not subject to permanent residence in Kebeles where land is located or will not be terminated if the land holder leaves his/her Kebele and resides elsewhere. It specifically states that women will have rights to land on equal basis with men on divorce and that the family holding will be shared equally between the spouses. The proclamation has provision on the rights of women under polygamous marriage.

The rural land administration and use regulation states that all spouses shall get holding right certificate with their husband and that all of them have equal access rights on the husband's land unless, the wife/ wives live far from the land holding area and get engaged in other businesses. Land use right transfer through inheritance to family members is endorsed by the proclamation. Proclamation 56/2002, further had provisions on establishment of regional institution to implement the proclamation and on mechanisms for conflict and dispute resolution. Regulation 39/2003 has

provisions on rights and responsibilities of land users, minimum farm plot size, landholdings by new settlers, land sharing on divorce, control of land fragmentation, proportion of land allowed to lease, land distribution and redistribution, land registration and certification, transfer of land holding rights, land management, etc., on individual holdings. The regulation had provisions on management of communal lands, conservation of wet lands, dam sites and reservoirs and administration of protected areas. The regulation includes provisions on updating landholding certificates whenever changes appear in holding rights and measures to be taken on failure to comply with the regulation. Land sharing is not allowed at divorce or inheritance if individual share falls below minimum size of holding. Divorced spouses are required to enter into different arrangements to make common use of their land if their shares fall below minimum size. The regulation provided guidelines on the land administration process. Accordingly, Land Administration Committees (LACs) will be established at Kebele levels and Sub-committees will be established at village (Gote/Ganda) levels to carry out the land registration process. Guidelines on mechanisms of dispute and conflict resolution are also provided by the regulation.

Chapter Three

3. Research Design and Methodology

3.1 Study area

The study area, Degem District is one of the Districts in North Shewa Administrative Zone of Oromiya Region in Ethiopia. It is located at 125 km distance to north direction from Addis Ababa, capital city of the country. Degem is bordered on the South by Muger River which separates it from East Welega Zone, on the West by Kuyu, on the North west by Hidabu Abote, on the North by Jamma River which separates it from Amhara Region, on the northeast by Gerar Jarso, and on the east by Yaya Gulele and Debre Libanos.

There are 18 rural Peasant Administrations (PAs), one village town (Ali doro) and Hambisso, capital of the woreda/District in the study area. Based on the information obtained from Labour and Social Affairs office of the district, the woreda has an estimated total population of 123,319 of whom 60,427 are men and 62,892 are women; 5,464 or 4.4% of its population are urban dwellers whereas 117,855 or 95.6% are rural dwellers. With an estimated area of 674.85 square kilometers, Degem has an estimated population density of 174.2 people per square kilometer.

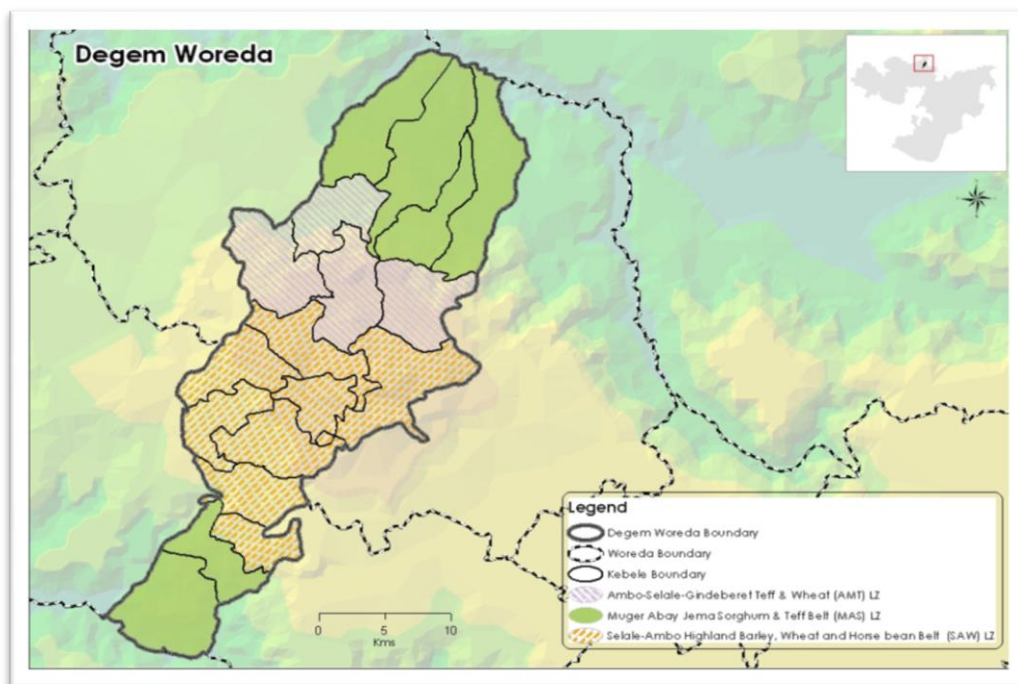


Figure1: Map of Degem District ;

Source: Degem District Administration office ,2015

3.2 Conceptual Frame work

The general conceptual frame work of this study is constructed on the idea how the land policy frame work initially formulated at the Federal level in the Federal proclamation and then each Region has prepared its own Regional proclamation and related implementation regulations. The effect of implementation of land registration and certification programme on security of land rights and related issues were assessed based on women's condition before and after rural land certification.

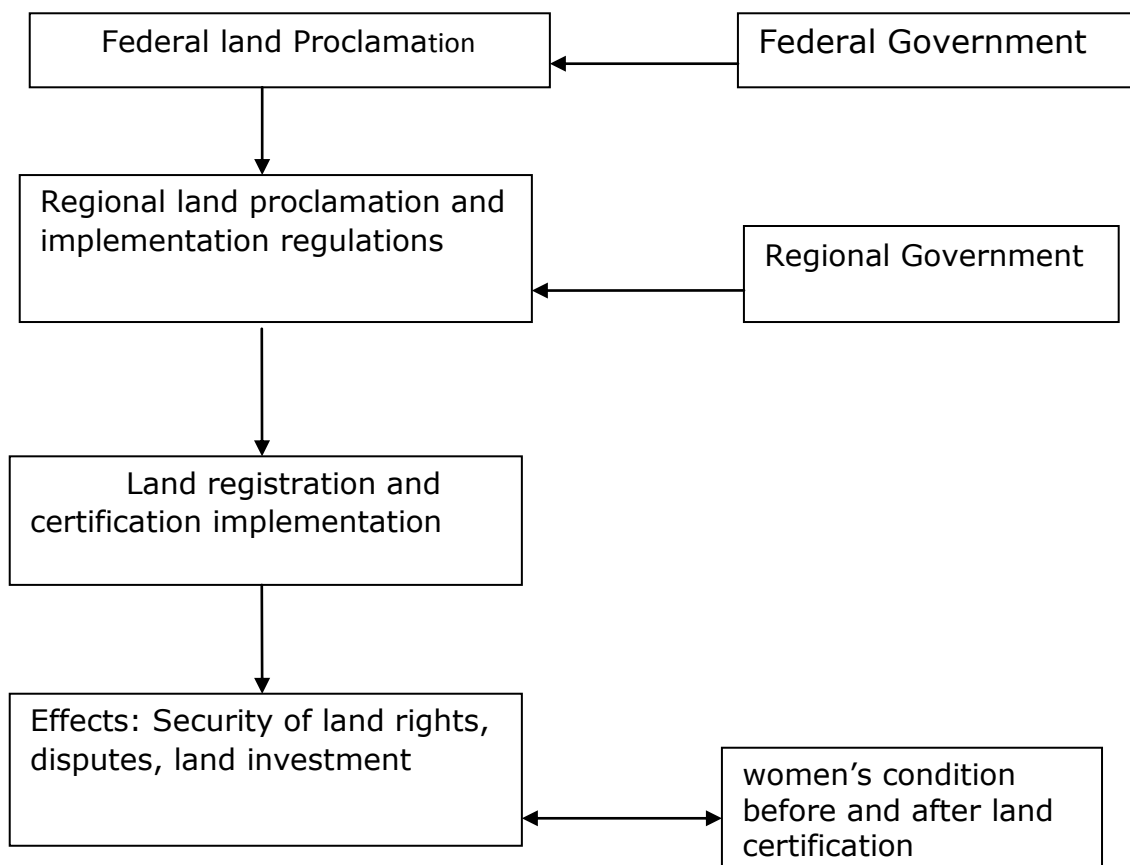


Figure 2: Conceptual frame work

3.3 Research Design

The research is initiated with a literature review in relation to the objectives. The review is carried out with purpose of establishing a theoretical frame work to more fully understand the concept of land tenure security and the effect of rural land certification. The process of research approach is illustrated in Figure 3 below.

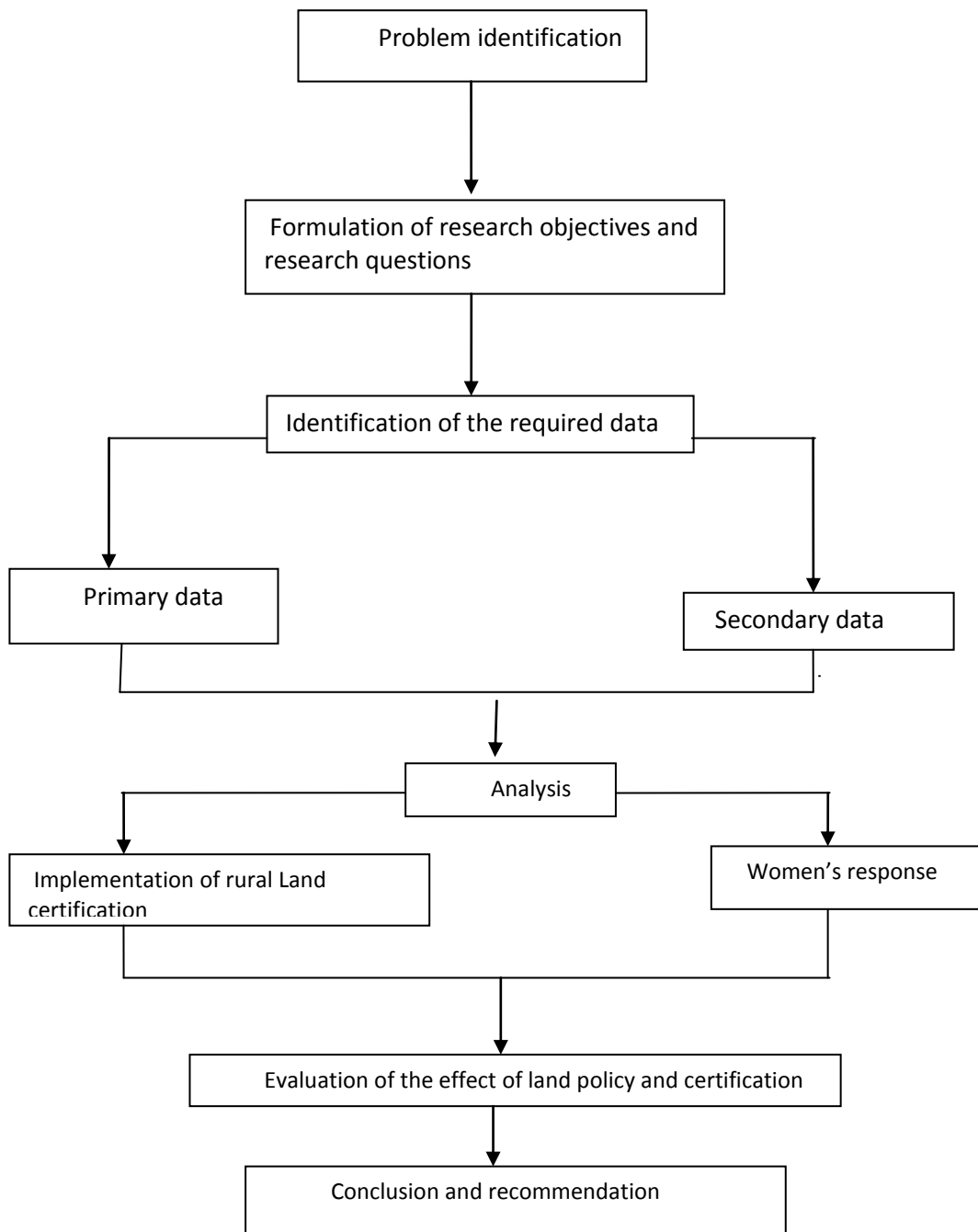


Figure 3: Research design

3.4 Method of the study

The study looked at the gender aspect of the rural land policy and the land administration system in general and the land registration process and women's land ownership and control in particular. The research applied both quantitative and qualitative methods to clarify concepts, characteristics, descriptions, counts and measures to demonstrate implications of the issue under question.

3.4 .1 Data collection Methods and Tools

In this study primary and secondary data sources were used.

3.4.1.1 Primary Data

Primary data was collected from household survey, focus group discussion and key informants interview. The household interview included basic information about the respondent level of education, experience in land inheritance and knowledge of women's land right and their knowledge of rural land use proclamations. Focus group discussion participants were selected from the community; women in different groups. Women's group were selected consisting of married, widowed and divorced and unmarried family headed women. Focus group discussion was useful to explore the knowledge of the community at large about women land right. When people gather together they pool their knowledge and memory about the issue through open and free discussion. It was unstructured, thus allowing participants stimulated to open up and discuss freely. Useful information were gathered as a number of issues were raised from participants and discussed about women land right.

The key informant's were selected from Degem District Administration office, Degem District Agricultural and Rural Land Administration office, Degem District Women and Children Affairs office and Anokere Peasant administration. The above key informants were selected because they are the ones working in organizing campaign and providing training in land administration. Interview was carried out to obtain information on how the key informants disseminate information about recent land proclamation so as to enhance the knowledge of people about recent land administration proclamation with especial focus on women land right. This includes the ways used to get people know about land proclamation, the selection of participants, implementation of the land proclamation and registration and the way they monitor the knowledge of men and women about women's land right. Furthermore, case stories were captured to enrich relevant issues raised on discussions

3.4.1.2. Secondary Data

Secondary data was collected by reviewing relevant books, journals, different published and unpublished documents, Federal and Regional Constitutions and administration and utilization proclamation. Books, Journals and other unpublished documents were reviewed to get information on the art fact of land reform and women land right where as the Federal and Regional Constitutions and land administration and utilization proclamation of Ethiopia were reviewed to get deep information on

what the proclamation specifies about women land right during marriage, divorce and inheritance as per the land reform. The information was analysed so as to make comparison between the written information (proclamation) and the knowledge of people about women land right, that was obtained from primary information, and give recommendation accordingly.

3.5 Sample Size Determination

The Population for quantitative data collection for this study has been women from rural households randomly selected from Ano Kere Peasant Administration Degem District based on the large number of women residing there. The sample size for collecting quantitative data for this research was determined using Cochran's (1977) formula as indicated on Bartlett Kotrlik and Higgins (Bartlett and Higgins, 2001). Thus, the researcher employed the following formula to calculate sample size.

$$n = \frac{N}{1 + N(e)^2}$$

Where:

n: designates the sample size the research uses;

N: designates total number of households in the proposed study area assuming that women in all households are affected by the issue;

e: designates maximum variability or margin of error 5% (.05) and

1: designates the probability of the event occurring

The intended study was conducted in Ano Kere Peasant Administration, whose household is 1,107. Based on the above given formula, sample size used in this study was 294 females as presented here below.

$$n = \frac{1,107}{1 + 1,107(0.05)^2} = 294$$

Based on this, quantitative data sample was taken from randomly selected households and data was collected from women in 294 eligible households. Each household was selected by picking every other household from list of households in selected villages listed separately in Ano Kere Peasant Administration's records to ensure randomness.

3.6 Data collection procedures and approaches

The household survey questionnaires were prepared in English and it was carefully articulated to ensure clarity, to avoid bias and to get reliable information. The research questionnaires were also translated to Oromo language (Afan Oromo). However, since the selected household survey data collectors were native to the area (Oromos) and they were educated and minimum of diploma holders, they preferred to use the English version questionnaires.

The researcher approached the concerned Government authorities of Oromia Regional State North Shewa Zone and Degem woreda/District by producing official letter from his employer organization stating who the researcher is; purpose of his study and inquiring cooperation of the Government authorities at different levels and the target Peasant Administration leaders towards the success and effectiveness of the study. Accordingly, Degem District Administration office and women and Children's Affairs office wrote supporting letters to Ano Kere Peasant Administration officials.

Following this, the researcher approached the Peasant Administration officials and women and Children's Affairs desk officer at the Peasant Administration level and made thorough discussion with them to make things clear to them and in order to manage the study smoothly.

After creating such mutual understanding, the researcher selected 7 data enumerators (3 Female and 4 Male) from different Government offices to conduct household survey. They are native to the area, fluent in local language /Afan Oromo. All of the selected data collectors were educated staff and minimum of Diploma holders. The researcher conducted one full day training and discussion session. The training was focused on purpose and outcome of the study, contents of the questionnaire, how to administer the questionnaire, clarity and appropriateness of questions, internalizing and handling of the questionnaire as well as how to approach the community, particularly the respondents.

Before getting into the actual house hold survey data collection, the researcher sent data enumerators in 3 groups to three villages to fill the questionnaire for checking of whether the questions are measuring what is intended to be measured, clarity of wordings in view of respondents' level of understanding and areas of challenges and held discussion with data enumerators to avoid research bias.

3.7 Quality and ethical consideration

As explained above under article 3.6 (Data collection procedures and approaches), the researcher received official permit /letter of cooperation from the District Woreda Administration and women and Children's Affairs office. At the initial step of the study, quantitative survey respondents and qualitative survey informants were provided detail explanations about the overall objective of the study ahead of time. Interview was administered on free will of interviewees. Respondents were informed that they can decline if they don't want to be interviewed.

Furthermore, they were clearly told by the researcher that information provided by interviewees will

not be transferred to a third party or will not be used for any other purpose apart from this study. Moreover, case stories have been presented using hypothetical names.

3.8 Data analysis

As explained above both quantitative and qualitative method of data analysis has been used for this research. The quantitative data was organized and statistical computations have done by using descriptive statistics by using SPSS software program. Simple quantitative analysis techniques such as frequency distributions, summation, percentage and mean have been employed. Moreover, one-way ANOVA variance test and Chi-square test has been applied to check some of the analyses.

Chapter Four

4. Result and discussion

4.1 Characteristics of survey respondents

Quantitative data is collected and analyzed on demographic and social characteristics of survey respondents. Respondents are asked about their marital status, educational background, age, type of marriage they are in (monogamous or polygamous), their ethnic group and their religious affiliations. Based on this, a finding of characteristics of survey respondents is presented as follow.

4.1.1 Demographic characteristics of survey respondents

Table 1: Head of household

Head of household	Frequency	Percent
Male	198	67.3
Female	96	32.7
Total	294	100.0

Source: Own survey data, November 2015

Respondents were asked to tell who is head of their household and analysis of their response shows that out of 294 respondents 67.3% or 198 are headed by male and 32.7% or 96 are headed by female.

Table 2: Distribution of respondents by Age category

Age category	Frequency	Percent
15-20 year	13	4.4
21-30 year	65	22.1
31-40 year	81	27.6
41-50 year	55	18.7
51-60 year	46	15.6
above 60 year	34	11.6
Total	294	100.0

Source: Own survey data, November 2015

Data collected on age of respondents showed that, 27.6% of the respondents are in age of 31-40 years, 22.1% are in 21-30 age group, 18.7% are in 41-50 age group, 15.6% are in 51-60 age group, 11.6% are above 60 year and 4.4% are in 15-20 years of age. Most of the respondent women are in an age group of 21-50 years.

Table 3: Marital status of respondents

Marital status	Frequency	Percent
Married –monogamous	177	60.2
Unmarried	13	4.4
Divorced	48	16.3
Widowed	38	12.9
Married-polygamous	18	6.1
Total	294	100.0

Source: Own survey data, November 2015

With regards to marital status, 60.2% of the respondents are married and are monogamous type, 16.3% are divorced, 12.9% are widowed, 6.1% are in polygamous type of marriage and 4.4% are single/unmarried. Generally, 66.3% of respondents are married (both monogamous and polygamous type).

Table 4: Distribution of respondents by ethnic group

Ethnic group	Frequency	Percent
Oromo	292	99.3
Amhara	2	.7
Total	294	100.0

Source: Own survey data, November 2015

Only two ethnic groups have appeared during the household survey. As presented in the above table, out of 294 survey respondents 99.3 % are from Oromo ethnic group and only 0.7% are from Amhara ethnic group in the study are.

Table 5: Distribution of respondents by religious affiliation

Religious affiliation	Frequency	Percent
Orthodox Christian	277	94.2
Protestant Christian	9	3.1
Other	8	2.7
Total	294	100.0

Source: Own survey data, November 2015

With regards to religious affiliation, 94.2% of the respondents responded that they belong to Orthodox Christianity, 3.1% responded they are followers of protestant Christianity and 2.7%

responded that they are follower of other religion.

The study reveals that Community under this study comprises majority from the Oromo ethnic group and Orthodox Christianity is the most common religion practiced in the area.

4.2. Socio-Economic Situation of Survey Respondents

Socio-economic characteristics of survey respondents in this study is measured on educational background, annual household income and expenditure trends, household asset ownership and household gender division of labor. These issues are also considered in the qualitative survey questions and observation check list.

4.2.1 Educational background of respondents

Educational background of respondents obtained from household survey data is presented in the following table.

Table 6: Distribution of respondents by educational background

Educational Background of respondents	Frequency	Percent
First cycle elementary (grade 1-4)	57	19.4
Second cycle elementary (Grade 5-8)	52	17.7
Secsecondary level education	5	1.7
Non formal education (Read and write)	79	26.9
Illiterate	101	34.4
Total	294	100.0

Source: Own survey data, November 2015

The above table displays responses obtained from respondents on their educational background. Out of the total 294 respondents 34.4% (101) are illiterate, 26.9% (79) have non-formal basic education, 19.4% (57) have first cycle-elementary level education(grade1-4),17.7%(52) have second-cycle elementary level education(grade5-8)and 1.7%(5)attended secondary level education. Survey findings on educational status of respondents reflects high illiteracy rate among women in the study area. The above finding is also presented by the following bar graph.

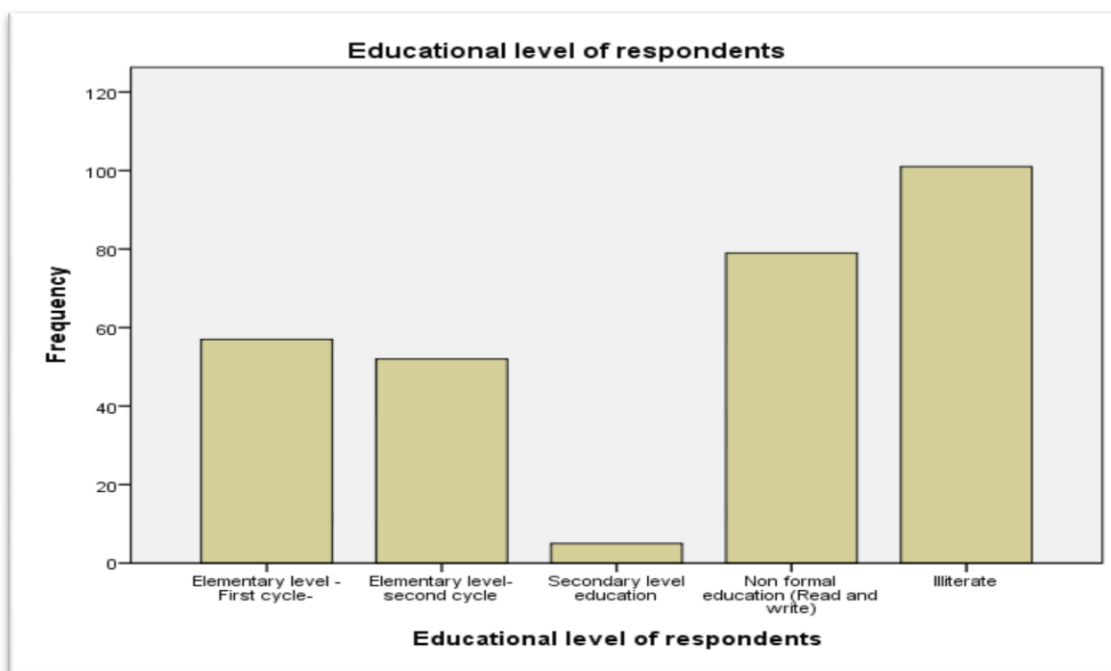


Figure 4: Educational level of respondents

4.2.2 Annual household income of respondents.

Data obtained on annual household income of respondents from quantitative house hold survey is presented in the following tables. C

Table 7: Distribution of respondents by Agricultural income trends

Annual average income of respondents from sales of Agricultural products	Frequency	Percent
Less than Birr 1,000	61	20.7
Birr ,1,500-2,500	84	28.6
Birr 2,500-3,500	11	3.7
Birr 3,500-4,500	13	4.4
Over Birr 4,500	6	2.0
I do not know	119	40.5
Total	294	100.0

Source: Own survey data, November 2015

The above table displays distribution of respondents by income from sales of agricultural products. Quantitative data collected on average annual agricultural income earned by respondents from sales

of agricultural products revealed that 119(40.5%)responded that they do not know how much they earn and they said their husbands know it,84(28.6%)respondents replied that they earn Birr,1,500-2,500 annually, 61(20.7%) responded they earn Less than Birr 1,000 annually, 13(4.4%) responded they earn Birr 3,500-4,500 annually, 11(3.7%) responded they earn Birr 2,500-3,500 and 6(2%) responded that they earn over Birr 4,500 annually.

As explained above, response obtained from 119 respondents indicates that women in the study area do not have access to and control over the family income. This shows that in rural household economy most women appeared to have no independent budget and access to it, but were part of their husband’s household. In other words, it was the male head of household who used to have saying on it. Generally, findings reflect that average annual income earned from agricultural products sales varies across marital statuses. This is shown in table 8 below.

Table 8 : Distribution of agricultural income among respondent groups(cross tabulation)

Annual average income respondents	Marital status of respondent					Total
	Married-monogamous	Unmarried	Divorced	Widowed	Married-polygamous	
Birr ,1,500-2,500	43	0	16	21	1	81
Birr 2,500-3,500	10	0	0	0	1	11
Birr 3,500-4,500	5	0	4	3	1	13
over Birr 4,500	5	0	0	0	0	5
I do not know	100	9	0	0	13	122
Less than Birr 1,000	14	4	28	14	2	62
Total	177	13	48	38	18	294

Source: Own survey data, November 2015

Table 8 above displays data analyzed on the relationship between average annual incomes earned from agricultural products with marital status. The data on this relationship reflects that out of the total 177 married-monogamous respondents 100 responded that they did not know how much income is earned from sales of agricultural products, 43 responded they earn Birr 1,500–2,500, 14 respondents earn Birr less than Birr 1,000, 10 earn Birr 2,500 –3,500, 5 responded that they earn Birr 3,500–4,500 and other 5 respondents replied that they earn over Birr 4,500 annually.

Out of the total 38 widowed respondents 21 earn Birr 1,500–2,500, 14 respondents earn Birr less than Birr 1,000 and 3 respondents earn Birr 3,500 – 4,500. Out of 48 divorcees, 28 earn Birr less than 1,000 annually, 16 respondents earn Birr 1,500-2,500 and 4 respondents earn Birr3,500–4,500 annually. Responses obtained from 13 single/unmarried respondents reflect that 4 respondents earn Birr less than 1,000 annually, and the remaining 9 unmarried respondents do not have income from sales of agricultural products.

Also out of 18 respondents who are in polygamous type of marriage,10 replied that they do not know how much is earned from sales of agricultural products, 3 respondents each earn Birr 1,500-2,500, Birr 2,500-3,500 and Birr 3,500-4,500 respectively and 2 respondent earn Birr over 4,500 annually.

The above analysis was tested by using one-way ANOVA. Descriptives of one–way ANOVA and ANOVA variance test is presented on table **9a** and **9b** here below respectively.

Table 9 a: One way ANOVA Variance Test result

	Sum of Squares	Df	Mean Square	F	Sig.
Between Groups	86.036	5	17.207	10.941	.000
Within Groups	452.961	288	1.573		
Total	538.997	293			

Source: Own survey data

The p-value 0.00 is less than the significance level of 0.05. Therefore, the one-way ANOVA analysis of variance reveals that there is statistically significant evidence at $\alpha=0.05$. That means, there is a difference in mean agricultural income in one or more of the five respondent groups.

Table 9b: **Descriptives of ANOVA Variance test**

	N	Mean	Std. Deviation	Std. Error	95% Confidence Interval for Mean		Mini.	Maxi.
					Lower Bound	Upper Bound		
Birr ,1,500-2,500 annually	81	2.22	1.360	.151	1.92	2.52	1	5
Birr 2,500-3,500 annually	11	1.36	1.206	.364	.55	2.17	1	5
Birr 3,500-4,500 annually	13	2.62	1.446	.401	1.74	3.49	1	5
over Birr 4,500 annually	5	1.00	.000	.000	1.00	1.00	1	1
I do not know	122	1.50	1.242	.112	1.28	1.72	1	5
Less than Birr 1000 annually	62	2.77	1.137	.144	2.49	3.06	1	5
Total	294	2.00	1.356	.079	1.85	2.16	1	5

Source: Own survey data

4.2.3 Expenditure trends of respondents.

Respondents were asked to reply regarding how they use their income from sales of agricultural products .Accordingly, data obtained on expenditure trends of households from quantitative house hold survey is presented in the following table.

Table 10 : Priority of expenditures by respondents

Priority of expenditures by respondent's	Frequency	Percent
For Household need satisfaction, purchase of farm inputs; plough oxen	243	82.7
For other investment such as buying cattle, leasing land, fattening	44	15.0
For house construction and maintenance, etc	3	1.0
Non respondents	4	1.4
Total	294	100.0

Source: Own survey data, November 2015

Findings reflect that

Data collected on trends in priority of expenditure of respondents reflect that 245(82.7%) household give priority for need satisfaction, purchase of farm inputs; and plough and oxen, 43(15%)

replied that they give priority for other investment such as buying cattle, leasing land and fattening , that respondents reserved from responding.

Findings reflect that t h a t the majority's income gained from agricultural activity products were used for household consumption and family support rather than re-investing it to expand their business and improve their livelihood.

4.2.4 Women's Participation in agricultural activities

Respondents were asked to tell their level of participation in agricultural activities and data obtained from quantitative household survey is presented in the following table.

Table 11: Participation level of respondent in Agricultural activities

Participation level of women	Frequency	Percent
I involve in field preparation, weeding and Harvesting	22	7.5
I involve in other farm activities other than field preparation, weeding and harvesting	243	82.7
I do not participate on farm activities; because I have to look after children and do household activities	16	5.4
I do not participate on agricultural activities; because my labor is not needed for such activities	6	2.0
I do not work on agricultural activities because of other problems such as health and age	7	2.4
Total	294	100.0

Source: Own survey data, November 2015

Quantitative data on women's Participation level on Agricultural activities is displayed on Table 11 above. Responses obtained on rural women's involvement on farm activities reveal that 243(82.7%) of the respondents responded they are involved in different agricultural activities other than field preparation, weeding and harvesting, 22(7.5%) responded that they involve in field preparation, weeding and harvesting level, 16(5.4%) responded that they do not participate on farm activities because they have to look after children and have to do household activities, 6(2%) responded that they are not involved in farm activities because their labor is not needed for such activities and 7(2.4%) responded that they do not work on agricultural activities because of other problems such as health and age related cases.

The findings reveal that majority women always involve in farm activities although farm is considered as a male undertaking as reflected in literatures. The following picture captured by the researcher during the household survey work represents reality of participation of rural women in agricultural activities.



Figure 5: women working with men on wheat harvesting activity, Ano kere PA, Degem district, November 2015

Respondents were also asked to tell whether or not they participate on ploughing activities and their response is shown in the following table

Table 12: Participation of respondents on ploughing activities

Respondent's reply	Frequency	Percent
I do not plough; my husband ploughs the farm land	151	51.4
I do not plough, my family members plough for me	29	9.9
I do not plough, friends and relatives plough for me	30	10.2
I do not plough; I hire labor to plough my land	38	12.9
I do not plough, I rent my farm land.	46	15.6
Total	294	100.0

Source: Own survey data, November 2015

Responses obtained from respondents on household land ploughing reflect that 151 (51.4%) of the respondents responded that their spouses plough household lands, 46(15.6%) responded that they do not plough, they rent their farm land, 38(12.9%) responded that they do not plough, they hire labour to plough their land, 30(10.2%) replied that they do not plough, friends and relatives plough for them and 29(9.9%) responded that they do not plough, their family members plough for them.

Study findings reveal that land is ploughed by husbands in most married households. Female headed households face labor constraint in absence of adult male labor in their households and the cultural taboo in women’s ploughing. Furthermore, the ox-plough technology is female unfriendly. Women hardly manage to plough using those plough equipments even if they make up their minds to break the cultural taboo.

4.3 Women’s access to productive assets

Quantitative house hold survey respondents were asked to tell their position in owning and controlling productive assets such as cow,oxen, sheep, goat, chicken, horse, mule and donkey and their response is shown in the following table

Table 13: Women’s access to own and control productive assets

Type of productive assets	Frequency	Percent
I can own and control cow and oxen	1	.3
I can own and control Horse, mule and donkey	5	1.7
I can own and control sheep ,chicken and goats	10	3.4
I can own and control chicken only	183	62.2
I cannot own and control productive assets	82	27.9
Not responded	13	4.4
Total	294	100.0

Responses obtained on women’s access to own and control productive assets such as cow, oxen, sheep, goat, chicken, horse, mule and donkey indicates that 183(62.2%) out of 294 respondents replied that they can freely own and sale only chicken and products of animals without serious interference of their husbands, 82(27.9%) responded that they cannot alone own and control productive assets, 13(4.4%) respondents reserved from telling their position,10(3.4%) responded that they can own and control sheep ,chicken and goats, 5(1.7%) replied that they can own and control Horse, mule and

donkey and 1 respondent replied that she can own and control cow and oxen.

Qualitative information obtained from interviews with Peasant Administration (PA) Land Administration Committee members and focus group discussions with rural women on ownership and control of assets reflected that women own poultry, use and sell hens, eggs and animal products like milk, butter and cheese. It is also disclosed that cattle, sheep, goats and pack animals like donkeys and horses belong to men and using pack animals is constraint for women because of culture.

Survey findings generally show a prevalence of gender biases in asset ownership and control. Women in the study area own and manage assets that have less value. Women mostly own poultry and manage animal products. Findings further reveal biases not only in asset ownership but also cultural constraints on women's using household assets.

4.4 Women's access to information about Land Proclamation

The questionnaire focuses on whether or not respondents heard or know information about rural land proclamation and certification process, the way how they got the information, quality or transparency of the information, their participation in the process and how Land Administration committee was formed.

4.4.1 Women's access to information about rural land use and certification process.

Respondents were asked to tell whether they have heard or not about rural Land use Proclamation and its implementation process and responses of respondents is analyzed as indicated in the following table.

Table 14: Respondent's access to information about rural Land use Proclamation

Respondent's knowledge	Frequency	Percent
I have heard information about rural land proclamation and land certification process	137	46.6
I do not know it at all	157	53.4
Total	294	100.0

Source: Own survey data, November 2015

Respondents were asked to answer whether or not they know information about rural land proclamation and certification process. To this effect, 157(53.4%) out of 294 responded that they do not know it at all and the remaining 137(46.6%) responded that they have information about rural land proclamation and certification process. 8 rural women randomly selected from 3 villages of Ano kere Peasant Administration namely, Sefera, Burqa gari and Haro who participated in Qualitative survey

focus group discussion explained that no attention was given in this regard for women by the concerned Government bodies.

Response of house hold survey respondents was analyzed by using cross tabulation to see the relationship between marital status and women’s access to information about land proclamation and its certification process and the result is shown in the following cross tabulation.

Table 15: Relationship between marital status and knowledge of women about rural land use proclamation and its certification process

Women's knowledge	Marital status of respondents					Total
	Married - monogamous	Unmarried	Divorced	Widowed	Married-polygamous	
I have information about Rural Land use proclamation and certification process	85	6	19	16	11	137
I do not know it at all	92	7	29	22	7	157
Total	177	13	48	38	18	294

Source: Own survey data, November 2015

The above table shows that 92 married respondents out of 177 responded that they do not know about rural land proclamation and its implementation process where as 85 out of 177 married respondents answered they have information about rural land proclamation and its implementation process; 7 out of 13 un-married respondents replied that they do not know about rural land proclamation and its implementation process and 6 said they have information about it; 29 out of 48 divorced respondents answered that they do not know about it where as 19 out of the same group responded they have information about land proclamation and its implementation process; 22 out of 37 widowed respondents responded that they do not know about land proclamation and its implementation process where as 16 from the same group replied that they have information about rural land proclamation and its implementation process. Out of 18 married-polygamous respondents, 11 answered that they have information about rural land proclamation and its implementation process where as 7 respondents said that they do not know it.

In general, the study reveals that majority of married, unmarried, divorced and widowed respondents replied that they do not have information about rural land use proclamation and its certification process.

Chi-square test was conducted to check the existence of significant relationship between marital status of respondents and their knowledge about land use Law proclamation and its implementation process. Table **16a** and **16b** below show Chi-square test result and output viewer of chi-square test respectively.

Table16a: Chi-Square Test result

	Value	Df	Asymp. Sig. (2-sided)
Pearson Chi-Square	2.926^a	4	.570
Likelihood Ratio	2.939	4	.568
Linear-by-Linear Association	.016	1	.899
N of Valid Cases	294		

cells (0.0%) have expected count less than 5. The minimum expected count is 6.06.

Source: Own survey data

The output viewer of chi-square test (table 16b) below shows break down of the observed and expected frequencies ("Count") for each marital status group respondents regarding their knowledge about land use Law proclamation and its implementation process. Based on the chi-square test result, the p-value 0.570, is higher than the significance level of 0.05. Therefore, the result shows that there is no significant relationship between marital status of respondent groups and their knowledge about land use Law proclamation and its implementation process.

Table16b: output viewer of chi-square test(cross tabulation)

Marital status of respondents		Women's knowledge about land use law proclamation and its implementation process		Total
		I have information about rural land use proclamation and land certification process	I do not know it at all	
Married - monogamous	Count	85	92	177
	Expected Count	82.5	94.5	177.0
	% within Marital status of respondent	48.0%	52.0%	100.0%
	Std. Residual	.3	-.3	
Unmarried	Count	6	7	13
	Expected Count	6.1	6.9	13.0
	% within Marital status of respondent	46.2%	53.8%	100.0%
	Std. Residual	.0	.0	
Divorced	Count	19	29	48
	Expected Count	22.4	25.6	48.0
	% within Marital status of respondent	39.6%	60.4%	100.0%
	Std. Residual	-.7	.7	
Widowed	Count	16	22	38
	Expected Count	17.7	20.3	38.0
	% within Marital status of respondent	42.1%	57.9%	100.0%
	Std. Residual	-.4	.4	
Married-polygamous	Count	11	7	18
	Expected Count	8.4	9.6	18.0
	% within Marital status of respondent	61.1%	38.9%	100.0%
	Std. Residual	.9	-.8	
Total	Count	137	157	294
	Expected Count	137.0	157.0	294.0
	% within Marital status of respondent	46.6%	53.4%	100.0%

Source: Own survey data

4.4.2 Source of information.

The questionnaire focuses on the way how respondents got information regarding rural land use proclamation and its implementation process and respondent's replies are analyzed as shown one table below.

Table17: Source of information.

Means of information	Frequency	Percent
Through media	1	.3
Through meeting	22	7.5
Through campaign	37	12.6
Through training	15	5.1
Through word of mouth	62	21.1
I do not know	157	53.4
Total	294	100.0

Source: own survey data, November 2015

Quantitative data on the way how respondents got information about land proclamation is displayed on table 18 above. Based on this, 157(53.4%) respondents out of 294 responded that they do not have information about rural land use proclamation and certification process, 62(21.1%) responded that they heard through word of mouth, 37(12.6%) out of 294 responded that they heard it through campaign, 22 (7.5%) responded that they got through meeting, 15(5.1%) responded through training and 1 respondent replied through media.

Response of majority of respondents (157 out of 294) indicates that they were not accessible to information about land proclamation and certification process. Other respondents who fall under second level majority(62 out of 294) responded that they heard through word of mouth, which is not reliable source of information, as mentioned by the respondents.

4.4.3 Quality of information transferred about women's land use right and control over it

Respondents were asked to evaluate the quality or transparency of information transferred regarding women's land use right and control and their response is presented in the following table.

Table 18: Respondent’s view about quality of information.

Quality of information	Frequency	Percent
Very good	4	1.4
Good	2	.7
Medium	15	5.1
Poor	49	16.7
Very poor	67	22.8
<i>I do not know</i>	<i>157</i>	<i>53.4</i>
Total	294	100.0

Source: Own survey data, November 2015

Respondents were asked to rate the quality and clarity of information transferred about women's land use right and control and land certification process. Their response is presented in table 18 above.

Based on this, out of those 137 respondents who have information about the proclamation 67(22.8%) rated it as “very poor”, 16.7% (49) rated as “poor”, 5.1%(15)rated as “medium”,1.4%(4) respondents rated as “very good” and 0.7%(2) respondents rated as “good”.

4.4.4 Women’s participation in land certification and information transfer process.

The questionnaire focuses on the way how far respondents have participated in the land certification and information transfer processes and respondent’s replies are shown on table 19 below.

Table 19: Women's participation in land certification and information transfer process

	Frequency	Percent
Yes, I have participated	33	11.2
I have not participated	261	88.8
Total	294	100.0

Source: Own survey data, November 2015

Respondents were asked to tell whether they have or not participated in land certification and information transfer process. 261(88.8%) of respondents replied that they have not participated in the process and 33 (11.2%) respondents replied that they have participated in the process.

The above response of respondents clearly shows that women were not given sufficient chance to participate in land certification and information transfer process.

4.4.5 Women’s knowledge about establishment of Land Administration Committee (LAC)

Respondents were asked to tell regarding their knowledge about formation or establishment of Land Administration Committee and analysis of their response is presented here below.

Table20: Respondent’s view about establishment of Land Administration Committee.

Response of respondents	Frequency	Percent
Some Community members elected the LAC and PA facilitated it.	6	2.0
Male community members selected the LAC and PA facilitated it.	5	1.7
Only household heads selected the LAC Committee and PA facilitated it.	4	1.4
All community members selected the LAC and PA facilitated it.	18	6.1
I do not know how the LAC was selected	261	88.8
Total	294	100.0

Source: Own survey data, November 2015

The above table displays that out of 294 respondents 261(88.8%) replied that they do not know how Land Administration committee was established. 18 (6.1%) respondents replied that all community members selected the LAC and Peasant Administration (PA) facilitated it. 6 (2%) respondents replied some Community members elected the LAC and PA facilitated it. 5 out of 294(1.7%) respondents replied that male community members selected the LAC and PA facilitated it and 4 respondents (1.4%) responded that Only household heads selected the LAC Committee and PA facilitated it.

As indicated in table 20 and explained above, the analysis indicates that land administration committee was not formed with knowledge of the community and this shows no sufficient effort had been made in awareness creation of the community through intensive training and campaigns by the concerned Government offices particularly the District Administration, the District level land administration committee, the District level women and children Affairs office and the Peasant Administration.

Qualitative survey participant 5 key informants, 3 female and 2 male;from Degem District Administration 1 (male), from Degem District Agiculture and Rural Development Departoment land

Administration committee representative 1 (female), from Degen District Women and Children Affairs office 1(female), from Ano kere Peasant Administration member 1 (male) and from Ano kere Peasant Administration Land Administration Committee member 1(female) agreed that there were big gaps in facilitating trainings and campaign work due to a number of factors and the community had not got sufficient information. One of the constraints mentioned in this regard from the key informants' side was unwillingness of women to attend the organized training programme mainly due to lack knowledge for some and ignorance for others.

Information obtained from focus group discussion with rural women on their participation in other community activities reflects that women's participation is generally low. Interviews with Peasant Administration Land Administration Committee (LAC) on women's presence on the field when their plots are measured and registered disclose that women seldom go to fields. They either send male household members/relatives or leave it to the LACs.

Women's low involvement in community activities and marginalization from community decision-making is a strong feature in community practices in the study area. Survey findings reveal that women have no participation in the land administration process including decision-making and leadership. Women's marginalization from governance of the land administration process reflects dominance of patriarchal cultures in community practices which put women to subordinate positions. Findings further reveal that trends followed in calling community meetings, women's low access to information and less experience in attending community meetings had contributed to women's marginalization from community activities.

Information obtained from interviews with Peasant Administration LACs reflects women's low participation in community activities and in community decision-making. LAC members explained that the trend in calling community meetings is using PA (Peasant Association) members list from PA Administration records. Names of those who had land registered in their own names are put in PA records. PA membership is also associated with household headship. Although, LAC members said that they are elected by all community members they confirmed that the need for women's participation was not mentioned at time of their election. They explained that they were not aware of it.

4.5 Women's access to and control over land

A number of questions were included in the survey questionnaire and qualitative survey tools to collect data on women's access to and control over land. Questions focused on women's access to land are means of land acquisition, the impact of new right to land law on women to claim their right during divorce and inheritance, the right of women in polygamy marriage to claim for land, size of landholdings and impact of land certification in ensuring women's land rights

4.5.1 Acquisition of land in the study area

Respondents were asked to tell whether or not they have plot of farm land, their farm size and their response is as indicated in the following table.

Table 21: Possession of farm land and size of land.

Size of farm land	Frequency	Percent
Less than 0.5 hectare	85	28.9
0.5 to 1.00 hectare	96	32.7
1.00 to 1.5 hectare	40	13.6
Above 1.5 hectare	20	6.8
I do not have farm land	53	18.0
Total	294	100.0

Source: Own survey data, November 2015

Quantitative survey respondent's reply to the question regarding possession of farm land by woman is displayed in the above table. Accordingly; 32.7% of respondents replied that they own 0.5 to 1.0 hectare of farm land, 28.9% of respondents replied they possess less than 0.5 hectare of land; 18% said that they do not have farm land; 13.6% replied that they have 1-1.5 hectare of farm land and 6.8% replied that they own above 1.5 hectare of land. Possession of land by respondents and its distribution against marital status of respondents in the study area is displayed on the following table

Table 22: Distribution of farm land and size of farm land by marital status of respondents (cross tabulation)

Size of farm land	Marital status of respondent					Total
	Married - monogamous	Unmarried	Divorced	Widowed	Married- polygamous	
Less than 0.5 hectare	51	4	4	21	5	85
0.5 to 1.0 hectare	58	0	22	16	0	96
1.00 to 1.5 hectare	39	0	1	0	0	40
Above 1.5 hectare	19	0	0	1	0	20
I do not have farm land	10	9	21	0	13	53
Total	177	13	48	38	18	294

Source: Own survey data, November 2015

The above cross tabulation table shows distribution of land possession and size of farm land by marital status of respondents in the study area. Based on this, 58 out of 177 women in monogamous type of marriage replied that they own 1.0 to 1.5 hectare of land; 51 out of 177 women in monogamous type of marriage replied that they own less than 0.5 hectare of land, 39 women in monogamous type of marriage replied that they own 1 to 1.5 hectare of land; 19 in the same type of marriage responded they have above 1.5 hectare of land and 10 married monogamous type of marriage said that they do not have plot of land in any means. On the other hand, 9 out of 13 unmarried women said that they do not have farm land while 4 unmarried women replied that they have less than 0.5 hectare of land which they owned it through inheritance from their parents.

Out of 48 divorced women 22 said they have 0.5 to 1.0 hectare of land, 21 respondents replied that they do not have farm land at all, 4 said they have Less than 0.5 hectare and 1 respondent said she has 1 to 1.5 hectare of land. Out of 38 widowed women 21 replied that they own less than 0.5 hectare of land; 16 replied they own 0.5 to 1 hectare land and 1 respondent replied she owns above 1.5 hectare. Out of 18 women in polygamous type of marriage 13 respondents replied that they do not have farm land while 5 replied they possess Less than 0.5 hectare of land through inheritance from their parents.

Chi-square test was also run to check the relationship between size of farm land and marital status of respondents and the result is displayed on table **23a** and **23b** here below.

Table 23a: Chi-Square Tests result on R/n between size of farm land and marital status of respondents

	Value	df	Asymp. Sig. (2-sided)
Pearson Chi-Square	151.323 ^a	16	.000
Likelihood Ratio	164.096	16	.000
Linear-by-Linear Association	4.116	1	.042
N of Valid Cases	294		

a. 10 cells (40.0%) have expected count less than 5. The minimum expected count is .88.

Source: Own survey data

As displayed on the above chi-square test table, the test result shows that the p-value 0.00, is less than the significance level of 0.05. Therefore, this shows that there is relationship between marital status of respondents and size of farm land.

The chi-square test cross tabulation table 23b below shows break down of the observed and expected frequencies ("Count") for each marital status group respondents and size of farm land .

Table 23b: Chi-Square Tests **cross tabulation: R/n** between size of farm land and marital status of respondents

Marital status of respondent	Possession of farm land and farm size					Total	
	Less than 0.5 hectare	0.5 to 1.00 hectare	1.00 to 1.5 hectare	Above 1.5 hectare	I do not have farm land		
Married - monogamous	Count	51	58	39	19	10	177
	Expected Count	51.2	57.8	24.1	12.0	31.9	177.0
	% within Marital status of respondent	28.8%	32.8%	22.0%	10.7%	5.6%	100.0%
	Std. Residual	.0	.0	3.0	2.0	-3.9	
Unmarried	Count	4	0	0	0	9	13
	Expected Count	3.8	4.2	1.8	.9	2.3	13.0
	% within Marital status of respondent	30.8%	0.0%	0.0%	0.0%	69.2%	100.0%
	Std. Residual	.1	-2.1	-1.3	-.9	4.3	
Divorced	Count	4	22	1	0	21	48
	Expected Count	13.9	15.7	6.5	3.3	8.7	48.0
	% within Marital status of respondent	8.3%	45.8%	2.1%	0.0%	43.8%	100.0%
	Std. Residual	-2.7	1.6	-2.2	-1.8	4.2	
Widowed	Count	21	16	0	1	0	38
	Expected Count	11.0	12.4	5.2	2.6	6.9	38.0
	% within Marital status of respondent	55.3%	42.1%	0.0%	2.6%	0.0%	100.0%
	Std. Residual	3.0	1.0	-2.3	-1.0	-2.6	
Married-polygamous	Count	5	0	0	0	13	18
	Expected Count	5.2	5.9	2.4	1.2	3.2	18.0
	% within Marital status of respondent	27.8%	0.0%	0.0%	0.0%	72.2%	100.0%
	Std. Residual	-.1	-2.4	-1.6	-1.1	5.4	
Total	Count	85	96	40	20	53	294
	Expected Count	85.0	96.0	40.0	20.0	53.0	294.0
	% within Marital status of respondent	28.9%	32.7%	13.6%	6.8%	18.0%	100.0%

Source; Own survey data

4.5.2 Means of land acquisition in the study area

Quantitative survey respondents were asked how they possessed farm land and their response is as indicated in the table here below.

Table 24: Distribution of respondents by means of land acquisition in the study area

Means of land acquisition	Frequency	Percent
Through inheritance	29	9.9
Share holder during divorce	27	9.2
As gift from my parent/s	37	12.6
Through land redistribution	48	16.3
I do not have farm land	53	18.0
Through marriage	100	34.0
Total	294	100.0

Source: Own survey data, November 2015

Data collected on means of land acquisition in the study area reflected that out of the total 294 respondents 34% responded they accessed land through marriage, 18% responded that they do not have farm land, 16.3% responded that they accessed land through land distribution, 12.6% responded that they accessed to land through gift from their parents, 9.9% responded they accessed land through inheritance, 9.2% responded they get access to land through share holder during divorce. The table shows that higher proportion of respondents accesses to land through marriage. Qualitative information obtained from focus group discussions with rural women in the study area further reveal that most women get access rights to land through marriage.

4.6 Control over land and agricultural products

Quantitative survey questions focused on women's control over land include rights to land registration and certification, decision-making on land use and on the amount to be stocked for household consumption and amount for sale and control of income and expenditure. Interview and focus group discussion guide questions further gave emphasis to these issues.

4.6.1 Entitlement to land registration and certification

Quantitative survey respondents were asked whether they have or not land use right certificate and their response is displayed in the following table.

Table 25: Women’s Possession of land use right certificate

Owning land use right certificate	Frequency	Percent
Yes, I have my own certificate	27	9.2
No I do not have my own certificate	65	22.1
I am registered with my husband	202	68.7
Total	294	100.0

Source: Own survey data, November 2015

Quantitative data collected on survey respondents’ entitlement to land registration and certification revealed that 202(68.7 %) out of the total 294 responded land is registered and certified in the name of both spouses, 65(22.1%) responded that they do not have land and land use right certificate and 27 (9.2%) replied that they have their own land use right certificate.

“...we don’t have knowledge about our equal right on land with our husbands, nobody taught us about the issue. After the certification and registration process nothing has been changed except the posting of our picture on the certificate”

A 42year’s old married woman

4.6.2 Women’s right to claim for share of land during divorce

Divorced Respondents were asked to reply whether or not they have claimed for share of land during the incidence of divorce and their response is displayed on the following table.

Table 26: Respondent’s claim for share of land after divorce

Response of respondents	Frequency	Percent
Yes, I have got my share	27	9.2
No, I could not get my share	21	7.1
does not concern me(un-married, widowed and women who are in marriage)	246	83.7
Total	294	100.0

Source: Own survey data, November 2015

The above table displays that out of 48 divorced respondents only 27 replied that they have got their share of land while the remaining 21 divorcees replied that they could not get their share of land after divorce. This shows that women's land use and control right clearly stipulated by law is not respected.

Women who participated in focus group discussion from three villages of the study are also confirmed that many women suffer during the time of divorce in getting their share of land from their ex-husbands. They explained that customary laws, cultural taboos and the attitude of men have great stress on the dignity and right of women. Not only this, they further stressed that the law does not enforce implementation the right given to women in different proclamations. Furthermore, case story of two women mentioned here below gives clear picture of severity of divorced women in claiming their share of land after divorce.

Case story one

The case of Dureti Terfasa

Dureti Terfasa is a middle aged woman living in Degem District, Ano Kere Peasant Administration, sefera village. She raised the problem she faced on the focus group discussion. Her tears drop as she tells the multiple problems she faced in her life since she has been denied the access right to land. She said, my parents had 4 children; out of which 2 are males and the remaining two are females. My father died in 1990 E.C. and my mother passed away 7 years back.

During the death of my parents I have not inherited my parent's assets including the land and my two brothers inherited all assets of our parents forcefully and continued using. I took the issue to local elderly persons and asked them to resolve the problem. They tried their best; but my brothers refused. While I was in such situation I married and started living with my husband. During our marriage life we got 3 children (2 daughters and 1 son). Unfortunately, I could not continue living with my husband because of undesirable interference from my husband's family side; particularly his mother and his two sisters. I exerted great effort to not miss my marriage life. However, I could not continue in marriage life and I divorced 5 years ago and left my home taking my 3 children with me.

I did not get my share from my common property. I took only my clothes as I was expelled out of my home forcefully at time of divorce and I returned to my parent's village after divorce. Although I asked my ex-husband several times to give me my share from our common property and land through community elders, PA Land Administration committee, District Women and Children Affairs office level and he refused in all these steps. He said "...land is mine and you are not entitled to

it". He got married soon after I left home and had now other children. I took my case to Degem District court and I accused my ex-husband. After tiresome struggle, the District level court decided in favor of me and the court ordered my ex-husband to share me part of our land and other assets.

However, my ex-husband appealed to the next higher level court at Zone level. The higher court is located at 12.5 kilometer distance from my home. I suffered a lot to attend the court appointments, which takes place in varied number of days, sometimes every two weeks and sometimes every two months or less. I do not have money for travelling and transportation to go to the Zone and attend the court appointments and I suffered indeed. Not only this, I do not have sufficient knowhow and capacity to stand in front of Judges and explain or defend my ex-husband; who hired a lawyer. After one and half year's appointment, ups and down the zone higher court decided in favor of my ex-husband and I lost my everything. I could not appeal to the next higher level Oromia Region court, which is located in Addis Ababa; at 125 kilometer from my home.

I became loser and I started livening in my deceased parents' house. I asked my brothers who inherited our parents' land to give me my share as I badly need income to raise my children. But they refused. I insist on asking them through community elders but there was no way to convince them. One of my brothers died two years ago. I again started asking his children and my alive brother and my nephews, for my share. Their response was negative. They started to stalk me to the extent of forcing me leave the house I live in. I did not know about my legal rights and how to enforce them.

Now I am trying to generate some income by selling "tella" and "areki"(local drinks) although it is not enough to fulfill the basic needs of my children and the nature of business by itself isn't good for my life, said Dureti.

At the end our discussion session, Dureti's eyes become full of tears and she could not control herself. Finally, Dureti said, "I could not understand and believe the importance and protection of the country's law for the poor and for women who are marginalized by their husbands and the community! I am really thirsty to see justice and get out of this problem". The researcher could not continue discussing with her because every word that comes of her mouth, her felling and heavy tear coming out of her eyes tortured the researcher and fellow data enumerators with him!

Dureti is not still sure about getting her share from her ex-husband's land or from her deceased parents' land. She is bearing the burden of raising three children without sufficient income.

"...Constitution of the country (Ethiopia) and laws explain many good things about women and women's right. We women work equal with men and we shoulder big responsibility of our family. Everybody knows our problems. But nobody is concerned about us. We women are ignored by our husbands and the community at large. How can we benefit in such situation the provisions given in laws and the constitution? The law alone cannot help us in the absence of justice, we women are voiceless..."

Mentioned by Dureti.

Breach in marriages and problems in ensuring marital property rights cause insecurity in women's land rights in Ethiopia. Traditional divorce practices impede women's rights to secure matrimonial property including land. Traditional dispute settlement means used by communities hardly ensures women's marital property rights since patriarchal attitudes and practices bias against women. Women also lack legal awareness and capacity to access justice. Thus divorced women bear the burden of single motherhood without getting their share from their matrimonial land.

Case story two The Case of Teje Jobira

Teje Jobir lives in Ano kere Peasant Administration of Degem District. Teje was married when she was 20 years old and was given an ox as dowry by her grand-parents. Her husband had a pair of oxen and a 1.25 hectare piece of land. Teje reported that she has given birth to 2 children during her stay with her husband. Her husband divorced her when the oxen she brought to the marriage died and she was forced to go back to her grand parents' home. Her ex-husband has now remarried a woman who has land of her own. Teje noted that she could not access land because she used to be married after land certification process was carried out and the land was registered in the name of her husband only.

When her husband fired her, she left her home without taking any asset except some pieces of her day time clothes with a one and half year old child(daughter). She asked her husband to share her portion of their farm land. But he refused. She reported that he laughed at her and said "...you do not have the right to claim for land, because you are not registered on the Land use right certificate".

4.6.3 Enforcement of law on implementation of land certification and women's right to land.

Respondents who have participated in the household survey study were asked to give their views and rate about enforcement of the law with respect to implementation of women’s land use and control rights stated in rural land use right proclamations. Accordingly, their response is displayed in the following table

Table 27: Enforcement of the law on implementation of rural land use proclamations.

Respondents view	Frequency	Percent
Agree	15	5.1
strongly agree	6	2.0
Disagree	98	33.3
strongly disagree	175	59.5
Total	294	100.0

Source: Own survey data, November 2015

As can be seen from the above table, it displays that 175 (59.5%) of respondents strongly disagreed regarding the statement that says “the law enforces implementation of proclamations that favor women’s land use and control rights”, 98 (33%) replied “disagree”, 15 (5.1%) said “agree” and 6 (2%) replied “strongly agree”. From this, it can be understood that 92.9% of women respondents expressed their disparate feeling with respect to lack of enforcement of the law in implementation of rural land use proclamation that favors women’s right.

4.6.4 The impact of new land use proclamation and land certification in ensuring

Women’s land right

Respondents were asked to tell whether or not the new rural land use proclamation and land certification have helped women to claim their right during divorce and inheritance and their response is displayed on the following table.

Table 28: The impact of new law in ensuring women's land right

Respondent’s reply	Frequency	Percent
Yes	40	13.6
To some extent only	123	41.8
It is the same as before	131	44.6
Total	294	100.0

Source: Own survey data, November 2015

Out of 294 respondents 131(44.6%) replied that the new law and land certification have not brought change or impact in ensuring women's land right the situation is the same as before, 123 (41.8%)

replied that the impact is only to some extent, 40(13.6% replied there is change. Majority of respondents replied that the new law and land certification have not helped women to claim for their land ownership and control right.

4.6.5 Women’s perception about land use right of women in polygamous type of marriage

Respondents were asked to tell their perception and understanding regarding the right of women in polygamous type of marriage to claim for land and their response is presented in the following table.

Table 29: The right of Women in polygamous type of marriage to claim for land use and control right.

Women’s perception and understanding	Frequency	Percent
All women in polygamy traditional type of marriage have equal right to claim for land share holding and inherit	21	7.1
Only senior wives have the right to claim for land share holding and inherit	236	80.3
Those wives recognized by senior wives may have right to claim for land share holding and inherit	37	12.6
^Total	294	100.0

Source: Own survey data, November 2015

The above table displays that 236 respondents out of 294 (80.3%) replied that only senior wives have the right to claim for land, share holding and inherit, 37(12.6%) responded that those wives recognized by senior wives may have right to claim for land, share holding and inherit and 21 respondents (7.1%) said all women in polygamy traditional type of marriage have equal right to claim for land ,share holding and inherit.

The response of majority of respondents reflects that they do not know their right given by laws. It reflects poor knowledge and very low awareness of respondents about women’s their rights. They have developed wrong perception about the right of women in polygamous type of marriage to claim for land right, share land holding during the time of divorce and land inheritance from their parents. In short, their response reflects that “women in polygamous marriage should not claim for their right to land”. That means, such type of understanding will discourage and hardly harm women in polygamous

type of marriage in claiming their rights. The response of HHS respondents calls hard effort to educate women all about their rights and raise their awareness.

4.6.6 Access to land by different groups of women

These different groups of women comprise women within polygamous marriages, widows, divorcees and single/unmarried women in the study area. Access rights of these women are affected by community practices in the study area. Polygamy is practiced at the district and village levels. As informants told me, the extent of the practice is not exactly known. The rural land administration and use proclamations at the federal and regional levels do not specifically address how landholding certificates should be issued to women in polygamous marriages. Land administration experts, therefore, deal with such matters based on joint land titling approach.

The general trend is that men with larger agricultural land prefer to marry more than one wife. Men in the key informant discussion said that the husband usually divides the available land among his wives and plough for each of them during the period prior to the land registration and certification program. Other farming activities are undertaken by the women and their sons. The husband also controls the agricultural produce and decides on the household economy of all of his wives.

Information obtained on land access rights of women in polygamous marriages from interviews conducted with District land administration experts and PA LAC members in the study area reveal that polygamy is mostly attached to infertility and ageing of women and that wives themselves agree with their husbands' entering into second marriage in such cases and also in some cases males consider polygamy as a luxury life

As to rights of these women to land, these interviewees explained that the husband shares yields obtained from the land registered in his name to all wives. Peasant Administration level Land Administration Committee members also stated that all wives get their share from the husband's land in case of divorce. However, assessment on the regional land policy makes evident existence of policy gaps on land access rights of women in polygamous marriages.

Information obtained on single/unmarried women's access to abandoned or unoccupied land from interviews with LAC members in the Peasant Administration reflect that abandoned or unoccupied land is not distributed to single/unmarried women. LAC members mentioned that single/unmarried women did not apply to get land when abandoned or unoccupied land is distributed in the Peasant Administration.

Information obtained from focus group discussions with rural women on land access right of widows confirm that widows' access to deceased husbands' land is attached to fertility. These informants further disclosed in-laws would not allow a widow to live on their deceased relative's land if a widow is childless from that marriage.

4.6.7 Factors that affect women's right to and control over land and other assets.

Respondents were asked to tell the factors that negatively affect their right to land and other productive resources. Their response is displayed on the following table.

Table 30: View of women's about factors that negatively affect their right to land

Respondent's reply	Frequenc	Percent
Lack of women's capacity in terms of finance and knowledge follow up their rights	24	8.2
Attitudinal problem of men about women's right	110	37.4
Ignorance of women for their rights	15	5.1
Cultural taboo and negative attitude of the community about women and women's rights	87	29.6
Lack of attention from law implementers side and lack of enforcement of the Law	58	19.7
Total	294	100.0

Source: Own survey data, November 2015

As displayed on Table 25 above, quantitative data collected on views of women regarding factors that negatively affect their right to land and other productive resources, 110 respondents out of 294 (37.4%) replied that they are affected by attitudinal problem of men about women's right, 87 (29.9%) replied that they are affected by Cultural taboo and negative attitude of the community about women and women's rights, 58 (19.7%) replied they are affected by lack of attention from law implementers side and lack of enforcement of the Law, 24 (8.2%) respondents replied they are affected due to lack of women's capacity in terms of finance and knowledge to follow up their rights and 15 (5.1%) respondents replied ignorance of women in securing their rights.

Study findings reveal that majority of women believe their land right is hampered by attitudinal problem of men about women's right, Cultural taboo and negative attitude of the community about women and women's rights and lack of attention from law implementers side and lack of enforcement of the Law.

The women in the focus group discussion also stressed lack of legal court support, lack of financial capital to get lawyer and lack of information about court systems affects them in order to claim their land during divorce and dispute with neighbors.

4.6.8 Women's knowledge where to claim their rights.

Respondents were asked about their knowledge where they go and claim their rights during the time of divorce and when they face unfavorable circumstances and their opinion is displayed on the following table.

Table 31: Women's knowledge where to claim for their rights.

Respondent's response	Frequency	Percent
To district Administration	27	9.2
To district land Administration committee	34	11.6
To district women and children Affairs office	29	9.9
To District court	170	57.8
To Peasant Administration office	33	11.2
I do not know	1	.3
Total	294	100.0

Source: Own survey data, November 2015

As displayed on the table above, 170(57.8%) respondents replied they appeal to the District court, 34(11.6%) replied to district land Administration committee, 33(11.2%) responded that they go to Peasant Administration office, 29(9.9%) replied they appeal to district women and children Affairs office, 27(9.2%) responded they go to district Administration and 1 respondent said that she does not know where to go. As can be seen from the above table, high majority of respondents have pointed out where to go to find solutions to their right. In fact, all the mentioned possibilities are welcomed. But the issue is that do they really get solutions to their problems? Household survey respondents of this

study are highly disparate with respect to getting fair solutions from any of the above mentioned authorities including local elders to their land right and other social and economic problems as they mentioned in different parts of this section. Further, the issue is more reflected in case stories, key informant and focus group discussions.

4.7 Women’s right with respect to decision making

Respondents of the house hold survey were asked to respond on the extent of their right in discussing with their spouses and decide on what to produce on their farm land, share ideas with their spouses and decide about farm produces and other productive assets to be sold and have saying on the income to be generated from sales. Their responses are displayed on the following tables.

4.7.1 Women’s decision making right what to produce on the farm land

Respondents were asked whether or not they decide with their spouse on what to do or what to grow on the plot of land where they are registered in pair in the land ownership certificate. Their response is as displayed on the following table.

Table 32: Right of women to decide what to do to their land

Respondents response	Frequency	Percent
I can decide with my husband	28	9.5
I cannot decide on my self	183	62.2
I can decide on my own	83	28.2
Total	294	100.0

Source: Own survey data, November 2015

As revealed on the above table, 183(62.2%) respondents out of 294 replied that they cannot decide by their own, 83(28.2%) responded that they I can decide on their own and 28(9.5%) replied that they can decide with their husbands. The response of women respondents was presented in line with distribution of marital status of respondents by cross tabulation on the following table.

Table 33: Relationship of respondent's decision making with marital status

Response of respondents	Marital status of respondent					Total
	Married monogamous	Unmarried	Divorced	Widowed	Married-polygamous	
I can decide with my husband	28	0	0	0	0	28
I cannot decide on my self	146	13	0	6	18	183
I can decide on my own	3	0	48	32	0	83
Total	177	13	48	38	18	294

Source: Own survey data, November 2015

As displayed above, out of 177 married (monogamous) women 146 replied that they cannot decide on themselves, 28 respondents from the same group replied that they can decide with their husbands and 3 respondents replied they can decide on their own. All of 13 unmarried respondents replied that they cannot decide by themselves, 32 out of 38 widows responded that they can decide by themselves while 6 replied they cannot decide on themselves (due to interference of other family members) and 18 (all of) women in polygamous marriage replied that they cannot decide by their own and none of them replied they can decide with their husbands. Information obtained from interviews with Peasant administration Land Administration Committee members disclose that wives are not mostly consulted on matters related to land and are not informed on serious issues like leasing out land.

Chi-square test was run to check the relationship between decision making and marital status of respondents and result of the test is shown on table 34a below.

Table 34a: **Chi-Square Tests** result: Relationship between decision making and marital status of women

	Value	Df	Asymp. Sig. (2-sided)
Pearson Chi-Square	262.967 ^a	8	.000
Likelihood Ratio	298.045	8	.000
Linear-by-Linear Association	101.032	1	.000
N of Valid Cases	294		

a. 5 cells (33.3%) have expected count less than 5. The minimum expected count is 1.24.

Source: Own survey data

As displayed on the above chi-square test table, the test result shows that the p-value 0.000, is less than the significance level of 0.05.

Therefore, this shows that there is relationship between marital status of respondents and decision making on what to do to their farm land. The chi-square test cross tabulation table 34b below shows break down of the observed and expected frequencies ("Count") for each marital status group respondents and size of farm land .

Table 34b: Chi-Square Test cross tabulation: R/n between Marital status and decision making on what to do to their farm land

Marital status of respondent		Right of women to decide what to do to their land			Total
		I can decide with my husband	I cannot decide for my self	I can decide on my own	
Married -monogamous	Count	28	146	3	177
	Expected Count	16.9	110.2	50.0	177.0
	% within Marital status of respondent	15.8%	82.5%	1.7%	100.0%
	Std. Residual	2.7	3.4	-6.6	
Unmarried	Count	0	13	0	13
	Expected Count	1.2	8.1	3.7	13.0
	% within Marital status of respondent	0.0%	100.0%	0.0%	100.0%
	Std. Residual	-1.1	1.7	-1.9	
Divorced	Count	0	0	48	48
	Expected Count	4.6	29.9	13.6	48.0
	% within Marital status of respondent	0.0%	0.0%	100.0%	100.0%
	Std. Residual	-2.1	-5.5	9.4	
Widowed	Count	0	6	32	38
	Expected Count	3.6	23.7	10.7	38.0
	% within Marital status of respondent	0.0%	15.8%	84.2%	100.0%
	Std. Residual	-1.9	-3.6	6.5	
Married-polygamous	Count	0	18	0	18
	Expected Count	1.7	11.2	5.1	18.0
	% within Marital status of respondent	0.0%	100.0%	0.0%	100.0%
	Std. Residual	-1.3	2.0	-2.3	
Total	Count	28	183	83	294
	Expected Count	28.0	183.0	83.0	294.0
	% within Marital status of respondent	9.5%	62.2%	28.2%	100.0%

Source: own survey data

4.7.2 Women's right on decision making of family income and expenditure

Respondents were asked to reply regarding their position in making decision on incomes generated from agricultural produces and their response is as indicated on the table 35 here below.

Table 35: The position of women in decision making of family income and expenditure

Response of respondents	Frequency	Percent
I can decide with my husband	9	3.1
I do not involve in decision making	154	52.4
Sometimes I Involve in decision making	42	14.3
I decide on my own	84	28.6
It is decided by other family members	5	1.7
Total	294	100.0

Source: Own survey data, November 2015

Table 34 above displays the position of rural women in making decision regarding family income and expenditure. Accordingly, 154 (52.4%) women respondents out of 294 responded that they do not involve in decision making, 84 (28.6%) replied they decide by their own, 42 (14.3%) said that they sometimes involve in decision making, 9 (3.1%) said they can decide with their husbands and respondents 5 (1.7%) respondents replied It is decided by other family members. The study result reveals that majority of respondents do not participate in decision making of family income and expenditure or their husbands do not allow them to participate. Distribution of response of respondents by marital status is presented here below by using cross tabulation.

As displayed on the above table, 124 out 177 married monogamous women claimed that they do not involve in decision making, 42 respondents from the same married group replied that they sometimes involve in decision making, 9 married respondents replied that they can decide with their husbands and 2 respondents from the same married monogamous group replied that they decide on their own. With respect to divorcees, all of them (48 out of 48) replied that they decide by their own; because majority of them said “we are leading our family and it is our responsibility to decide how much for what purpose”. Out of 38 widows 33 replied that they can decide by their own while 5 responded that it is decided by other family members. On the other hand, out of 18 women in polygamous type of marriage 17 responded that they do not involve in decision making while 1 respondent replied that she can decide on her own.

Table 36: Distribution of women's decision making position by marital status.

	Marital status of respondent					Total
	Married - monogamous	Unmarried	Divorced	Widowed	Married-polygamous	
I can decide with my husband	9	0	0	0	0	9
I do not involve in decision making	124	13	0	0	17	154
Sometimes I Involve in decision making	42	0	0	0	0	42
I decide on my own	2	0	48	33	1	84
It is decided by other family members	0	0	0	5	0	5
Total	177	13	48	38	18	294

Source: Own survey data, November 2015

Generally, the study reflects divorcees and widows perform better in decision making while married (both monogamous and polygamous types) and unmarried women are deprived of decision making right.

Chi-square test was run to check the relationship between marital status of respondents and decision making on family income and result of the test is shown on table 37a below.

Table 37a: Chi-Square Test result: R/n between Marital status and decision making in family income

	Value	df	Asymp. Sig. (2-sided)
Pearson Chi-Square	319.285 ^a	16	.000
Likelihood Ratio	358.621	16	.000
Linear-by-Linear Association	101.828	1	.000
N of Valid Cases	294		

. 12 cells (48.0%) have expected count less than 5. The minimum expected count is .22.

Source: Own survey data

As can be seen from the above chi-square test table, the test result shows that the p-value 0.00 is less than the significance level of 0.05. Therefore, this shows that there is relationship between marital status of respondents and decision making on family income.

The chi-square test cross tabulation table 37b below shows break down of the observed and expected frequencies ("Count") for each marital status group respondents and size of farm land .

Table: 37b: Chi-square test cross tabulation: R/n between marital status of respondents and decision making on family income.

Marital status of respondents		Right of women to decide on family income and expenditure.					Total
		I can decide with my husband	I do not involve in decision making	Sometimes I Involve in decision making	I decide on my own	It is decided by other family members	
Married - monogamous	Count	9	124	42	2	0	177
	Expected Count	5.4	92.7	25.3	50.6	3.0	177.0
	% within Marital status of respondent	5.1%	70.1%	23.7%	1.1%	0.0%	100.0%
	Std. Residual	1.5	3.2	3.3	-6.8	-1.7	
Unmarried	Count	0	13	0	0	0	13
	Expected Count	.4	6.8	1.9	3.7	.2	13.0
	% within Marital status of respondent	0.0%	100.0%	0.0%	0.0%	0.0%	100.0%
	Std. Residual	-.6	2.4	-1.4	-1.9	-.5	
Divorced	Count	0	0	0	48	0	48
	Expected Count	1.5	25.1	6.9	13.7	.8	48.0
	% within Marital status of respondent	0.0%	0.0%	0.0%	100.0%	0.0%	100.0%
	Std. Residual	-1.2	-5.0	-2.6	9.3	-.9	
Widowed	Count	0	0	0	33	5	38
	Expected Count	1.2	19.9	5.4	10.9	.6	38.0
	% within Marital status of respondent	0.0%	0.0%	0.0%	86.8%	13.2%	100.0%
	Std. Residual	-1.1	-4.5	-2.3	6.7	5.4	
Married-polygamous	Count	0	17	0	1	0	18
	Expected Count	.6	9.4	2.6	5.1	.3	18.0
	% within Marital status of respondent	0.0%	94.4%	0.0%	5.6%	0.0%	100.0%
	Std. Residual	-.7	2.5	-1.6	-1.8	-.6	
Total	Count	9	154	42	84	5	294
	Expected Count	9.0	154.0	42.0	84.0	5.0	294.0
	% within Marital status of respondent	3.1%	52.4%	14.3%	28.6%	1.7%	100.0%

Source; Own survey data



Figure 5: women carrying dried leaves of Eucalyptus tree on donkeys to market for sale for family income.

"...we women work equally with our husbands. We work on agriculture in all kind of work. we collect fuel wood, dried leaves and cow dung for cooking and for sale to earn income to sustain our family; we feed and take care for our whole family .But we are not privileged to know and decide how much income is generated from sales of our resources .we work together but our husbands sale alone and decide on it alone..."

The above statements were said by one of focus group discussion participant woman whose picture with her pack animals is posted above was captured while she was driving alone two donkeys carrying dried tree leaves for sale to market to earn income.

Focus group discussion

With involvement of a total of 8 women focus group discussion participants from 3 villages of Ano Ker Peasant Administration the following issues were discussed: Problems related to women land right within the community, knowledge of women on land right during divorce, marriage and inheritance, way of information transmission during the campaign, how the committee was selected and the outcome of the campaign.

According to the check lists, the women group responded that one of key problems related to marriage and women's right in the area is problem of polygamous marriage. The first issue under this point was that, the male marries another wife at the presence of his existing wife and share the limited land to his new wife. If the senior wife is divorced from her marriage, she will not be able to get equal share land from her husband. Since a part of the land has already been committed to the other wife, the divorced woman will get less area of land than her husband. Other problem strongly discussed under this point was that the second wife in polygamous type of marriage is not registered in the land holding certificate and she is not entitled to claim for land when her husband fires her or during the time of divorce. Women's Affair Office staff confirmed the above statement that polygamy marriage is one of the major problems in study area. Women who participated in focus group discussion also disclosed that claim for land share during divorce is very difficult for majority of women. They explained that those women who have children from their husbands might have possibility of claiming land and those who have no children suffer more in claiming land share during divorce.

In the discussion, the participants were more highlighted to know about land measurement during the campaign process rather than highlighting more towards the knowledge about women's land right. Women group said even the highlighting on land measurement was not conducted through physical involvement but rather through second hand information.

Regarding information obtained from focus group discussion with women's involvement or participation in community activities and community decision-making participants explained that no single woman involved in Land Administration Committee (LAC).The men key informant group confirmed that the need for women's participation was not mentioned at the time of their election and that they were not aware of it.

On the other hand, women group discussion reflects that most of them have no decision making power in community decision making activities and on family income/expenditure and land administration regarded issues. They strongly emphasized that Women's involvement in community activities and land administration process, decision making and leadership is low. Women are marginalized from community decision making practice in the study area.

The female focused group further confirmed that only men have the access to participate when new information is announced by the government and other bodies. This was also confirmed by the key informant participants discussion. Therefore, the result of women focus group discussion supplements what has been mentioned by women house hold survey respondents on similar issues.

Discussion with key Informants

The researcher interrogated the District Agriculture and Rural Development Department (DoARD), which is responsible for Rural land administration, the district level Women and Children Affairs office and the district Administration office. Total of 5 key informant participants, out of which 3 females and 2 males involved in the discussion. The key informants were interviewed at their respective offices separately.

The following questions were forwarded in the form of interview to District Agriculture and Rural Development Department (DoARD) representative key- informant:

How information about land administration and utilization proclamation has been transmitted to the community, How awareness creation campaigns and trainings on recent land reform was organized, Who played leading role while conducting the campaigns, main source of information for dissemination of the message of land right reform? And was it appropriate for both men and women? What was the main message delivered during the campaign? How were the participants selected? Were both men and women having equal chance to participate? Was women land right included as main issue in the campaign/training? Do you feel that people's knowledge regarding women's land right is changing through time and Do you feel that women have benefited out of implementation of land registration and certification process in line with what the proclamation says about women's land ownership right and control over it and What activities have been made so far to raise the awareness level of the community on women's land right?

According to explanations given by vice head of the District Administration, who is in charge of Land Administration the awareness on land registration and certification was delivered to all communities of the study area. Before the awareness creation programme was conducted, campaign was undertaken as the only method to inform the community to come and attend the meeting for awareness creation. Hence, it was organized by the office of Agriculture and Rural Development Department in coordination with representatives of other offices as explained by vice head of the District Administration. Further, he also mentioned that the committee constituted had only men and

was given the responsibility to disseminate information about the campaign to landholder household head of the society members.

According to the explanation, the awareness creation campaigns were mainly focused on farmers that have paid their land taxes and the campaigns were done in line with them. As explained by vice head of the District Administration the following four main issues were delivered during the campaign, namely:

- Land measurement
- The purpose of land certification
- Create sense of ownership among the participants by providing education about land certification and registration
- Solve problem related to land

The discussion participants confirmed that, the awareness creation programme did not involve significant number of women because of triple reasons. Firstly, women in the area are always engaged in both productive activities in their locality and shoulder family responsibilities so that they have no time to attend such important meetings due to work load. Secondly, the existing socio cultural tradition influence hindered women from participating in such official programmes. Thirdly, women themselves had not interest to participate in the meetings.

Regarding the procedure followed on the campaign the DoARD head explained that first five individuals from each sub Peasant Administration were selected as a land administration committee (LAC) member. A total of 25 people were selected as LAC from the five sub PAs and then training was given to them. Additionally, as the PA coordinators, five individuals were selected to coordinate each sub PAs.

Surprisingly enough, in the established committee women were not represented. The reason for women not being represented in the committee according to the key informants was that the work is tiresome for women, hence that they could not do it properly. The BoARD head further added that nothing has been done to raise the awareness level of the community especially regarding women's land right, but generally awareness creation on land certification and administration process was given more emphasis.

According to the explanation of the District Administration delegate key informant, men are the dominant figures over the use and control of land property right. Women don't have enough knowledge about their land right, because the community's attitude and culture of the community has stress on women from participating in meetings and trainings to know about their land right. But widowed women are relatively in better position than the other women understanding on their land right. The above answers contradict each other because DoARD did not participate men and women equally at all levels of the campaign and consequently women lacked the information that would have allowed them to know about their land rights.

According to the informants, in the recent years, there are some improvements regarding women land right. Male counter parts relatively know the law towards women land right equality better than women. However, women still do not claim for their right mainly due to lack of knowledge aside from cultural barrier. The major problem encountered in women's land right according to the in depth interview during the campaign was the dominance of male over female and males' unwillingness to register with their female counterparts.

Furthermore, DoARD has a plan to raise the awareness level of the community on women's land right through organizing different awareness creation programmes and ensuring the participation of both male and female equally on the programme so as to improve the existing situation of community knowledge on women's land right . The study forwarded the following questions to the Women and children Affairs Office key informants:-

- How and who organized awareness creation on land administration proclamation campaign and trainings
- Was your office active participant during awareness creation campaign and land certification process?
- Do you think that women equally participated during campaign and were the DoARD mainstreaming gender included in the program?
- What activities has the office been doing so far to raise the awareness level of the community on women's land right

Key informants of the women's and children Affairs Office staff answered to the above questions. The key informants responded that land administration proclamation campaign was organized by DoARD. The key informants from women's and children Affairs Office further explained that their office

was not this much active participant during the inception of land administration proclamation campaign and trainings and that the office is playing now active role in this regard. They also explained that women did not participate in the campaign equally with men because the campaign was organized only for household heads that paid their taxes of land. Furthermore, they explained that the DoARD did not mainstream gender in land administration and registration programme. The follow up question forwarded to the staff was as how the Women's Affairs Office organized the awareness creation program to enhance knowledge about women's land right. The staff also responded that women's and children Affairs Office had responsibility for awareness creation and give training on women's land right for community in general and for women in particular. Women's Affairs office use different networks to create awareness to enhance knowledge on women's land right such as women's association, women's league and women's federation at community level.

A question was also asked about the main problem that the organization was facing regarding to women's land right and which type of land related cases were coming to the office. According to the staff the major problem related to women's land right was the issue of land share during divorce and polygamy. During time of divorce, husbands create a number of obstacles not to share part of the land to divorcees suffer a lot and they come to their office seeking solutions to their problems. Further, the husband married to another woman on top of the existing wife and some husbands share the land to his new wife and this creates conflict because the existing or senior wives do not allow share of land to the new wife. Under such circumstances, misunderstanding between the husband and the first wife easily created which finally led to a conflict. Hence women showed up to the Women's Affairs Office and complained the case. Not only this, said key informants; husbands are not totally willing to share part of their land to women in polygamous marriage during divorce and they appeal to our office seeking solution to their problems.

Finally the staff stated that Women's Affairs Office has planned to ensure equal participation of both men and women in awareness creation programme to improve knowledge of the community in women's land right and inheritance in practice.

On the other hand, relevant questions were raised to two key informants from Land Administration Committee at local or Peasant Administration level. Both interviewees were also male ones because there were no women in the land administration committee. Both interviewees disclosed that no sufficient information have been shared to women about their land use right and control over it because

they were not willing to actively participate on trainings and meetings may be due to work load they shoulder at home; they said.

Generally, it can be concluded that there is deep rooted gap in the community and among elites in recognizing women's right to land and control other productive resources.

Chapter five

4. Summary, Conclusion and Recommendation

5.1 Summary

Women's land rights issues had become prominent in women's equal rights in international conventions and international human rights instruments set by the UN. Gender inequalities persist regardless of these efforts because of gender power relations in communities. The patriarchal gender relation determines women's socio-economic status at household and community levels.

Rights to land determine the decision-power of women in the society and in the household, and it also determines their social and economic well being. This study has tried to assess the importance of land ownership on the livelihood of women implementation of rural land use and administration proclamation and the main constraints that women face in relation to access and control over resources and land and practical application of land use proclamations issued by the Federal Government(FDRE) and adopted by Regional Governments. Rural land reform policies affirming women's equal rights to land hardly bring intended changes in reality and bring about women's empowerment. Most land reforms institutionalize systems that usually fail to challenge existing community gender perspectives on women's access to and control over land. Rural women's access to land and control power they exercise on it is constrained by multiple interweaving factors.

Major factors affecting women's access to and control over land and other productive resources are summarized here below:

Education

Survey findings on educational status of respondents reflects high illiteracy rate among women in the study area. Household survey findings reflect that out of the total 294 respondents 34.4% (101) are illiterate and 26.9% (79) have non-formal basic education, which is very low and harmful to women. Education is one of the vital conditions that enable women to know their rights. Un-educated women lack strength, hope and confidence in facing challenges in their daily life; hence it needs great effort to change the situation.

Gaps in Rural land policy and legislation

The current land tenure system is based on land administration and use proclamations issued by FDRE and regional governments. Oromia Region issued proclamation on rural land use and administration and a regulation (ONRS, 2002, ONRS, 2003), based on mandate provided by FDRE rural land

administration and use proclamation (FDRE, 1997). The proclamation affirmed free access to land to any resident of the region 18 years or above who wants to live by farming without distinction on basis of sex.

The policy entails elimination of gender discrimination with regards to use right on land and its transfer. This is a good policy move as compared with previous systems. However, this study makes evident existence of gaps in the policy and gaps between policy and implementation in women's access to and control overland. Assessment of the Oromia rural land proclamation and the implementation regulation from a gender perspective reveal gaps in policy provisions on women's access to and control over land.

The regional land use and administration proclamation and the implementation regulation didn't give strong emphasis to landholding and administering rights of women. Using households as unit of rural land allocation had impact particularly on women's control over land. Literature revealed that women's control over land is more important as it ensures socio-economic empowerment of women and results in gender equality. Thus, this is significant policy drawback on the regional rural land administration. Furthermore the land administration implementation regulation which addresses a number of issues has no provision on issues of FHHs particularly on issues of widows and single/unmarried women.

The rural land registration process recognizes spousal-joint registration rights on land for married women. Secondary sources assessed for this study reflected that landholding certificates issued on spousal-joint registration carries photos of both spouses but there were cases where the wives have not signed. According to the proclamation, both spouses have to sign on the certificates.

The regional rural land use and administration proclamation has no provision on promoting the policy and familiarizing communities with the land administration system. Knowledge of the regional rural land policy and the land administration system is low, particularly among women as information is communicated on community meetings. Information is less accessible to rural women given the high illiteracy rate, low access to information and low participation in community meetings. Knowledge of the regional rural land policy and relevant legislations affecting women's rights to land is also low in the study communities. Women's knowledge on other relevant policies such as the National Policy on Ethiopian Women and the Oromia Family Law is also very limited. In addition, the regional rural land policy and the implementation regulation had overlooked women's participation in

the land administration process. There is no provision on women's participation in the land administration process at community level.

Regardless of policy provisions, implementation in the study area revealed discrimination against women in access to and control over land. Findings from assessment of the regional rural land policy and the survey conducted reveals gaps between policy provisions and actual implementation. Study findings reflect that single/unmarried women are not provided access rights to abandoned or unoccupied land. Survey findings on widows' access rights to land reveal that practice remains discriminatory to childless widows. In spite of policy provisions on equal rights on inheritance and divorce, survey findings reflect that women barely access land through inheritance and secure share of marital land at divorce. The two case stories reflect the reality on dominance of customary practices on land rights of women to marital land at divorce and to parents' land by inheritance. Survey findings on land access rights of women in polygamous marriage reflect that rights of these women is restricted to getting share of land except agricultural products from household land registered on husbands' name.

Farming system:

As reflected on the literature review part, the agricultural sector plays important role in the country's economy. The study area is noted for cultivating dominantly variety of food crops. In this study women have significant contribution on household farms. However, the existing gender division of labor in the farming system makes women's contribution invisible in the study area. Women's labor contribution on farm activities and their reproductive roles that support the farming system is not fairly considered. Agriculture is based on plough cultivation in the study area. The ox-plough farming system and cultural taboo on women's ploughing had affected particularly FHHs. Female House Holds(FHHs) are forced to enter into sharecropping arrangements or to lease out their lands for they cannot make use of their farm lands without sufficient input and also higher daily labour to cultivate their farm land . As reflected in literatures FHHs are disadvantaged because, these households get less benefit from the land they hold. Male headed households have better access to farm products, earn more income and spend more on what they wish to do.

Marriage

Consistent to literatures reviewed for this study, marriage becomes a primary means to get access to land. Most survey respondents are married women and divorcees comprise the second and widows comprise the third large number. Married and widowed women get access to land through marriage as widows get access to land by inheriting their deceased husbands' land. The study reflects that

unmarried women hardly access land through inheritance and divorced women hardly access land through marriage. Women in polygamous type of marriage are denied to claim during time of marriage. Generally, legal provisions on female land right of divorcees to marital land are not fairly recognized in the study area.

Customary laws and practices

Women's access to and control over land is affected by customary laws and practices in the study area. These practices not only affect women as a whole in these communities but, make differences among group of women under different marital statuses. Study findings reflect that traditional practices in the study area make widows' access to their deceased husband's land conditional to having child/children from that specific marriage. Widows are allowed to live on their deceased husbands' land to raise their children and to farm on their children's land.

Polygamy has strong cultural bearing on women's access to land in the study area. Polygamy is an accepted norm by communities under this study including women themselves. It is attached to infertility and ageing of women. Survey findings on land access rights of women in polygamous marriages reflect that implementation of the regional rural land administration regulation is consistent to the pre-existing community practices. Women in polygamous marriage are affected by customary practices to the extent their access right to land through marriage become questionable. Because, right of these women is limited to sharing products obtained from the land registered on the husband's name while in marriage. Realization of marital property rights at divorce of women in polygamous s marriage is also uncertain given community practices on ensuring marital land rights. Although the regulation provides joint registration rights on the husband's land to all wives study findings reflect that their individual right is hardly realized in practice.

It is surprising that high majority of household survey participant women(236 out of 294 respondents) believe that women in polygamous marriage are not supposed to claim for land share during divorce unless the senior permits. This shows how much customary laws and practices have affected women's right and attitude.

The land administration process

The rural land administration process in the District is being carried out by District Agriculture and Rural Development Office and an established local level committee, LAC. The gender aspect of the land administration process reflects pre-existing community biases. This is reflected on formats used, procedures followed in the land registration process and on women's marginalization from

participating in the land administration process. Women are not equipped with sufficient information regarding women's right to land, establishment of Land Administration Committee and land registration and certification processes.

Decision-making

Secondary sources assessed for this study reflected that the land administration implementation programme was aimed at initiating community participation at local levels. Despite this policy commitment, practice in the study area reveals that women are mostly marginalized from participating in community activities and decision-making. Female participation is not considered in the land administration process from its early stage to final implementation. None of the Peasant Administration (LACs) and Sub-committees has female members. The problem is not limited to women's marginalization from the process but, also their lack of information on how LACs election was carried out. 261 respondents (out of 294 respondents)replied that they do not know how Land Administration committee was established.

At household level women have less influence on decisions on land and land related matters like on what crops to grow on the land, on sales of produces and control of income. Low decision-making power has become challenge to women's meeting their responsibilities in household food sufficiency. Women mostly involve on off-farm activities to fulfill family food needs. The relationship between decision-making power exercised by women, land registered in own names and their marital status are made evident by this study.

5.2 Conclusion

Women's property rights are protected under international frameworks such as the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). Given the centrality of land to development and livelihoods, and the role of women in such processes, discrimination in access to and possession of land is both a violation of the human rights of women and a barrier to economic development. Article 14 (g) of CEDAW provides for equal treatment of women in land and agrarian reform as well as in land resettlement schemes. This provision also calls on State Parties to facilitate access to complementary measures such as credit.

Taking the importance of land into account, Ethiopia has afforded a legal protection for a woman's right to equality with men and equal protection before the law under its Federal Constitution of 1995, State constitutions, family laws and land laws. Thus, Ethiopian women have equal right to own, administer and control property under the existing laws. Particularly, they have a right to access the rural land free of

charge and control it equally with men. The revised family codes of the country also uniformly recognize a woman's right to equal share of a common property, including land, upon divorce. Furthermore, women have an equal right to property inheritance.

Literature reviewed in this study reflected women's access to and control over land has positive impacts on household food supply, household income and family welfare. Above all women's equal access to and control over land enable them to gain higher status in households and in communities.

In spite of substantial global advancements and policy considerations in women's equal rights, their equal right to land is not ensured in most settings. Achievement is even less in ensuring women's control over land.

The Oromia National Regional State rural land use and administration proclamation is issued based on the current and land tenure system. It is non-discriminatory on the basis of sex owing to the FDRE constitutional commitment on gender equality. However, findings of the study and assessment on the rural land proclamation and the implementation regulation from a gender perspective discloses that the policy is not efficiently implemented gender sensitive to address existing community gender biases on women's access to and control over land.

Moreover, using households as unit of rural land allocation in the land administration system has impacts particularly on women's control over land. Women's access to land should not be deemed as an overall policy goal although it is a means to women's control over land. This is a significant policy drawback as rural women cannot get empowered and achieve equality without gaining control over land. Control over land therefore is very important for ensuring gender equality in land rights as rural women's empowerment brings about sustainable rural development, alleviates poverty and ensures food security.

As per findings of this study, implementation of the land administration process has not fully achieved policy aims in women's access to and control over land. This is reflected on policy limitations to address competing factors that hinder women's equal access to and control over land in the study area. Rural land policy should apply effective implementation strategy to address women specific issues that affect their equal rights to land. Gender mainstreaming strategy should be applied in the rural land

administration system to remove existing barriers that retard women's equal access to and control over land. The rural land administration system needs to be gender inclusive and gender responsive to ensure women's equal access to and control over land.

This study reveals that the regional rural land administration system lacks an autonomous institution to implement the policy regardless of policy commitment. This is a significant gap because policy implementation requires institutional mechanism with clear duties and responsibilities at all levels. Support from a well established institution at Woreda/District level will facilitate policy implementation at Peasant Administration level.

Knowledge and awareness on women's equal land holding rights is critical to all concerned bodies including women themselves to realize women's rights on land. Knowledge and information on the regional land administration and use proclamation and other relevant legislations is limited among women in the study area. Knowledge and information is essential for women because most women hold secondary rights. They have to be aware of the rules and their legal rights to raise claims and to challenge denial of opportunities and rights. As reflected in the two case stories, women's awareness on their land rights plays vital role in breaking traditional barriers to women's access to and control over land.

The harmful practices are also prevalent among men who involve in various government organs at different levels. Moreover, women generally lack legal awareness on the breadth of their right to the rural land. Therefore, legal awareness campaign should be undertaken by concerned bodies towards women, society and law enforcing organs at all levels.

Women residing in rural Ethiopia are the most disadvantaged groups who are both illiterate and poor who face inconceivable challenges because of the society's stereotypes and discrimination against them. When they are evicted from their landholding illegally and thrown out to the field, it is really the most life threatening act that must be interfered by the concerned governmental bodies such as the women and children affairs bureau. It is suggested that a provision of an effective legal aid for the Ethiopia women can be a voice for the voiceless.

In addition to the practical problems, the law also has a gap with respect to women in polygamous marriage. It does not specify how they can get their share from the matrimonial property. This legal gap

could be filled by amending the relevant law.

5.3 Recommendations

This study clearly points out existence of gender disparity in access to and control over land in the study area of Degem District in Oromia Region and lack of implementation of rights given in constitution and Rural Land use and Administration proclamations. Contributing factors to women's inequalities need to be addressed effectively to ensure women's access to and control over land in the study area.

This can be achieved by reviewing and strengthening the role of District Women and Children Affairs office the existing regional rural land policy, establishing autonomous land administration institution, mainstreaming gender in the land administration system, carrying out advocacy and awareness creation activities on women's land rights, networking and experience sharing, initiating women's involvement in community activities and decision-making, introducing female friendly plough technology and by carrying out further research in the subject area. In light of the above mentioned general recommendation ideas, due attention is needed on the following key areas.

5.3.1 Role of Women and Children Affairs office and Department of Agriculture and Rural Development.

- Initiate advocacy and awareness creation programmes to improve knowledge of women regarding their land right and legal process; and improving access to training and meeting to reach all women in community.

- Working closely together and creating strong network with Women's league and Women's Association in community level and should be given education and training in continuous way and adders all women Encourage and fully participate training and meeting. Because the knowledge and information of legal land rights is essential to realize and help women to claim land holding rights by breaking cultural barriers that hinder women's land right.

- Organize strong Women's Association and women's group in village level and empowering them to focus on interventions of improvement of women knowledge on land right. The rural women have a lot of work burden and do not have time to participate meeting and training. Women and children affairs office need to study appropriate way to reach the rural women and minimize their work load by introducing and disseminating appropriate technology. E.g. fuel saving stove and improved

farm tools.

- Gender mainstreaming should be applied in the Department of Agriculture and Rural Development and land administration system to improve the existing situation and women's equal participation in land administration and certification programme and strengthen women's land right.
- Arrange trainings for local authorities, women association leaders, and land administration committee and community leaders on the strengthening of women land right so that they help to effectively implementation of the reform.
- Awareness creation campaign organized so far lacked women participation. Hence, intensified awareness creations have to be made whenever campaign is arranged to clarify and strengthen women's land right that is stated in recent rural land administration reform with equal participation of men and women. The land administration and implementation system should design strategies to initiate active involvement of women in the land administration process at different levels.
- Initiating women's involvement in community activities and decision-making process. Women should be elected in the local land administration committee to be involved and empowered to leadership position in LACs.

Role of office of Education, District Administration and Administrative structures at all levels.

- Survey findings on educational status of respondent reflects high illiteracy rate among women in the study area. Household survey findings reflect that out of the total 294 respondents 101 are illiterate and 79 have non-formal basic education, which is very low and harmful to women. The right to education is the entitlement to access free primary education, and to have equal opportunities to continue with further study. Such education must be inclusive and accessible to girls and boys, women and men, in law and in practice. Education is not only a right in itself, but is also the surest way to empower individuals to enjoy all of their human rights. Education paves the way out of poverty and disempowerment, and opens up access to participation in society and in political decision making.

Therefore, office of education and local Administration have to critically assess females school enrolment status at all levels, strengthen non formal education in order to up lift those illiterate young girls and women and initiate parents to send their children to school to fight against illiteracy and alleviate the knowledge gap created between men and women. It is the only and only way that women could emancipate themselves from any dominance in the society like the women's land right.

- Study findings indicate absence of autonomous institution as gap in addressing women's issues in the land administration system. This study also revealed loose linkages between the rural land policy and other regional legislations like the regional family law which provides women's equal rights on land in marriage and on its abandonment. Therefore, this study forwards recommendation to address gender gaps identified, to ensure women's equal access to and control over land in the study area. The Oromia rural land proclamation needs revision from a gender perspective to address women's specific issues and the land administration system should consider women's participation in the process, their contribution to the system as well as their equal benefits from policy outcomes.
- Rural land administration system should pay attention to gender power relations in households and communities. Because it affects women's involvement in community activities including decision-making and their access to and control over agricultural resources. Therefore gender aspect of rural land policy as well as its implementation should consider gender power relations, particularly intra-household gender power relations to ensure women's equal access to and control over land.
- Whenever there is information from the government, for instance like the recent rural land administration reform, women have to be aroused by local authorities so that they may have equal access like men to participate in various political meetings, campaigns and trainings.
- To over-come culture and traditions that affect realization of women's equal land rights, the Local Administration should work together with Women's Association and community leaders to address these issues through awareness creation programmes to change community's attitude and practice and special attention should be given in this regard.
- Moreover, Local Administration should collaborate with women's association to teach people about the socio-economic problem how polygamy imposes on rural peoples, especially women so as to improve the knowledge of men to abstain themselves from the practice and improve the knowledge of women on how to claim their land rights if their husband become polygamous.
- Women face challenges in enforcing their rights through the lengthy trial procedure from Peasant Administration (the lowest administrative unit) to the Federal Court of Cassation due to resource limitation and lack of an effective legal aid system to women. Thus, there should be organized state

funded legal aid scheme which exclusively aims at the women's empowerment and enforcement of their rights to property including rural land.

Further research

Researches on rural land issue will help to point out problems on women's land rights. Therefore, in depth research on women's access to and control over land should be carried out to come up with sound implications on the regional and Federal level rural land policy and its implementation.

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Household Survey questionnaire

Dear respondent,

I am a graduating student from Open Indira Ghandi University, Master Degree on Rural Development. In partial fulfillment of the program I am undertaking the research on An **“Assessment on Rural Land use and Administration Policy Implementation with respect to Women’s equal access to and control over land rights in Ethiopia: *A case study of Degem District, North Shewa, Oromia National Regional State.*”**

This survey questionnaire aims to collect sufficient and valid data pertinent to the topic of study in order to comply with academic requirements. The finding of this research will contribute its share by making recommendations on the gaps to Local Administration, and concerned Government authorities at all levels on Rural Land use and Administration Policy Implementation with respect to Women’s equal access to and control over land. Your respectful response to these questions thus will have a big impact on the result of the study.

Finally yet importantly, I assure that all personal information obtained from you will be kept confidential.

Thank you very much for your understanding and cooperation

The Researcher

Date of Data collection: _____

Respondent's ID: _____

Name of data enumerator: _____

Geographic information

Region: _____ Zone: _____ Woreda/District: _____ Peasant
Administration: _____

2. Household information

Head of household

Male _____ (1) Female _____ (2)

2.2 Marital status of head of Household

Married _____ (1) Unmarried _____ (2) Divorced _____ (3) widowed _____ (4)

2.3 Age of head of HH

15-20 year _____ (1) 41-50 year _____ (4)

21-30 year _____ (2) 51-60 year _____ (5)

31-40 year _____ (3) above 60 year _____ (6)

2.4 Educational level of head of household

First cycle (grade 1-4) _____ (1) Second cycle (2) _____ (2) High school _____ (3)

College Diploma _____ (4) 1st degree _____ (5) Illiterate _____ (6) Read
and write _____ (7)

Total household size _____

3. Regarding the respondent (female)

3.1 Age of respondent

15-20 year _____ (1) 41-50 year _____ (4)

21-30 year _____ (2) 51-60 year _____ (5)

31-40 year _____ (3) above 60 year _____ (6)

3.2 Educational level of respondent

First cycle (grade 1-4) _____ (1) Second cycle (grade 5-8) _____ (2)

High school _____ (3) College Diploma _____ (4) 1st degree _____ (5)

Illiterate _____ (6) Read and write _____ (7)

3.3 Marital status of respondent

Married-mono polygamous _____ (1) Unmarried _____ (2)

Divorced ____ (3) widowed ____ (4) Married –polygamous ____ (5)

3.4 To which Ethnic Group do you belong to?

Oromo ____ (1) Amhara ____ (2)
Guragae ____ (3) Tigray ____ (4) other ____ (5)

3.5 To which religious affiliation do you belong to?

Orthodox Christian ____ (1) Protestant Christian ____ (2) Muslim ____ (3) Other/ ____ (4)

4. Respondent's Participation in agricultural activities

4.1 In which of the following agricultural activities do you involve?

I involve in weeding and harvest field preparation ____ (1)

I involve in other farm activities in addition to weeding and harvest field preparation ____ (2)

I don't involve on farm activities because, I've to look after children & I have to do household activities ____ (3)

I don't work on the farm because my labor is not needed ____ (4)

I don't work on the farm for other reasons ____ (5)

4.2 Regarding Women's involvement in ploughing

Do you involve in ploughing activities?

I don't plough, my husband ploughs the household land ____ (1)

I don't plough, family members plough the land ____ (2)

I don't plough, friends and relatives plough land for me ____ (3)

I don't plough, I hire labor to plough my land ____ (4)

I don't plough, I use other means ____ (5)

5. Regarding Respondent's income and expenditure trend

5.1 How much do you earn from sales of agriculture/farm activities annually

Less than Birr 1,000 ____ (1)

Birr 1,500-2, 500 ____ (2)

Birr 2,500-3,500 ____ (3)

Birr 3,500-4,500 ____ (4)

Over Birr 4,500 ____ (5)

I do not know ____ (6)

5.2 On what do you spent the income you earn from sales of agriculture /farm activities?

For Household need satisfaction, purchase of farm inputs; plough oxen____(1)
For other investment such as buying cattle, leasing land, fattening____(2)
For house construction and maintenance, etc_____(3)
Non respondents_____ (4)

6. Women's knowledge about land proclamations , land registration and certification processes

6.1 Have you heard about land proclamation and certification?

Yes____(1) No_____(2)

6.2 If you say yes, how was the information transmitted?

Through media____(1) Through Meeting____ (2)
Through campaign____(3) Through training____(4)
Through Word of mouth____(5)

6.3 Have you participated on training/meeting/campaign/ on issues related land proclamations land use and right?

Yes/_____(1) No_____(2)

6.4 Was the women's land right clearly specified during the meeting or training?

Explain it

Very good _____(1) Good_____(2)
Medium_____(3) poor _____(4)
very poor_____ (

6.5 Do you have knowledge that the proclamation says women and men have equal right to own, and inherit land from their parents?

Ye_____(1) No_____(2)

6.6 If yes, have you inherited land so far?

Yes/_____(1) No_____(2)

6.7 "law enforces rural land use proclamation implementation. Hence, both male and female fairly benefit as stipulated in the proclamation". Do you agree to the above statement

I strongly agree_____(1) I strongly disagree ___(3)
I agree _____(2) I disagree_____(4)

6.8 Do you own plot of farm land? If yes, what is size of your farm land ?

Less than 0.5 hectare_____(1)

0.5 to 1 hectare_____(2)

1.00 to 1.5 hectare_____(3)

Above 1.5 hectare_____(4)

I do not have farm land

6.9 If you have plot of farm land, how did you get your land?

As inheritance_____(1) Shareholder during divorce_____(2)

As a gift from my parents _____(3)

Through land redistribution_____(4)

6.10 Do you have land certification book registered in your name or with your husband ?/

Yes, I have my own land certificate (1)

No I do not have my own (2)

I am registered with my husband (3)

If yes, can you show me certificate? If no why?

6.11 Does the new right to land help women to claim their right during divorce? Or is it the same before?

Yes_____ (1) to some extent _____ (2)

It is the same as before_____ (3)

6.12 where do you go to claim your land right if you divorce?

to woreda administration_____ (1)

to woreda land administration committee ____ (2)

to women and children affairs office_____ (3)

to court _____ (4)

to Kebele administration _____ (5)

I do not know_____ (6)

6.13 Do you think women land rights are secured after certification?

Yes___ (1) No___ (2) Only to some extent___ (3)

If you say no why

6.14 According to your opinion What are the major factors that negatively affect women's land ownership use right ?

Lack of capacity of women both financially and knowledge wise to confront challenges against their rights_____ (1)

Male's supremacy over female_____ (2)

Ignorance of women for their rights(3)

Cultural taboo and low awareness of community towards women's land ownership rights_____ (4)

Others,specify_____ (6)

6.15 In the case of polygamy marriage tradition, do you believe that all women married to a person have equal right of land and other assets during time of divorce and right of inheritance when the husband dies?

Yes, all wives have equal right to share holding and inherit (1)

Only senior wife has the right to share holding and inherit (2)

Only those junior wives recognized by the senior wife have the right to share holding and inherit; otherwise not possible (3)

4.16 what is your knowledge and information on Kebele LAC (Land Administration

Committees') election ?

Kebeles & the Woreda facilitated the process and all community members elected LAC members_____ (1)

Kebeles & the Woreda facilitated the process and male community members elected LAC members_____ (2)

Kebeles & the Woreda facilitated the process and only household heads elected LAC members_____ (3)

Kebeles facilitated the process and all community members elected LAC members_____ (4)

I don't know how it was carried out_____ (5)

7. Household decision-making and control over land and other productive resources ,income and expenditure

7.1 In case you are a landholder together with your husband, do you decide together with your husband what to do to your land?

Yes_____ (1) No____ (2)

7.2 Do you think that you can make decisions on sales of agriculture/farm activity products , income and on expenditures?

I decide on the amount to be sold with my husband_____ 1)

I do not involve in decisions _____ (2)

Sometimes I involve in decisions_____ (3)

I decide on my own_____ (4)

It is decided by others_____ (5)

7.3 Which of the following productive assets can you own and control over it?

I can own and control cow and oxen_____ (1)

I can own and control Horse, mule and donkey_____ (2)

I can own and control sheep, chicken and goats____ (3)

I can own and control chicken only_____ (4)

I cannot own and control productive assets_____ (5)

No response_____ (6)

Appendix: I

Check list- Focus group discussion-community

1. What is the main problem related to women land right in the community?
 2. What do you think about the knowledge of community on women's land right during inheritance, divorce and on marriage?
 3. During land certification how was the information about land administration and utilization proclamation transmitted to the community? By whom?
 4. Do you think that the information addressed both men and women equally?
 5. Do you think women is the member of land administration committee (who is land administrate committee)
 6. Do you think that the existing joint land certification of husband and wife strengthen women's land right?
 7. Do you think that training about land administration and utilization proclamation important to improve knowledge of women's land right?
 8. What is the knowledge and practice of the community about the women land right?
-

Appendice: II

Check list for -Key informants interview

Agriculture and Rural Development Land Administration Department

1. How was information about land administration and utilization proclamation transmitted to the community?
2. How was awareness creation campaigns and trainings on recent land reform organized?
3. Who played leading role while conducting the campaigns?
4. What was the main source of information for dissemination of the message of land right reform? Is it appropriate for both men and women?
5. What was the main message delivered during the campaign?
6. What type of media was used for the dissemination of information about land reform?
7. How were the participants selected? Were both men and women having equal chance to participate
8. What criteria used for selection of people for training? If there was training?
9. Was women land right included as main issue in the campaign/training?
10. Do you feel that people's knowledge regarding women's land right is changing through time?
11. Do you feel that women have benefited out of implementation of land registration and certification process in line with what the proclamation says about women's land ownership right and control over it?

Appendice: III

Check list for - Key informant- women and Children Affair's office

1. How was information about land administration and utilization proclamation transmitted to the community?
 2. Was your office active participant during in the process of land registration and certification ? How was awareness creation campaigns and trainings on land certification organized and who conducted it?
 3. What was the role of your office to organize awareness creation programme to enhance knowledge about women land right?
 4. Do you think that women equally participated during campaign?
 5. What are the main problems your organization facing regarding women land right?
 7. Which types of women's land right related cases are coming to women's affair office?
-

Appendices: IV

Check list for - nKey informant interview: Local (PA level) land administration committee

1. How information about land administration and utilization proclamation transmitted to the community?
2. How do organize awareness creation campaigns and trainings on land certification?
3. Who was conducting the campaigns?
4. What was the main message delivered during the campaign?
5. How were the participants selected? Were both men and women having equal chance to participate the campaign?
6. Was women land right included as main issue in the campaign/training?
7. How often the question of women land right comes to your office?
8. Is people's knowledge regarding women's land right changing through time?

PRORMA FOR SUBMISSION OF M.A (RD) PROPOSAL FOR APPROVAL

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Name of study Center :**St.Mary's University Collge-8105**

Name of Guide _____

Title of the project : **An Assessment on Rural Land Administration
Policy Implementation with respect to Women's
equal access to and control over land rights in
Ethiopia-*The Case Of Degem District,Ano Kere
Peasant Administration,inNorth Shewa Zone of
Oromia Region***

Signaturre of the student : _____

Approved/Not Approved : _____

Date : _____





**AN ASSESSEMENT ON RURAL LAND USE AND ADMINISTRATION
POLICY IMPLEMENTAION WITH RESPECT TO WOMEN’S EQUAL
ACCESS AND CONTROL OVER LAND RIGHTS IN ETHIOPIA.**

A CASE STUDY OF DEGEM DISTRICT, NORTH SHEWA, OROMIA NATIONAL
REGIONAL STATE

Research proposal submitted to Indira Gandhi National Open University (IGNOU)
continued Education, Department of Rural Development for partial fulfillment of
requirement for the Degree of Master of Art in Rural Development.

BY

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Enrolment No:ID1326801

October 05.2015

Addis Ababa, Ethiopia

Chapter one

1. Introduction

I. 1 Background

The issue of land and women's land rights in rural Africa is at the heart of scholarly literature written by African and non-African scholars. According to (Cotula 2007; Logo and Bikie (2003) Africa is a continent where most of its rural communities still use land based on traditional/customary land tenure schemes instead of modern land tenure systems (as dictated by statutory laws) established by state institutions. Basically, the nature of the land tenure system in rural parts of the sub-continent seems to be male-dominated and the social organization of most groups of people is designed to meet that goal. Accordingly, Cotula (2007) and Zenabaworke (2003) argue that African rural women are one of the disadvantaged sections of society when one looks at their entitlements to land.

The foregoing argument on the land rights of rural women in sub-Saharan Africa seems to also apply for women of rural Ethiopia. In rural Ethiopia, land appears to be one of the causes for social inequality and conflict among most households despite the fact that it was redistributed "equally" after the 1974 revolution. In addition, as Tesfaye (2003) notes, the availability and quality of rural land to users has decreased greatly because of population growth and environmental deterioration. These and other factors seem to exert negative impacts on the land rights of women in rural Ethiopia.

Until the recent past, according to Zenabaworke (2000), many women of rural Ethiopia have had almost no land rights in practical terms due to discriminatory cultural values and belief systems. As the Ethiopian rural society is traditional and patriarchal in nature, men have been controllers of almost every facet of rural life in the country—social, economic, and political (ibid). In this regard, the situation/status of women living in different regions and villages of rural Ethiopia appears to be critical when one looks into aspects of gender equality and land entitlements of them.

Ethiopia experienced different land tenure systems. Without further going to old times and only looking at the past one century, it is possible to classify the land tenure systems of the country into two. Pre-1974 period could be characterized as a feudal system where a mixture of private, government, church and communal land holdings coexisted. These land tenure systems had

various kinds of landholding arrangements. The two prominent kings of the country in the contemporary era—Emperor Minlik and Emperor Hailesilassie introduced written land laws, which were believed to benefit certain land lords and to affect majority of the farming communities (Solomon 1994 and Witten 2007:158). However, the laws during the emperors' time allowed sale, exchange and mortgage of individual holdings.

The post-1974 period could be characterized by public ownership of all land. With the dawn fall of Emperor Hailesilassie, all rural and urban lands were declared to be a state property abolishing all private and communal land holding rights without compensations. Individuals and communities were given only use rights. In 1991, the current Government took power after defeated the socialist oriented Military Government. Despite the introduced political and economic changes, land remained public property.

The Constitution of the Federal Democratic Republic of Ethiopia (FDRE) unequivocally states that land shall not be individual's property. The law is quoted as:-

“The right to 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.” (TGE 1995: Article 40).

“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 exchange.” (ibid.)

“Government has the duty to hold, on behalf of the People, land and other natural resources and to deploy them for their common benefit and development.” (ibid.)

There have been critics against these constitutional provisions and the land administration proclamations derived from it. Many believe that limiting land holders ownership to certain use rights not only infringe basic property rights, but also restrict users in many ways. According to UNECA (2002) economic report in Africa, as cited by **Gebresilasie (2006:2)**, the Ethiopian Government land policy has been a reflection of a centralized and top-down approach, which has not taken into consideration the need of the farmers, civil society and businesses. However, the Ethiopian Government argued that free property rights including sale of land could lead to distress migration of the poor.

Land is a very decisive factor for the livelihoods of human beings, as it has political, economic, social and cultural intrinsic value. Access to land and the effect use of it has great importance for poverty reduction, economic growth and investment (Deininger 2003). Equitable access to land is a human right issue and its discrimination is regarded as violation of human rights. Land particularly has a big economic value for countries which are more dependent on it, such as, Ethiopia. Ethiopia's economy is mainly based on agriculture which is the main source of livelihood for more than 85% of the total population (CIA 2007). The issue of land has therefore become a main debatable political issue in both the former and recent governments in Ethiopia.

Women's economic condition, empowerment and social security are uncertain in the absence of rights to land (Mutangadura 2004). The ownership right and access to land determines the social status of women at household level and in the society (Ellis 2000; SDPI 2008). Independent asset ownership right enhance women's livelihood opportunities and increases bargaining power within the household (Agarwal 2003; Deininger 2003). Access to land is also one of the basic fundamental rights of women that ensure the equality of women with men. However, irrespective of the significance of land access to women, most of the African countries past tenure systems did not guarantee the equal rights of women (Deininger 2003). The land tenure systems failed to recognize how assets were controlled inside the household. Tenure system was discriminatory to women equal rights by taking the household as unitary model of system (Deininger 2003).

Women in Ethiopia have a vital role in the country's economy, mainly in the agricultural sector which is the backbone of the country's economy. Women in the country comprise half of the country's population and the majorities are poor and live in the rural part of the country (Tesfa 2002). Women have a significant role in the country's economic and social development and have a triple role in the society which is reproduction, production and social role. However, most of them lack independent access to production resources such as, credit, land and so on. Despite the significance of land and the fact that women have an important role in the country's economy and for well being of individual household, land tenure system in both Derg (military regime) and Haileselassie (the emperor) didn't guarantee the equal right of women to own land. The tenure systems in both regimes were discriminatory to women and it did not improve the situation of women. Unlike the land tenure system in pre-revolutionary and post-revolutionary Ethiopia, the

FDREP (Federal Democratic Republic of Ethiopia) with the new constitution declares land to be the property of the state and the people. Particularly, in article 35 of the constitution it clearly stated that women have equal access to economic opportunities, including land, employment and related matters. As a matter of fact women's right to land is clearly stated in the new constitution and it guarantee the equal rights of women to own land but in practice it is not all women who own land and the situation is different from one region to another.

Based on the constitution, many of the regional states made their own proclamation to implement the new land tenure system that assures the right of women to own land, and Tigray region is the first region to implement the constitution. Women in Tigray got land that was under the land lords in 1987 when there was a fight between the Tigray Liberation Front and the Derg regime. The land reform (redistribution) was made to all women and men who were old enough to get the land regardless of their marital status and assets of their parents (Wanyeki 2003). The new proclamation has given women the opportunity to enjoy their constitutional right in order to access resources and also improve their living conditions significantly like their counter partner. Some research findings also shows that the land reform has given the women to built self confidence within the household and the community (Tesfa 2002).

1.4 Statement of the problem

Women are the most marginalized group of the society in relation to accessing and controlling rural land in Ethiopia. The main challenge for an effective implementation of women's right to rural land in the country is largely attributable to the negative attitudes and harmful practices which deny a woman's right to own, administer property and control the rural land (Hussein Ahmed, 2014 .

Moreover, women do not have a customary right to inherit land from their family; and the control of land during marriage falls chiefly under the control of their husband. Besides, a woman cannot control the fruits of the land as she does not successfully involve in household decision making. Worst of all, after divorce, a woman has to leave her husband's home and look for another marriage without claiming her share of the matrimonial property.

On the other hand, the 1995 Federal Democratic Republic of Ethiopia (FDRE) Constitution recognizes gender equality (FDRE Constitution, Arts. 25, 34, 35 and 40). Furthermore, the Oromia

National Regional State issued rural land policy in 2002 by Proclamation No. 56/2002 (ONRS, 2002) in realizing the FDRE constitutional mandate and mandate provided by the 1997 FDRE Rural Land Administration and Use Proclamation (FDRE, 1997). Rural land administration regulation is issued by Proclamation No. 39/2003 to give directives on detail implementation of the policy (ONRS, 2003). A new land administration system has been introduced and land administration programme is being implemented throughout the region. The rural land policy provides equal landholding rights to men and women.

Moreover, the revised family laws, adopted following this Constitution, also recognizes the equality of men and women in all aspects particularly regarding the ownership and administration of personal and common property. Furthermore, the Ethiopian government has enacted rural land administration legislations which recognize a woman's equal right to rural land. Land registration and titling, which are aimed, inter alia, at ensuring women's right to and control over rural land in the country have also been implemented in four States including Oromia, Tigray, the Southern Nations, Nationalities and Peoples Region (SNNPR) and Amhara regions. Gender policies are also introduced both at the federal and States levels. Moreover, institutions working on empowerment of women are established in the country.

However, effectiveness of the rural land policies and laws in addressing rural women's specific issues and challenging existing gender disparities in access to and control over land needs to be examined from a gender perspective. Land is not only scarce and highly fragmented; it is also mainly accessible to males even though women's contribution to agricultural development is substantial. This scenario sums up the gender-based discrimination and lack of equitable distribution of land as a productive resource which presents problems in the implementation of policies, projects and programmes. Therefore, this study will critically assess the law and the practice on a woman's right to and control over rural land in Ethiopia with specific reference to a case study in Degem District community.

1.5 Objective of the Study

1.5.1 General objective

The overall objective of this study is to examine and analyze policies, programmes, legal instruments and cultural practices that have an impact on women's access to and control right over rural land and identify factors that constrain women from exercising their land rights.

1.3.3 Specific objectives

Specific objectives of the study are to:

- 1.3.2.1 Examine implementation of the Federal and regional rural land use and administration laws in terms of women's access to and control right over rural land
- 1.3.2.2 Assess the extent of enforcement of International, National and regional laws regarding women's access to and control over rural land in one of the rural Peasant Administrations in Degem woreda of North Shewa Zone in Oromia Regional state.
- 1.3.2.3 Explore impacts of customary landholding practices on women's access to and control over land in the study area.
- 1.3.2.4 Analyze the practice of land registration and certification in terms of women's socio-economic benefits and decision-making power; and
- 1.3.2.5 Comment on the regional land administration processes with respect to its contribution to women's access to and control over land in the study area and make recommendations believed to mitigate the anticipated problems.

1.4 Research questions

- 1.4.1 How do the current federal and Oromia regional state rural land use and administration laws and the traditional/customary laws ascertain the land rights of women in the study area?
- 1.4.2 What provisions are in place in International, National and Regional policy and legislative frameworks with regards to women's rights to land in the study area?
- 1.4.3 What type of customary laws and land holding practices have negative impact on women's access to and control over land in the study area?
- 1.4.4 To what extent does the practice of land registration and certification in the study area bring positive impacts in terms of women's socio-economic benefits and decision-making power?

1.5 Significance of the study

Women's right to land is a critical factor in social status, economic well-being and empowerment. It is also a social asset, crucial for cultural identity, political power and participation in local decision-making processes. Moreover, land is a basic source of livelihood as it provides employment, it is the key agricultural input and it is a major determinant of women farmers' access to other productive resources and services.

Despite multi-dimensional effort at various levels and the crucial contribution of women to agricultural production in Ethiopia, women's access to and control over land in Ethiopia remains minimal. There are considerable social, economic, political and institutional challenges faced in ensuring women's access to and control over rural land. Researches carried out on the current rural land policy implementation in the country reveal that the current land administration system has not challenged pre-existing gender biases in actual implementation. In the current regime the FDRE Constitution states that land is property of the state and the people and land tenure system is based on land administration and use proclamations issued by FDRE and regional governments. In this respect Oromia National Regional State had issued land proclamation in 2002 and had started land administration programme implementation. Therefore, this study is considered to be appropriate as the rural land policy issued introduced a new land tenure system and implementation started in 2006 in the proposed research areas. The study will examine gender sensitivity of the policy and its implementation regulation as well as gender inclusiveness of the land administration process at the level of implementation. The study will also help to identify gaps and barriers to women's equal access to and control over land in the study area which will give a general idea about other parts of the region. The study will also serve as an entry point for further research undertakings in areas of women's land rights and rural development.

1.6 Scope of the study

The study will be conducted in Ano Kere peasant administrations of Degem District, in North shewa zone of Oromia Region located at about 125 kms to north of Addis Ababa on the high way to Gojam. The study will be limited to the above mentioned one Peasant Administration due to financial constraint. However, since sufficient sample is to be used in this study it will hopefully give insight to gender aspect of the country's rural land policy and land administration system with regards to rural women's access to and control over land in the current land tenure system.

1.7 Working Definition

- 1.7.1 Land administration:** is the process of recording and disseminating information about the ownership, value and use (the way it is used) of land and its associated resources. Such processes include the determination of rights (ELTAP, 2006).
- 1.7.2 Knowledge of land right:** understanding the land entitlement and rules about what is allowed for men and women, according to legal system and social convention
- 1.8.3 Access to land:** Access to resource implies the opportunity to use, benefit from, and make short-term decisions about the resources (Beatrice, 2004). Following the same, women's access to land can be defined as the level of opportunities open to women to use, get benefits from, and make decisions about land.
- 1.7.4 Control over land:** Control over resources refers to the ability that resource owners have already possessed to make major decisions about the resources. Therefore, women's control over land implies women's ability to make major decisions on land.
- 1.7.5 Decision-making:** In the context of women's access to land use and administration rights, the decisions that women make about such aspects as land use for agriculture, land improvements strategies, control of products harvested from land including incomes earned from sales of products and decisions on land transfer through bequeath, inheritance, sale or rent etc
- 1.7.6 Land registration:** is a process for recording, and guaranteeing, information about the ownership of land. The function of land registration is to provide a safe.
- 1.7.7 Land holding certificate:** land registration shall be accompanied by the issuance of holding certificates that bears the name(s) of the holder(s). Land holding certificate could be issued to individual person and to spouses jointly.
- 1.8.8. Patriarchy:** Patriarchy is defined as of social relationships which cause domination of men over women. Men are regarded as the authority within the family and the community and power and possessions are passed on from father to son.
- 1.8.9 Land rights registration:** It is a recording procedure describing a parcel of land and identifying its current owner/holder and the form of ownership she/he or they had. It is a process of recording rights on land which provides safe and certain foundation of acquisition and disposal of rights on land (ELTAP,2006:165). Landholding registration and issuing certificate to holders is a recent phenomenon in Ethiopia. Women's land rights registration and titling need to be defined explicitly in order to ensure their equal rights on

land.

1.7.10 Tenure system: Is the way in which ownership of land or rights to land is organized. Tenure system may be determined by statute, agreed precedent or by customary practices. Tenure systems represent relations of people as individual and as group in society with respect to their access to and control over land (Moyo, 2002). It is culture-specific and dynamic, changing as social, economic and political situations change. In Ethiopia for example, different regimes followed different tenure systems.

5. Literature Review

5.1 Theoretical Foundations of Women, Gender, and Development Agenda

Women have been playing pivotal roles in realizing development objectives though such determinations were not at least literally recognized up until the work of Ester Boserup's (1970). Boserup (1910-1999) a Danish agricultural economist was able to successfully bring, to a global concern, the significant roles that women play in economic development through her 1970's written book "Women's Role in Economic Development". Such type of documents could only give birth to Women in Development (WID) policies. WID policies focused on fulfilling practical gender needs although they were able to help improving some opportunities for women. However, more complicated developmental challenges faced by policy makers and which are attributable to differences between the sexes in roles and statuses, initiated upcoming of different policy approaches that link gender issues to development (Parpart, 1989). These policies do consider the gender related problems of development as strategic and power relations between male and females rather than the sole focus on women's practical needs. This is the Gender and Development (GAD) approach (ibid). Capitalizing on the later, then, achievements and equity in development policies and institutions should be evaluated in terms of how strategies and approaches altered the power relationship status quo between males and females more importantly much they contributed to female's practical needs

2.2 Why land is important for women

2.2.1. Economic value

Women's need secured land rights to be food secured at household or individual level. Rights to access land make women to be economically strong, be less affected by shock or less susceptible to poverty. According to Agarwal (1994) women with secured land rights can send their children to school, get better facility to health center, and faces fewer problems in relation to income as the example from her study in India showed, the family can sustain with strong economy as

women spend most of their income to cover the expenses of the household than the man who spend most of his income in liquor and other personal expenses outside the household. Female headed households who owns land but who has lack of supplementary resources such as, oxen, labor, knowledge and so on, have a better chance to be less susceptible to poverty than women without rights to land. To elaborate this idea, Agarwal (1994) stated that single women or elderly people get a good support from families or societies because of the ownership rights they have.

Agarwal(1994) also stated that landless women get difficulty in engaging themselves in development activity such as cattle production in order to improve their livelihood. This means that rights to land for women is a prerequisite for any development activity related to land. Land is the basis for shelter, food and economic activities (FAO 2002) and increasing women's control over land could have a strong and immediate effect on the welfare of the next generation (Deininger 2003). Rights to land are very vital for countries that use land as a prerequisite to access for credit. Rights to land helps women to use the land as mortgage to get loan and the loan helps the women in order to engage in small enterprises which brings a positive changes in the livelihood status of the women (Deininger 2003). According to his explanation, whether or not women's being engaged in agriculture, access rights to land is very important to change the economic status of women.

Insecure land rights, which means land access through husbands and relatives of men has a negative impact on the survival of women. Particularly, up on divorce time women loses the use right they have to the land (Deininger 2003; Ikdahl et al.2005).According to (Agarwal 1994:30) in cases of divorce and widowhood or desertion, even women whose parental and martial households are classified as rich peasants' become economically vulnerable due to the absence of independent economic resources, such as land. Therefore, independent land rights ensure the economic existence of women and reduce vulnerability to risk; in a way it secures the sources of than how income for the women and their family. Even up on marriage, independent right of women's to land has more advantages to households as women get incentives to invest more on the land and it improves the economic status of the household in general.

2.2.2. Land right as a basic Human Right issue

Land right is not only about economic issue it is also about right issue. According to the UN declaration on Human rights in Article 17 of the convention all human beings have equal rights

to own property. CEDAW Article 14 of the convention also stated clearly the rights of women to have equal right to access in land reform and economic activities. The Article 14) also state how land resources are critical for women's ability to earn a livelihood from it and provide adequate housing and nutrition for herself and for her family.

The issue of economic development and being food secured is related with land that having a land or not. Land right is a human right by itself which is linked with a right to develop, to be economically viable and strong. The UN convention also stated women's right to have access to development and to involve in agricultural sectors where development and engaging in agriculture is a matter of having land or not having it. CEDAW clearly states the significance of rights to own land by women. Land in terms of human rights should not be discriminatory and in Africa where the gender balance is not neutral, assuring right to land for women has to be taken as affirmative action to balance the gender inequality. Therefore, land has a human right perspective to develop, to have an income and to be food secured besides for countries to have economic development and agricultural production, women should have a role in the process which obviously requires land as a basic ground. In countries that land rights is discriminatory to women, recognition of access to land as basic human rights solves the cultural and social problem of women. As Agarwal explanation on her equality argument to land rights states that land rights to women is about sense of equality which is an indicator of economic empowerment and it facilitates in challenging gender inequality in social and political areas (Agarwal 1994).

2.2.3. Empowerment

Agarwal (1994) developed a definition of empowerment based on the concept of **Morgan (1988:4)**. According to her definition empowerment is a "process that enhances the ability of disadvantaged (powerless) individuals or groups to challenge and change (in their favor) the existing power relationships that place them in a subordinate economic, social, and political position" (Agarwal **1994:39**). Land ownership rights to land, having access right to land gives economic empowerment to women as well as social and political power (Agarwal 1994:39) and being empowered means it will give them the ability to struggle for their freedom and to reduce the gender disparity in the household and the society (Agarwal 1994; 2002). Besides, empowered women gets social security where everyone treat them with a respect, acceptance in a society and decision making power within the household and family and women rights to land 'can make a notable difference to women's bargaining power within the home and community'(Agarwal 2003).

According to Agarwal (1994) an old woman with a land gets good respect from grandchild than a woman without access or ownership right to land.

Giving land rights to women would empowered them economically and it strengthens the women's ability to question social and cultural inequalities (Agarwal 2002). Jackson(2003) argued the rights to land alone do not guarantee the power of women within the household or society either. The author argument emphasizes that ownership of assets does not simply increases the bargaining power and material outcomes of women. Rather, 'values, norms, words and ideas' are also resources that can give power to women as ownership of assets. However, she emphasizes that women's position in society is strengthen by the women ownership right to land (Jackson 2003).

2.5 Empirical review on women's access to land use and administration rights in Ethiopia.

Prior to 1975, Ethiopia's long,feudalistic system of land tenure rarely recognized independent land ownership by women, except through marriage and inheritance. While women could inherit land from their parents or deceased husbands, they could not own land in their own right (Crummy 2000).

The Derg regime that overthrew the last imperial government in 1975 abruptly instituted a series of measures that changed the political and economic landscape of the country from a feudal system to a socialist state (Kebede 2002). Among the many radical measures, the land reform proclamation of February 1975 nationalized all rural lands, announcing that all land was owned by the state and given to farmers on a right-to-use basis, organized via peasant associations (Kebede 2008). The farmers' membership in the peasant associations made them claimants, endowed with rights, such as access, some management rights, and limited exclusion rights. Per the 1975 legislation, spouses enjoyed joint ownership of the land, implying that on paper men and women were entitled to the same land rights. However, women's rights to land depended on marriage and were not registered separately; they therefore had no control of the land (Crewett et al. 2008).

The EPRDF-led government that overthrew the military government (Derg) in 1991 largely maintained the land policy of its predecessor, keeping all rural and urban land under public (government) ownership (Gebreselassie 2006). Significant changes included formal confirmation

that land rights were to be granted to men and women, including the right to lease out land. However, most regions limited the period of the lease and restricted leasing rights to only a share of the farmland. The severe limitations in these provisions still exist, particularly for women. For instance, divorced women lack secure land rights, due to numerous exceptions which strictly curtail these rights (Crewett et al. 2008).

Hadera Tesfa in his comparative study of two communities (one from Tigray and another from Oromia regional states of Ethiopia) argues that women “in many parts of the country are not given land since there is a belief that once they are married, they belong to their husbands’ places and families” (Hadera, 2002). He has also seen that in Oromia, women who are in MHHs do not access land in their own right and, during divorce, they not only lose their right of access to land, but are also forced to leave their marital homes and return to their places of birth (ibid). Holden and Tewodros compare woredas of Oromia and SNNP (two woredas from each) and find that girls do not inherit land from their parents because they move to their husband’s home upon marriage (Holden and Tewodros, 2008). Among other groups in rural areas of Oromia, in particular, widows and divorced women do not have equal rights to land.

In Oromia, a report finds that land use certificates lists the name of all spouses (although only the picture of the husband appears on the certificate), and that women consider themselves co-owners although they did not really understand what co-ownership means or allows them to do (Giovarelli, 2007). In Tigray, Holden and others found that “certificates have made FHHs more willing to rent out their land, probably because the certificates have made them more tenure secure” (Holden, *et.al*, 2007). However, divorced women have difficulty defending their rights in the process of land registration (Berhanu and Fayera, 2005; Giovarelli, 2007).

In a study conducted in Amhara, Berhanu and Fayera revealed that land administration committees are composed of men only, since government officials do not promote participation of women (Berhanu and Fayera, 2005). The findings seem to contradict with that of Mintewab and Holden who found more female participation in the certification process in Amhara (Mintewab and Holden, 2010). In Oromia, Amhara, and SNNP, Deininger and others identified lack of implementing “clear and gender balanced provisions in the law” as one of the weaknesses of the certification process that requires improvement (Deininger, 2006).

In Ethiopia, female-headed households (FHHs) give out their land for sharecropping on terms unfair to them (Belachew, 2009). In Amhara region, Mintewab and Holden find that FHHs are dependent on renting out land for production usually to blood related or in-law tenants although they do not have effective command over their tenants (Mintewab and Holden, 2010). A survey in Southern Ethiopia also confirms that Female Headed House Holds (FHHs) share out land since they lack physical and managerial ability to farm, and assets such as oxen and easy access to credit (Tesfaye and Adugna, 2004).

According to a study comparing Tigray and Oromia, women's access to land alone does not address their poverty and food insecurity unless they have access to farming inputs, equipment, and credit facilities (Hadera, 2002). The revised land laws that require the consent of family members for renting out land and the corresponding formal reporting requirements appears to enhance the rights of women (Holden and Tewodros, 2008). Belachew also argues that women are discriminated before religious and customary dispute resolution mechanisms when they submit dispute over land (Belachew, 2009).

2.4 Land policies and legislations

Ascertaining gender equality in rights and using regulatory policies to address specific areas of gender inequalities are critical roles of the state since gender equality has been formally acknowledged as a goal by most governments (Lastarria-Cornhiel, 1995). Addressing women's particular disadvantages in relation to land ownership, access and control should be major focus in drafting new land policies. However, creating gender equality is a principal challenge for land policies and land administration systems. This is mainly because of lack of understanding on complex nature of property rights in existing gender relations in society. Regimes are not able to provide effective institutional structures that can protect and strengthen equitable access to land within the framework of a country's land policy goals. There are evidences where outcomes of land reforms and land administration systems resulted in different repercussions for men and women (Agarwal, 1994; Lastarria-Cornhiel, 1995). Disparities exist between land policy goals and implementation practices in many countries. In the face of these limitations land policies and land administration systems need to consider impacts of land reforms from a gender perspective. Policy makers should take gender equality as major component in land policy formulation. Progress achieved on issuing gender-equitable land policy became deficient at level of implementation in

most African countries (Jacobs,2001). Patriarchal norms prevail even where land legislation specifically recognizes women's equal rights on land. Constitutional and legislative provisions on women's equal access rights to land become quite worthless unless effectively enforced. Land policy implementation basically needs efficient land administration system and strategy to address gender inequality and to ensure gender equality.

Bina Agarwal provided explanation on why gender equality should be major component of land reform policies in her book *A Field of one's own* (Agarwal, 1994). Agrarwal emphasized on the need for land policy focus on women's access to and control over land. She particularly stressed on the need for policy to address women's control over land and identified four main reasons on the need for women's control over land in addition to getting access to it. Agarwal identified welfare, efficiency, equity and empowerment as major reasons for women's need in gaining access and control over land. With respects to welfare she stated that women's control over land improve their households' livelihood and thus, improves household food security. In terms of efficiency, women's control over land increases agricultural productivity. Equity is gaining justice for women so it is recognizing women's equal access to land. With regards to empowerment, she emphasized that gaining control over land strengthens women's ability to struggle for equality, dignity and additional economic rights. Agarwal justified and stressed on significance of women's access to and control over land to achieve economic, social and political equality with men. In recent years land administration reforms have been projected in the notion of good governance focusing on decentralization and democratization of land administration institutions (Quan, 2000; Adams, 2001).

This is practiced through initiating community participation at local levels and restructuring local land administration within the framework of statutory laws.Land administration system includes land ownership or holding rights registration and entitlements. In such documentation whose name(s) is/are registered on certificates or records will be an issue. Land titling is an area where most gender issues prevail in access to and control over land. Land titling tend to be vested on men either by legal condition or by socio-cultural norms (World Bank, 2001). Even where formal title is given jointly to husband and wife, women might lose decision-making power in management of household land (Rocheleau and E. David, 1997). In this regard unregistered marriages, divorces and polygamy have major impacts on women's rights to land. Polygamy is a significant

complicating factor in issuing land titles. Land administration institutions have got problems with respect to registering full information, documentation and updating. Land registers could not be reliable sources of information on all rights related to land because registers record limited set of rights in most cases (ELTAP,2006).Such limitations could result in significant impacts on women's land rights. The situation becomes more complex when documents or registers are not kept safely and in cases where registers are not updated. Updating is very important since changes in landholdings and entitlements could occur in course of time.

Moreover, linkage of land tenure legislations with other relevant legislations is very important. Land tenure legislations may not cover whole issues that affect gender equality unless the remaining part is addressed by other relevant legislations. A major step is to establish basic equal rights in family laws for protection of equal rights on marital property within marriage or at divorce (Agarwal, 2001). Such targeted laws and regulations can address critical gender inequalities on rights to land if implemented effectively. Effective implementation of these laws depends on the degree of access to law enforcing institutions, ability to finance litigations and level of support provided by the family and the community (Ogendo,2005). This is critical to rural women because they lack family and community support due to gender biases and their low economic status affect their capacity to finance litigations. Land policies should also explicitly address gender inequalities in inheritance to ensure equal landholding rights of women.

2.5 Legal Recognition of Women's Right to Land

2.5.1 International Legal Frameworks

Women's property rights include the right of women to acquire, manage and dispose of any movable or immovable property obtained either through self-acquired means or inheritance. Women's property rights are protected under international frameworks such as the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). Given the centrality of land to development and livelihoods, and the role of women in such processes, discrimination in access to and possession of land is both a violation of the human rights of women and a barrier to economic development.

Article 14 (g) of CEDAW provides for equal treatment of women in land and agrarian reform as well as in land resettlement schemes. This provision also calls on State Parties to facilitate access to

complementary measures such as credit. Making significant progress over CEDAW, the Protocol to the African Charter on Human and Peoples Rights in Africa (the African Women's Protocol) approaches the issue of women's property rights more purposefully.

Under Article 19 entitled 'Sustainable Development', the Protocol's Sub Article (c) provides that African governments should "promote women's access to and control over productive resources such as land and guarantee their right to property". Article 16 also obliges State Parties to grant women access to housing irrespective of their marital status. Furthermore, Article 21 entitled the 'Right to Inheritance' guarantees the equal right of women to division of property upon divorce, and the right of widows to continue to live in their matrimonial home. Similarly, the Beijing Declaration, Beijing Platform for Action (BPFA), 1995 and the Solomon Declaration on Gender Equality in Africa, 2004, provide for governments to undertake all necessary administrative and legislative reforms with respect to land and other property in order to ensure equitable access.

The United Nations Higher Commission on Human Rights passed resolution on women's equal ownership access to and control over property and land (UNHCR 2003/ 22). International conventions ratified by governments including international human rights instruments and women's equal rights conventions were bases for considering women's access to and control over land as human rights issue in the resolution. African Protocol to the African Charter on the Rights of Women in Africa adopted by the then OAU called upon all African states to eliminate discrimination against women and to ensure women's rights as set in international declarations and conventions (OAU, 2003). It demanded African governments to combat all forms of discrimination against women through appropriate legislative and institutional measures. The protocol includes a number of articles on women's social, economic and political equality and gives particular emphasis to the rights of widows and divorcees.

UN agencies and international organizations play significant roles in supporting women's equal rights on access to and control over land. FAO is the responsible UN agency to lead international efforts to overcome hunger. FAO draws special attention to rural development and facilitates debate forums on land policy issues. FAO established ILC that focuses on women's access to land and gender relations in land tenure. ILC runs 'Gender Relations in Tenure Project' on women's rights to land which focuses on key issues regarding women's access to land (ILC, 2007).

Furthermore, the World Bank, USAID, SIDA, Oxfam GB, etc. are taking gender issues as major concern in land policy formulation in their land and agriculture related development programs in developing countries

2.5.2 Women's Rights in Ethiopia

2.5.2.1 Women's Rights under the FDRE Constitution

Ethiopia adopted laws and policies to ensure gender equality since 1991. Taking the historical legacy of women's discrimination in the country and with a view to remedying the historical gender inequality, the FDRE Constitution separately provides for women's rights under Articles 34 and 35. Under Article 34, the Constitution explicitly stipulates that:

Men and women, without any distinction as to race, nation, nationality or religion, who have attained marriageable age as defined by law, have the right to marry and find a family. They have equal rights while entering into, during marriage and at the time of divorce.

Furthermore, it stipulates that "Women shall, in the enjoyment of rights and protections provided for by this Constitution, have equal right with men" (FDRE Constitution, Art. 35 (1)).

The same provision also prescribes that "the historical legacy of inequality and discrimination suffered by women in Ethiopia taken into account, women, in order to remedy this legacy, are entitled to affirmative measures. The purpose of such measures shall be to provide special attention to women so as to enable them to compete and participate on the basis of equality with men in political, social and economic life as well as in public and private institutions" (Ibid, Art. 35 (3)). The State is duty bound to enforce the right of women to eliminate the influences of harmful customs. Laws, customs and practices that oppress or cause bodily or mental harm to women are prohibited (Ibid, Art. 35 (4)). The Constitution further stipulates that Customs. Laws, customs and practices that oppress or cause bodily or mental harm to women are prohibited (Ibid, Art. 35 (4)). The Constitution further stipulates that Women have the right to acquire, administer, control, use and transfer property. In particular, they have equal rights with men with respect to use, transfer, administration and control of land. Women shall also enjoy equal treatment in the inheritance of property (Ibid, Art. 35 (7)).

As can be discerned from these constitutional provisions, Ethiopia showed its commitment to protect women's rights in general and their right to use and control land fruits on equal footing with men. As the problem of gender inequality is rooted in both attitudes and practice of the community, the State entitles women to affirmative action in which women may be afforded with special and differential treatment in enjoying some rights. The Constitution also tries to give special emphasis to the protection of women's property rights including acquisition, administration, control, use and transfer. Particular emphasis is also given to the importance of land to the empowerment of women. The law signifies the recognition and enforcement of women's right to use, transfer, administration and control of land. In cognizant of gender inequality and discrimination in the country with respect to property inheritance, the law again stresses the recognition and enforcement of the principle of equality with respect to the inheritance of property. In addition, the Constitution lays down a duty of the Ethiopian government to enforce the right of women to eliminate the influences of harmful customs.

It is worth noting that verbatim copies of Article 34 and 35 of the FDRE Constitution are adopted in the constitutions of all regional States. Furthermore, Art.'9 (4 of the FDRE Constitution stipulates that international treaties ratified by Ethiopia are the part and parcel of the law of the land.

2.5.2.2 Women's Right to Property under the Revised Family Codes

Ethiopia has also given a due attention to the women's equality with men in all aspects in its family laws. The revised family codes of the Federal and state governments, which are updated in line with the FDRE Constitution, recognize the pecuniary effects of marriage whose primary aim is to protect the women's right to property before marriage, during marriage and upon its dissolution. Spouses have a right to own personal property in addition to their common property which they own jointly. But any property obtained in the form of income is always considered to be the common property of spouses although it is derived from the personal income of one of the spouses (Arts. 57-73 of the Revised Federal Family Code (RFC); Arts. 73-89 of the Oromia Family Code; Arts. 80 - 94 of the Tigray Family Code; Arts. 66 - 82 of the SNNPR Family Code).

Pursuant to Art. 57 of the RFC, any property that is owned by a spouse on the day of marriage shall remain his/her personal property. This is to mean that any property owned by a spouse prior to marriage (if s/he is already the owner of such property on the day of the marriage) will be her/his

own property even after the conclusion of the marriage. This provision also prescribes that if one of the spouses acquires property by way of donation or succession (acquisition not by onerous title) during the marriage, such property shall belong to the spouse, to whom the donation was made even if the property is acquired after the celebration of the marriage. Moreover, Art. 59 of the RFC stipulate that each spouse shall administer her/his own personal property. It also prescribes that if this property generates an income, the owner spouse shall collect the income. Moreover, the owner spouse can freely dispose of her/his personal property. Freely disposing a property is the power of selling or exchanging or donating the property to somebody by one's free will and volition. This power shows the full ownership over a property.

The law also provides another option for the administration of personal property of spouses. As provided in Article 60 (1) of the RFC, spouses may agree in their contract of marriage that the whole or part of the personal property of one spouse to be administered by the other spouse. However, sub-article (2) of the same provision obliges the spouse to whom this power was given to submit a yearly report of accounts regarding the property at the request of her/his spouse.

Besides, Art. 61 of the RFC provides that one of the spouses may freely appoint the other spouse as an agent to administer her/his personal property. This is possible even in the absence of a contract of marriage.

In the family codes, the notion of common property is stipulated in a broader manner mainly to protect women's property rights which have been long denied by men who work and generate income while most women are busy in domestic works and child rearing and bearing.

Thus, in Ethiopia all property that is not specifically defined as personal property is the common property of spouses. All incomes of the spouses that are derived by their efforts shall make the common property of the spouses. Salaries and wages of spouses are their incomes derived by their efforts. Moreover, any income from an income generating property is also a common property. This is true irrespective of whether the income generating property is personal or common property. Art. 62 (2) of the RFC states that any property acquired by any of the spouses by onerous title shall be the common property of the spouses unless it is declared by a court of law to be the personal property of one of the spouses as specified in Art.58 (2) of the RFC. When any change is made to a personally

owned property (e.g., when it is sold, exchanged with another property or when a new property is purchased by money that is personally owned), this situation has to be reported to the court. Any property acquired through donation or inheritance during marriage shall be the personal property of one spouse if the donation or the will clearly indicates that it is made to one of the spouses. However, this rule will not apply if the act of the donation or will does not state any of the spouses but simply made to them jointly.

The law generally presumes that any property in the hands of the spouses is their common property. This is true even if the property is registered in the name of only one of the spouses. This rule is crucial in a country like Ethiopia where it is customary that almost all very important properties are registered in the name of the husband. But the presumption is a rebuttable one. That is, a spouse who claims that he/she owns a property personally can prove that he is the sole owner of that property.

The Ethiopian family law generally prohibits the disposal of a common property only by one spouse. In order to alienate a common property, both spouses should give their respective consents. However, the law does not tell us how each party is to express his/her consent. Sometimes it may be difficult to know if both spouses have given their consent.

2.5.3 History of land registration in Ethiopia

Historical records reveal that land registration started almost a century ago in Ethiopia. It began during Emperor Menelik's reign (Pankhrust, 1966). The emperor issued decree on land registration throughout the country and ordered land registration to include cadastral survey in Addis Ababa city. Land owners were issued certificates written in Amharic and French with a map showing boundaries of land owners attached in Addis Ababa.

An independent ministry was established during Emperor Haile Selassie's regime. Ministry of Land Reform and Administration was established to create free hold tenure system (Hoben, 1973). This ministry was responsible for measuring and registering rural land in collaboration with the Mapping Agency and was functional until 1974. Land measurement was carried out using cadastral survey and individual title to land was registered. Land market system was institutionalized during Haile Selassie's regim.

The Derg rural land reform gave mandate to the newly established PAs to register land and to set boundaries in their respective areas. Land was registered on names of PA members entitled to use rights and the registry was used for tax collection (ELTAP, 2006). Land users do not hold any legal document on their landholdings except, receipt they get upon tax payments.

The current land administration system is based on land administration and use proclamations issued by regional governments that have provisions on land registration. The land registration process includes land measurement, boundary setting, collecting information on different parcels under individual holdings, etc. and data are kept in official records. Land holders are issued with a certificate or book of holdings carrying information about the landholder and landholdings registered under his/her name (FDRE, 1997, FDRE, 2005)

2.5.4 Rural land policy and legislations in Ethiopia

As stated on the first part of this chapter national legislations incorporate international conventions ratified and commitments entered by governments. In view of this the FDRE Constitution explicitly states that “*all international agreements ratified by the country are integral parts of the law of the land*” (FDRE, 1995: 9/4). Hence, all international conventions ratified on women’s rights and commitments entered to implement the Beijing Platform for Action and to meet the MDGs are included in the constitution and government is obliged to implement these provisions Land policy measures taken by the current government affirm that land is public property. Land policy is embedded in the FDRE’s Constitution and the constitution states:

“The Right to ownership of urban and rural land, as well as of all natural resources is exclusively vested in the state and in the peoples of Ethiopia. Land is a common property of the Nations, Nationalities and Peoples of Ethiopia and shall not be subjected to sale or to other means of exchange” (FDRE, 1995: 40/3). The FDRE land policy confirms constitutional provisions. Rural Land Administration and Use Proclamations issued at different times, Proclamation No.89/1997 and Proclamation No.456/2005 affirm that every Ethiopian national without discrimination has right to use rural and urban land (FDRE, 1997, FDRE, 2005). Every rural resident who wants to make a livelihood from farming is entitled to use a plot of land free of charge and women have rights to access rural land (FDRE, 1997, FDRE, 2005).

These proclamations include provisions on rural land administration. Accordingly rural land should be measured, registered and land holding certificate should be provided to users/holders. Rural landholding certificate should contain information on land size, land use type and cover, level of fertility and borders. Rural land use has no time limit and farmers are provided rights to lease transfer or inherit rural land use right to family members. Rural landholders are also entitled to compensation in case of eviction. The FDRE Rural Land Administration and Use Proclamation provides mandate to regional governments to enact their own rural land legislations. Four regions including Oromia Region issued land policies afterwards based on FDRE provision.

2.5.5 The registration process and the gender implications

The actual process of securing land tenure in Ethiopia is through land registration and certification. The Government of Ethiopia has made significant progress in land registration. At Federal level significant support for this has been provided through the land component of the national Sustainable Land Management Project (SLMP).

The land registration and certification process in Ethiopia has followed two steps:

- **First-level certification-** which involves the identification, adjudication and registration of land holding rights at the local (Kebele) level without the surveying of land parcels, the issuing of certificates at Woreda level and the computerization of land registration records;
- **Second-level registration** -which involves the surveying of land parcels.

First level rural land holding certificates have been issued by the four regional states of Amhara, Oromia, SNNPR, and Tigray mainly with direct funding from the Federal government. It is estimated that more than 95% or 50 million parcels of about 13 million rural households in the four regional states have been certified. It is estimated that less than 1 million holdings have been issued second level certificates in the four regions (Chiara Romano,2013)

The registration process gives women an opportunity to fix their own property rights within the family as family land is registered in the names of both spouses. The First level certification appears

to have contributed positively to tenure security, sustainable land management and investment in agriculture by smallholder farmers and in particular women. The major feature of the certification program is the decentralized implementation process through elected Land Use and Administration Committees (LACs) at the village level. The LACs are primarily involved in land registration and certification, having also tasks of preventing and managing conflicts and identifying constraints regarding land tenure with a view to finding solutions.

2.5.6 Rural land legislation of Oromia Region

Oromia Region issued Proclamation No. 56/2002, on rural land use and administration (ONRS, 2002) and Regulation No. 39/2003, the implementation regulation (ONRS, 2003), based on the mandate provided by FDRE rural land administration and use proclamation (FDRE, 1997). Women's equal right with men in rural land use and administration was put as an underlying principle in the Oromia rural land proclamation. The proclamation affirmed free access to land to any resident of the region 18 years or above who wishes to live by farming. Land use right is for life and no one will be deprived of these rights unless, land is needed for investment by the regional state. The person will be fully compensated for investments she/he made on the land in this case.

Although land distribution was not carried out in the region after the Derg regime the rural land proclamation prohibits future land redistribution. Future land redistribution in the region is conditional to government's need to use land for irrigation schemes or lease for investment or distribution of unoccupied or abandoned land to the landless. Lifelong certificate of holding will be provided to every landholder to ensure tenure security. Spousal joint registration and certification will be applied in the land administration system of the region. Land use right is not subject to permanent residence in Kebeles where land is located or will not be terminated if the land holder leaves his/her Kebele and resides elsewhere. It specifically states that women will have rights to land on equal basis with men on divorce and that the family holding will be shared equally between the spouses. The proclamation has provision on the rights of women under polygamous marriage.

The rural land administration and use regulation states that all spouses shall get holding right certificate with their husband and that all of them have equal access rights on the husband's land unless, the wife/ wives live far from the land holding area and get engaged in other businesses.

Land use right transfer through inheritance to family members is endorsed by the proclamation. Proclamation 56/2002, further had provisions on establishment of regional institution to implement the proclamation and on mechanisms for conflict and dispute resolution. Regulation 39/2003 has provisions on rights and responsibilities of land users, minimum farm plot size, landholdings by new settlers, land sharing on divorce, control of land fragmentation, proportion of land allowed to lease, land distribution and redistribution, land registration and certification, transfer of land holding rights, land management, etc., on individual holdings. The regulation had provisions on management of communal lands, conservation of wet lands, dam sites and reservoirs and administration of protected areas. The regulation includes provisions on updating landholding certificates whenever changes appear in holding rights and measures to be taken on failure to comply with the regulation. Land sharing is not allowed at divorce or inheritance if individual share falls below minimum size of holding. Divorced spouses are required to enter into different arrangements to make common use of their land if their shares fall below minimum size. The regulation provided guidelines on the land administration process. Accordingly, Land Administration Committees (LACs) will be established at Kebele levels and Sub-committees will be established at village (*Gote/Ganda*) levels to carry out the land registration process. Guidelines on mechanisms of dispute and conflict resolution are also provided by the regulation.

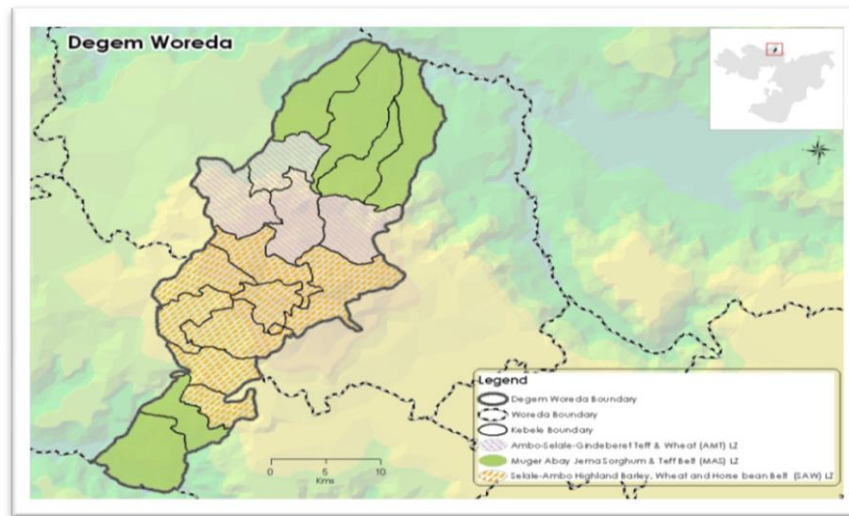
Chapter Three

6. Research design and Methodology

6.1 Study area

The study area, Degem District is one of the Woredas/Districts in North Shewa Administrative Zone of Oromiya Region in Ethiopia. It is located at 125 km distance to north direction from Addis Ababa, capital city of the country. Degem is bordered on the South by Muger River which separates it from East Welega Zone, on the West by Kuyu, on the North west by Hidabu Abote, on the North by Jamma River which separates it from Amhara Region, on the northeast by Gerar Jarso, and on the east by Yaya Gulele and Debre Libanos.

There are 18 rural Peasant Administrations (PAs), one village town (Ali dor) and Hambisso, capital of the woreda/District in the study area. Based on the information obtained from Labour and Social Affairs office of the District, the woreda has an estimated total population of 123,319 of whom 60,427 are men and 62,892 are women; 5,464 or 4.4% of its population are urban dwellers where as 117,855 or 95.6% are rural dwellers. With an estimated area of 674.85 square kilometers, Degem has an estimated population density of 174.2 people per square kilo



Map of Degen District(source: Degen District Administration office)

1.1 Conceptual Frame work

The general conceptual frame work of this study is constructed on the idea how the land policy frame work initially formulated at the Federal level in the Federal proclamation and then each Region has prepared its own Regional proclamation and related implementation regulations. The effect of implementation of land registration and certification programme on security of land rights and related issues will be assessed based on farmer's condition before and after rural land certification

Figure below shows relationship of the concepts to used in this research.

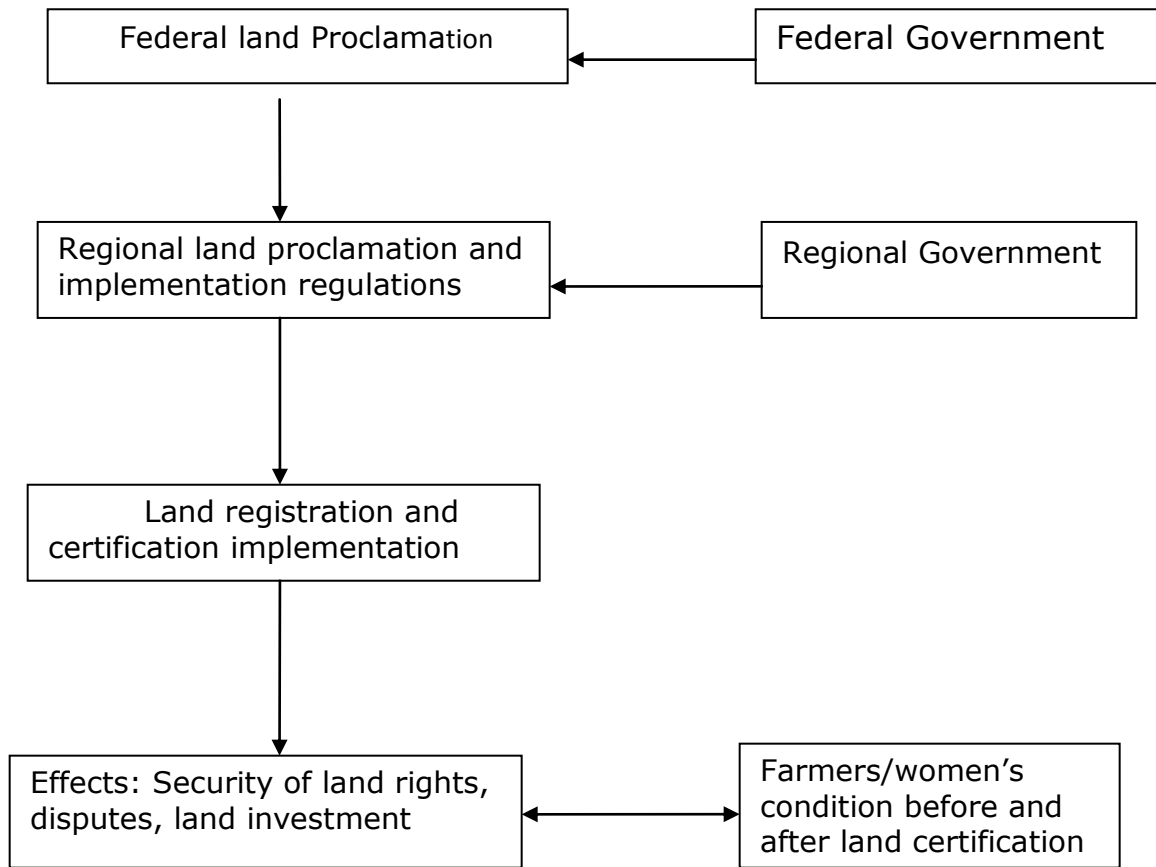


Figure 1: Conceptual frame work

1.2 Research Design

The research is initiated with a literature review in relation to the objectives. The review is carried out with purpose of establishing a theoretical frame work to more fully understand the concept of land tenure security and the effect of rural land certification. The process of research approach is illustrated in Figure 2 below.

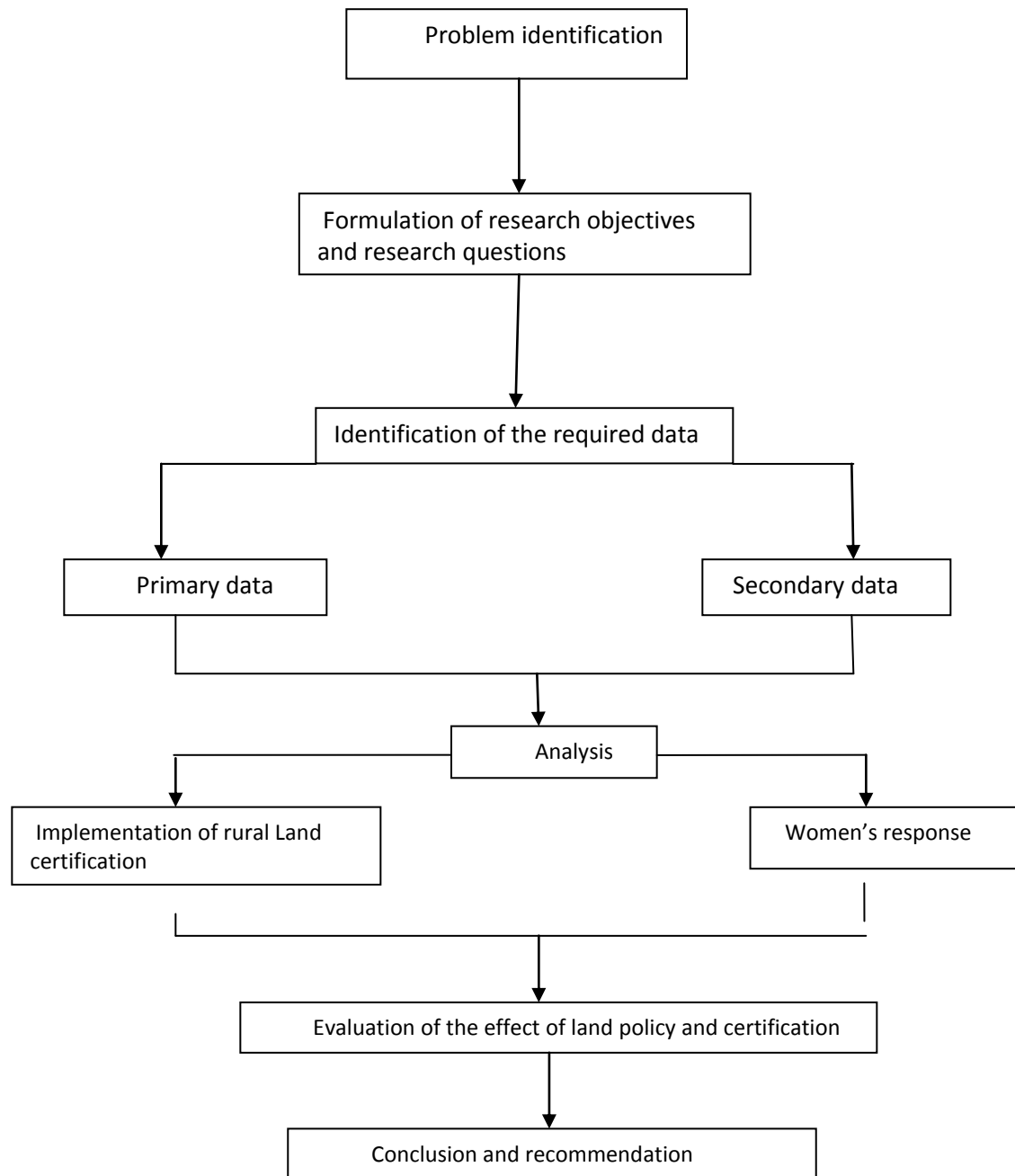


Figure 2: Research design

3.3 Method of the study

The study will look at the gender aspect of the rural land policy and the land administration system in general and the land registration process in particular. The research will apply both quantitative and qualitative methods to clarify concepts, characteristics, descriptions, counts and measures to demonstrate implications of the issue under question.

3.3 Data collection methods and Tools

3.3.1 Primary sources

3.3.1.1 Quantitative method

The quantitative research relies on field data collected using structured questionnaire that included questions on different issues on women's access to and control over land. Basic information will be collected on demographic and socio-economic situation of survey respondents. Data will also be collected on women's participation in community activities and decision-making, their contribution to farm activities and benefits they gained.

3.3.1.2 Qualitative method

The qualitative research mainly focuses on the rural land administration process being carried out in the study areas. Survey will be conducted using focused samples. Information will be gathered through interviews and focus group discussions using interview and discussion guides. Key informants interviews will also be carried out with woreda administration office, Woreda Offices of Agriculture and Rural Development, Women's Affairs and Kebele Land Administration committees. The discussion would help to get information from relevant bodies involved on actual implementation of the land administration process using list of open and close-ended questions on issues to be covered. Focus group discussion will be conducted with rural women, married women (wives in male headed households) and FHHs (unmarried/single widowed and divorced women) in two randomly selected villages. The focus group discussion will be unstructured thus leaving participants stimulated to open up and discuss freely. Furthermore, case stories will be captured to enrich relevant issues raised on discussions.

Community level interviews with interviews with Land Administration Committee (LAC) members, focus group discussions with rural women and case stories will be carried out by employing trained local language translator.

3.3.2 Secondary sources

Text books, journal articles and reports will also be used in the study.

3.4 Sample Size Determination

The Population for quantitative data collection for this study will be women from rural households to be randomly selected from villages in one of the Peasant Administrations in the District based on the large number of women residing there. The sample size for collecting quantitative data for this research will be determined using Cochran's (1977) formula as indicated on Bartlett Kotrlík and Higgins (Bartlett and Higgins, 2001). Thus, this study will employ the following formula to calculate sample size:

$$n = \frac{N}{1 + N(e)^2}$$

Where:

n: designates the sample size the research uses;

N: designates total number of households in the proposed study area(PA) assuming that women in all households are affected by the issue;

e: designates maximum variability or margin of error 5% (.05) and

1: designates the probability of the event occurring

The intended study is to be conducted in **Ano Kere Peasant Administration**, whose household is 1,107. Based on the above given formula, sample size to be used in this study will be 294 females as presented here below.

$$n = \frac{N}{1 + N(e)^2}, \quad n = \frac{1,107}{1 + 1,107(0.05)^2}, \quad \mathbf{n=294}$$

Quantitative data sample will be taken from randomly selected households. Data will be collected from women in 294 eligible households. Each household will be selected by picking every other household from list of households in selected villages listed separately in Ano Kere Peasant Administration's records to ensure randomness.

3.5 Data collection procedures and approaches

3.5.1 The research questionnaire will be prepared in English. It will be carefully articulated to ensure clarity, to avoid bias and to get reliable information.

3.5.2 The questionnaire will be translated to the local language *Afan Oromo*, so that language

should not be barrier to respondents to spell out what they have in mind. The translated version of the questionnaire will be carefully cross-checked with the initial English version in order to avoid error during data entry.

3.5.3 Identification of one Peasant Administrations (PA) out of 18 rural Peasant Administrations in the District (Degem).

3.5.4 The researcher will approach concerned Government authorities of Oromia Regional State North Shewa Zone and Degem woreda/District by producing official letter from his employer organization stating who the researcher is; purpose of his study and inquiring cooperation of the Government authorities at different levels and the two Peasant Administration leaders towards the success and effectiveness of the study.

3.5.5 The researcher will select 8 (4 Female and 4 Male) data enumerators who are fluent in local language Afan Oromo from the area and give one day training. The training will focus on purpose and outcome of the study, contents of the questionnaire, how to administer the questionnaire, clarity and appropriateness of questions, internalizing and handling of the questionnaire as well as how to approach the community, particularly the respondents.

3.5.6 Conducting a pre-test before actual data collection using small representative sample to find out whether the questions are measuring what is intended to be measured. Clarity of wordings in view of respondents' level of understanding will be checked on the pre-test to avoid research bias.

3.6 Quality and ethical consideration

3.6.1 The researcher will receive official permit /letter of cooperation from Oromia Region Degem Woreda Administration.

3.6.2 Quantitative survey respondents and qualitative survey informants will be provided detail explanation about the overall objective of the study ahead of time. Interview is administered on free will of interviewees. Respondents will be informed that they can decline if they don't want to be interviewed.

3.6.3 Information provided by interviewees will not be transferred to a third party or will not be used for any other purpose apart from this study.

3.6.4 Case stories will be presented using hypothetical names.

3.7 Data analysis

As explained above both quantitative and qualitative method of data analysis will be used for this research. The quantitative data will be organized and statistical computations will be done by using SPSS program. Simple quantitative analysis techniques such as percentage, mean and frequency distributions will be employed.

4. Chapter Plan/organization of the report

The thesis will be structured in 5 categories as follows.

- 4.1** Introduction part-presents background the study, problem statement, objectives of the study, significance of the study, scope of the study and working definitions.
- 4.2** Chapter two-presents a condensed relevant literature review on Women's access to and control over land issues and practical application of land administration laws and policies in Ethiopia;
- 4.3** chapter three- presents Research design and Methodology(Study area, conceptual framework, research design, method of study, data collection methods and tool, sample size determination, data collection procedures and approaches, quality and ethical consideration and data analysis)
- 4.4** Chapter four- focuses on data presentation, findings and analysis of major findings;
- 4.5** Chapter five-present summary of findings, conclusion and recommendation.

