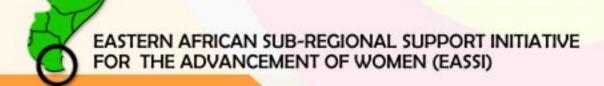
Women and LAND RIGHTS in Ethiopia





WOMEN AND LAND RIGHTS IN ETHIOPIA:

A Comparative Study of Two Communities in Tigray and Oromiya Regional States

by

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Foreword

The study on women and land in five countries of the Eastern Africa Sub-region commissioned by EASSI was prompted by the concern over the lack of ownership of land by the majority of women in the region. While the majority of women in Sub-saharan Africa and particularly Eastern African region edge a living for their families on land, they largely do not own this land. In some cases women are treated as labourers on the land who can be disposed of anytime the landlords choose to.

This report on Women and Land Rights in Ethiopia demonstrates the need for more efforts to ensure that women's rights to land ownership are enshrined in the law. It also shows that in an environment where cultural norms relegate women to an inferior position in society, there is need for support systems to enable women own and be able to use the land they own without constraints.

It is generally accepted that there is more to gain by women having access and control of productive resources. Societies understand the value and contribution of women in sustaining livelihoods in most of Africa. However, this has not been translated into actions that make it possible for women to access and control the resources they need to improve their own lives and the lives of their families and society as a whole.

Patriarchal attitudes towards the position of women in society continue to undermine women's ownership of the most vital resource which is land. Education of women is critical in improving the position of women and ownership of productive resources. When women are educated, they are in a better position to earn income which they can invest in assets such as land. However, attaining a significant level of education for women in the Eastern African subregion is a longer term goal. Girls in a family should be accorded the same treatment so that they to share family property including land as children in the family. In the campaign on increasing the ownership of land by women, it makes more sense to begin with pushing for inheritance rights of girls as daughters in the natal family. When girls have their share of land as daughters, they enter into marriage relationships with more confidence and stronger bargaining power which enhances equality and equity at household level.

Communities need to be sensitized more to treasurer girl children and to ensure that they are entitled to equal share in the family property. This should be supported by laws that enable girl children and women to inherit property just as other children in the family. The political will of the leadership of countries in the sub-region and at national levels is an important requisite for enhancing positive attitudes in society and putting in place laws and policies that protect women's ownership of land.

It is our hope that this report will contribute to the continuing debate and advocacy work for women's land ownership in the Eastern Africa sub-region.

EASSI, 2002

Abbreviations

AAU Addis Ababa University

ADLI Agricultural Development Led Industrialization

BOA Bureau of Agriculture

BOPED Bureau of Planning and Economic Development

CEDAW Convention on the Elimination of all forms of Discrimination Against

Women

CERTWID Centre for Research and Training on Women In Development

CSA Central Statistical Authority

EASSI Eastern African Sub-regional Support Initiative for the Advancement of Women

FDRE Federal Democratic Republic of Ethiopia

FGDs Focus Group Discussions

EPRDF Ethiopian People's Revolutionary Democratic Front

FHHs Female-Headed Households
GDP Gross Domestic Product

IDR Institute of Development Research

IGAs Income Generating Activities

MOA Ministry of Agriculture

NGOs Non-Governmental Organizations

PA Peasants Association

PDRE People's Democratic Republic of Ethiopia
PMGE Provisional Military Government of Ethiopia

PMO Prime Minister's Office

PRA Participatory Rural Appraisal

TGE Transitional Government of Ethiopia

TOR Terms of Reference

TPLF Tigray People's Liberation Front WAD Women's Affairs Department

WAO Women's Affairs Office

WAT Women's Association of Tigray

WB World Bank

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Executive Summary

This study examines the status of women in two rural communities in Ethiopia with particular reference to their rights to land. The study covers two contrasting communities: Lim'at PA in Degua Tembien Woreda, Central Zone of Tigray Regional State, and Hatie Andodie PA of Hitossa Woreda, Arsi Zone in Oromiya Regional State. The two areas were chosen because whereas in Tigray women were given independent land rights, in Oromiya women's access to land is mediated through their husbands except in those cases where they are registered as household heads in Peasant Associations.

Land tenure in Ethiopia has impacted on the lives of rural women. The land tenure system under the feudal era was based on tenant-landlord relations. This system totally denied women the chance of having independent rights to land. Although the Derg's land reform was relatively progressive, in practice it marginalized women with regard to securing their independent rights to land. Currently, despite the fact that the present Federal Government of Ethiopia has put in place gender sensitive policies and proclamations, the process of enabling women to access land is still beset with slowness and lack of enthausiasm to implement and disseminate the contents of these policies to the public for its benefit.

As a result of the land reform implemented in Tigray during the liberation struggle waged by the TPLF from 1974 - 1991, women got land and participated in the distribution mechanisms on equal footing with their male counterparts. As a result of this more progressive land redistribution process, women in Tigray have been able to exercise their constitutional right to access resources and to improve their living conditions significantly. They have greater security and self-confidence within the household and community. By contrast, women in Oromiya who are in male-headed households do not access land in their own right and, at 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.

A closer situational analysis of the two study areas reveals that while in Tigray, land is highly degraded and the region experiences recurrent food deficit and drought, Oromiya is an area with a high potential for agricultural production and often registers surplus production. The Tigray Regional State has enacted a land law that complies with the requirements of the Federal Government. In addition, there is greater awareness among women and men in Tigray on access to land as a human rights issue. By contrast, the majority of women in Oromiya Region not only have no independent rights over land, they also lack awareness about their constitutional right of access to land. In addition, this region has not yet aligned its land law to the Federal Land Administration Proclamation despite the mandate it has as a regional government. Women in both Tigray and Oromiya, particularly female heads of households, suffer due to lack of complementary resources such as labour, oxen, and credit. This has led to greater vulnerability of such households to food insecurity and poverty.

The study makes the following conclusions and recommendations:

- Participation of women and men in all land-related issues and processes is essential for winning their commitment to achieving land rights;
- There is need for intensive awareness-raising programmes to sensitize the public on the need for women's land rights;
- Accessing land alone cannot overcome food insecurity and eradicate poverty; hence additional effort needs to be made to avail women farmers with resources such as farm inputs, credit services, and labour or draught power;
- There is need to support women farmers to engage in off-farm activities to augment household income;
- Women farmers need functional literacy and skills training to overcome illiteracy and be able to undertake and manage off-farm activities;
- In order to overcome deep-rooted patriarchal systems, coordinated gender sensitization efforts need to be undertaken to bring about the necessary attitudinal change in society;
- The Oromiya Regional government needs to resolve the women's land rights problems highlighted in this study;
- The Federal Government of Ethiopia needs to effectively monitor the implementation of its policies and proclamations to ensure that the objectives set out in these documents are realized;
- The Federal Government also needs to support the national efforts aimed at population control in order to ease the current pressure on land.

Background

Ethiopia is a country located in the Horn of Africa with an area of 1,112,000 sq. km. The estimated population for 2000 was 63,494,702¹ with an annual population growth rate of 2.6%, which is the highest in Sub-Saharan Africa. Eighty five per cent of the population in Ethiopia lives in rural areas. Agriculture is the mainstay of the country's economy, providing 75% of raw materials to manufacturing industries, 50% of GDP and accounting for 90% of export products. Coffee alone accounts for 60% of the country's exports.

Land is a very vital resource and source of livelihood for the majority of people in Ethiopia. There are said to be 11,018, 750 landholders in the country with the total area of land cultivated estimated at 10,719,890 hectares. The average land holding per person is 0.97 hectare.² Smallholder agriculture is the main mode of agricultural production responsible for not only foreign exchange earnings and government revenue but also more than 95% of food production. The sector is, however, characterized by prevalence of outdated tools or technologies.

The tenure system in Ethiopia has been characterized by numerous reforms. The land relations that prevailed in pre-revolutionary Ethiopia were both feudal and patriarchal, mediated through heredity and proximity to the crown or church. Various land-holding systems existed in the different regions in the country. For instance, in the North, both the *rist* (hereditary land rights) and gult (land grants by the crown) existed, whereas in other parts of the country, only the gult existed.

The Derg regime, which overthrew the monarchy in 1974, nationalized all rural land and distributed it to the peasants in line with its socialist orientation and the then popular slogan of "land to the tiller". In principle, these reforms were attractive as they put an end to the exploitation of peasants by absentee landlords and seemed gender-sensitive. However, women's right of access to land not realized due to distortions in the process of implementation. Lack of the necessary will to carry out genuine land reform increased gender-based disparity in access to land that negatively affected the majority of women.

¹ CSA projection for July, 2000.

² CSA 1999/2000, Land Utilization Survey.

At the same time that the Derg was implementing its land reforms (1974 – 1991), the TPLF was implementing land reforms in Tigray, the area they were occupying during the liberation war. The EPRDF, an amalgamation of several political parties including the TPLF, also distributed land in the liberated areas of Amhara before the final overthrow of the Derg regime. Women who received land as a result of these various land distribution processes have been enjoying their right of access to land as a productive resource. The Federal Government of Ethiopia (TGE) established in 1995 incorporated land policy in the Constitution and later on issued a proclamation on land utilization and administration. In line with Constitutional provisions, regional governments have been empowered to enact their own land reform laws relevant to their regional socio-economic conditions. The TGE had earlier on put in place a women's policy which guarantees women's rights in all spheres and structures.

Women in Ethiopia constitute half of the country's population and the majority of them live in rural areas. Despite this, most of them lack independent access to production resources, particularly land. As elsewhere in Africa, women's contribution to agricultural production and household food security is very significant though not valued in economic terms. Age-old patriarchal beliefs and practices in society have disadvantaged women in the socioeconomic and political spheres trapping women in poverty. The majority of women in Ethiopia are illiterate and lack marketable skills. They also have no access to credit and adequate social services. Women and their children have also been more vulnerable to transitory poverty brought about by human-made and natural calamities.

Fourty five per cent of the population in Ethiopia lives in absolute poverty.³ The 1995/96 Household Income, Consumption and Expenditure survey conducted by the Central Statistics Authority (CSA), noted that the annual per capita income at country level was 182.35 US Dollars while that of rural areas was 173.94 US Dollars. Although there is no gender disaggregated data, the majority of the poor people in the country are believed to be women, particularly Female-Headed Households (FHHs). 22.5% of households country-wide are female-headed, while in the rural and urban areas 20% and 37.6% are female headed respectively.⁴

In recent years, the deepening poverty among women worldwide has been raising great concern nationally, regionally as well as globally. The African and Beijing Platforms for Action, identified a number of critical areas of concern for raising the status of women. The African Platform for Action specifically identifies the issue of women, poverty, insufficient food security and lack of economic empowerment.

³ Study conducted by the Ministry of Economic Development and Co-operation (MEDaC) in 1999,

⁴ 1998 CSA Welfare Monitoring Survey.

Some of the actions proposed to be undertaken to address this issue include:

- provision of ownership and utilization land rights on an equitable basis to women and men and the monitoring of implementation;
- provision of the necessary means to rural women in order for them to participate in the process of economic growth by ensuring access to special credit opportunities, training, improved agricultural extension, social services, infrastructure and technologies;
- facilitation of women's decision-making role at the levels of the family, community, public spheres; and
- capacity building to promote, change and manage development.5

Likewise, the Beijing Declaration and Platform for Action identified "women and poverty" as one of the critical areas of concern. Among the actions proposed to be undertaken by governments is to: undertake legislative and administrative reforms to give women full and equal access to economic resources, including the right to inheritance and to ownership of land and other property, credit, natural resources as well as technologies⁶.

1.1 Problem Statement

The 1995 FDRE Constitution, the Women's Policy, and other subsequent policies and proclamations, have enunciated the various ways and means for changing the socio-economic situation for the benefit of the female population in Ethiopia. Despite this, the suffering of the majority of women still prevails in many parts of the country, particularly in the rural areas,. Studies have shown that the majority of rural women in Ethiopia have no access to land in their own right. Most of them also lack complementary resources such as oxen, labour, adequate agricultural inputs, credit facilities as well as social services. Consequently, they are most of the time foodinsecure, socially inferior and economically dependent on men. 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.

1.2 Objectives of the Study

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 land and identify factors that constrain women from exercising their land rights;

⁵ African Platform for Action.

⁶ Beijing Declaration and Platform for Action.

The specific objectives of the study are:

- To assess the situation of women in study areas who have access to land in their own right;
- To identify and analyze the problems of landlessness faced by rural women in the study communities;
- To identify problems that militate against the attainment of household food security and alleviation /eradication of poverty by women in the communities considered for study;
- To make recommendations believed to mitigate the problems of rural women in the study areas.

1.3 Hypotheses

The study seeks to test the following hypotheses:

- Most rural women are landless due to gender-based discrimination against them. As a result, they are unable to benefit from land on an equal basis with men.
- The age-old patriarchal attitudes and practices of society present particular difficulty in implementing policies and proclamations aimed at changing the socio-economic status of women.
- Access to land alone cannot ensure household food security and eradicate poverty. It is necessary to have a reasonable size and quality of land as well as other resources like oxen, labour, credit and adequate agricultural inputs to increase food production.

1.4 Methodology of the Study

This research focused on assessing women's access to land in two contrasting rural communities, in Tigray and Oromiya Regional States. The two regional states were chosen because of their different agro-ecological and socio-economic conditions as well as their cultural practices. Tigray has a predominantly Orthodox-Christian population and is agro-ecologically a food-deficit area. The women of Tigray are highly politicized and have secured land in their own right. On the other hand, Oromiya is a predominantly Moslem community and a food-surplus producing area. Customary law overrides all aspects of social interaction and land distribution is characterized by a gender bias in favour of men. Unlike their counterparts in Tigray, women in Oromiya lack awareness of their constitutional rights. In Tigray Regional State a purposive area selection of four Kushets (villages) in Lima't *Tabia* (PA) of Degua Temben Woreda (district) was done, while in Oromiya Regional State three villages in Hatie Andodie *Kebele* (PA) of Hitossa Woreda, Arsi Zone were selected.

The research used a participatory methodology, which included: Focus Group Discussions (FGDs), community workshops, and discussions with key informants. In addition a questionnaire was administered to a total of 15 women selected from each of the PAs. The women interviewed were of different marital status and age group. Review of secondary data and documents, including government proclamations on women and land tenure issues, was done. Research documents on land tenure and women's rights were also reviewed.

FGDs brought together different respondents who shared ideas and increased their knowledge and awareness on the issue of land rights. Additionally, several workshops were organized in the different communities and at the national level for the researcher to present the findings of the study to the various stakeholders who included women interviewees, PA executives, regional bureaux, federal ministries, research institutions, United Nations (UN) agencies, bi-lateral organizations, civic organizations and NGOs. Participants in the different workshops not only had opportunity to react to the findings of the study, they also demonstrated increased awareness of land tenure issues and expressed concern about the scarcity and degradation of land as a natural and productive resource. As part of the research process, the researcher also presented the preliminary findings at a regional review workshop held in Entebbe, Uganda. This final report has incorporated the constructive comments made at the different workshops.

1.5 Literature review

In pre-revolutionary Ethiopia, land was both an economic and political instrument. Consequently, access to land depended more on the political status of individuals and loyalty to the crown and/or church, the latter being the main instrument for consolidation of state power. For instance, Article 130 (a) of the 1955 Revised Constitution of the Empire of Ethiopia emphasized that: "The natural resources of the Empire, including those beneath its waters, are state domain.'. Sub-article (b) underlined that: "The natural resources in the waters, forests, land, air, lakes, rivers and ports of the Empire are sacred trust for the benefits of present and succeeding generations of the Ethiopian people." Consequently, the literature confirms that some of the ways of accessing land during the feudal era were inheritance, tenancy and claiming additional land by virtue of membership in residential communities. A peasant's ability to do this depended, above all, on his prominence as an elder in community affairs, his skill in land litigation, and personal ties with members of the ruling elite (J. Bruce, A. Hoben & Dessalegn, 1994).

⁷ Tekeste, 1983

The rist, hereditary land rights, was considered as a birthright, for both men and women and it shows that one had ancestors and was a free and legitimate member of the community. Having land rights was an expression of one's identity. Under this system, the idea of selling land was regarded as illegitimate and shameful. On the other hand, a landholder had a hereditary right to share his/her ancestor's land and these were sub-divided among family members and a share of each was then apportioned to claimants by lots to ensure fairness. As a result, land-holdings for households were made up of several scattered parcels of land (A. Hoben, 1996).

In the Northern region of the country, such as Tigray and Amhara, peasants did not constitute a class of tenants. However, their rist land was subject to payment of taxes, tributes, and a variety of personal services to the clergy or secular authorities that administered their communities under traditional land rights. The gult land rights granted by the crown/emperor and which contrasted with rist rights, were introduced and extended over the same land, having the rights of governance including the right to tax, judge and mobilize inhabitants for war. Later on, the gult was abolished as the central government created a new standing army, introduced a series of administrative and tax reforms while rist rights continue to be practised. (J. Bruce, A. Hoben & Dessalegn, 1994).

Further review of the literature shows that in areas conquered and re-conquered by the feudal lords, such as Oromiya, the majority of the farming population was tenant, whose customary rights were not recognized by the imperial regime. They worked as sharecropping tenants of the landlords, who had acquired land grants as a result of the conquest. Tenants had little land security and would owe as much as three days' labour in a week, plus other gifts and services to their landlords. In some cases, tenants were evicted from the land when commercial farms started to flourish. In due course, land grants held by the church and state elite in the conquered areas were transformed into freehold and a substantial number of smallholders became beneficiaries (A. Hoben, 1996).

The land tenure system under the monarchy was feudal in character, emphasizing tribute, personal services, and family ties. At the same time, there were marked regional variations in tenure relationships and landholding patterns which were related to agro-ecological, ethnic and historical factors. This was particularly true of the northern highland areas such as Tigray, on the one hand, and the southern parts of the country including Oromiya, on the other. As can be observed from the practices mentioned above, there was no concern for women's rights of access to land. Hannah (1990) criticized this land tenure system by observing that during the monarchical rule, the majority of women were landless and even if female inheritance was theoretically possible, the social structure favoured property being transferred to male heirs in the family. She noted that women did not determine what crops to plant or whether a cow should be sold or not and did not participate in decisions to take loans for farm activities or household economic needs.

The Derg, which ousted the monarchy in 1974, introduced a radical nationwide programme of nationalization of all rural land. This was effected through the 1975 Proclamation which provided for public ownership of rural land. The Proclamation noted that: "Without differentiation of the sexes, any person who is willing to personally cultivate land shall be allotted rural lands sufficient for his maintenance and that of his family". This proclamation essentially allocated land only to those who were able to till it and totally denied the rights of the children, the elderly, and those women unable to plough land due to cultural constraints. In accordance with Article 8 of the Proclamation, PAs were formed to implement the reform and allocate land to the rural population. The Ministry of Agriculture (MOA) was also responsible for rendering technical assistance in order to achieve the underlying objectives of the reform.

Through its 1977 villagization programme, the Derg government forcefully uprooted the rural people from their places of origin and resettled them in new areas. Although the government claimed that the programme was intended to facilitate speedy development, its impact was heavy particularly on women and children. The long distance to farmland after the establishment of new villages was a serious problem to women because of the amount of time spent in walking to their work places. The forceful establishment of producer's co-operatives in the villages also negatively affected women's access to land. This was because participation in cooperatives was limited to one person per family. In practice, this meant that husbands were the ones registered as heads of households. Since most of the villages resettled during this period were unbearable, they were abandoned immediately after the passing of the Special Decree on Investment in 1990. This decree led to the dissolution of co-operatives and a return of most peasants to their original places of settlement (Alemayehu, 1990).

A number of authors have made an assessment of the overall impact of the 1975 land reform. Dessalegn (1994) and Zenebework (2000) have noted that it neither totally discriminated against women's right to land nor did it improve their situation substantially. Zenebework points out that, among other things, the 1975 land reform was criticized for its failure to challenge the cultural taboo against women ploughing and sowing because this reaffirmed the beliefs, practices and contracts which governed land relations between men and women. Other authors have pointed out that the Derg land reform was successful in abolishing age-old tenancy, agricultural wage labour and other forms of peasant dependency on the landed class. The reform enabled the distribution of available land to the peasantry on a relatively equitable basis and thus gave usufruct rights over the land they cultivated. Despite these positive aspects, the land distribution process, which focused on households, has been criticized for being gender-biased and, therefore, failing to ensure equal land rights of women.

The 1987 Constitution of the People's Democratic Republic of Ethiopia (PDRE) consolidated the provisions contained in the Rural Land Proclamation. Article 13 (2) underscored that: "... Natural resources, in particular land, minerals, water and forest are state property." Article 36 states that: " In the PDRE, women and men have equal rights." Despite these provisions, the land rights of women, other than those heading households and registered in Pas, are only partial or even theoretical. According to a Participatory Rural Appraisal (PRA) conducted by the World Bank (WB) and WAO in April 1998 in five regions of the country, including Oromiya, it was found out that more and more women are cultivating and using land as well as natural resources and yet are denied equitable utilization rights. Women in polygamous marriages are negatively affected by the fact that men tend to register one wife only resulting in other wives not getting the right of access to land (Zenebework, 2000).

The 1995 FDRE Constitution declared land to be the property of the State and the People of Ethiopia, over which individuals have only usufruct rights. Article 35 of the Constitution reiterates the principle of women's right to equal access to economic opportunities, including land, employment and related matters. The most important provision of the Constitution pertinent to land rights is in Article 40. sub-article (3) which notes that: "The right to ownership of rural and urban land, as well as of all natural resources, is exclusively vested in the state and the peoples of Ethiopia. Land is a common property of the Nations, Nationalities and Peoples of Ethiopia and shall not be subject to sale or to other means of exchange". Sub-Article (4) likewise states that: "Ethiopian peasants have the right to obtain land without payment and the protection against eviction from their possession."

In order to execute these provisions, the Constitution gives power to regional governments in Article 52 sub-article (2) (d) to: "Administer land and other natural resources in accordance with the Federal Law." The Federal Rural Land Administration Proclamation, on the basis of the provisions of the Constitution, has defined issues related to the rights and obligations of users such as that of inheritance, leasing, investments, compensation, and use of hired labour. Article 4(4) of the Proclamation states that: "The land administration law of the regions shall confirm the equal rights of women in respect of the use, administration and control of land as well as in respect of transferring and bequeathing holding rights."

Article 6 spells out the principles governing the laws which need to be enacted by the regions. Sub-article (1) underscores that the land administration law of regions shall: "Ensure free assignment of holding rights to peasants and nomads, without differentiation of sexes; as well as secure against eviction and displacement from holdings on any grounds other than total or partial distribution of holdings effected pursuant to decision by the Regional Council." Sub-article (3) allows: "women to use hired labour on their holdings or to, otherwise, make agreements thereto". Article 6 (10) stresses the need to: "lay down a system based upon transparency, fairness as well as the participation of peasants, especially of women, for purposes of assigning holding rights and carrying out distribution of holdings".

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. In reality, women do not get a fair share of land at divorce and hence have to either go back to their relatives or run away to other places to look for means of survival (Teferi, 1994; Zenebework, 2000; Yegremew, 1997; Tiruwork & Yigremew, 2000). Whereas in some traditions such as in northern Ethiopia parents used to willingly allocate land and some livestock to grown-up children, particularly males, but in some instances daughters if married to a man in their area, these practices ceased after the land reform of 1975 as adult children could claim land from PA Executives as these were now responsible for land distribution (Teferi, 1994; Yared, 1995; Tiruwork & Yigremew, 2000).

Yared (1995) points out that PA officials take a major part of the land when the male spouse dies while they take a small plot or none upon the wife's death. This is done under the pretext that the man can re-marry and sustain the family while the woman's chances of re-marrying are minimal and the probability of leaving her area of residence is very high. Yared further observes that social status and economic resources are important in influencing the pattern of land distribution, which disadvantages femaleheaded households given the lower social status of women and their minimal economic resources. Dessalegn (1994) underscores the fact that although women hold land on behalf of their male children, they may be deprived of all or part of it when the boys grow up and claim it.

In his study of a resettlement site, Meheret (1994) found out that women preferred to be independent as FHHs, in order to ensure their getting independent land rights and enjoying some degree of economic freedom. According to the study, however, most women in the resettlement sites were unfairly treated during the land distribution exercise because the committee members responsible for the task were all men. Consequently, most of the land given to women was marginal, far from their homesteads, or was not well cleared and, therefore, required additional labour to prepare the land for cultivation. Moreover, the land women got was adjacent to sanctuaries of wild animals and rodents requiring guarding day and night.

FHHs tend to be poorer and in need of assistance particularly for labour on the farms and such work as sowing and planting, is traditionally considered to be taboo for women to do. Their dependence on male labour and frequent renting of traction power imposes problems on women and, as a result, their land is often not ploughed, seeded or harvested in time. As a result, FHHs have a more acute lack of agricultural resources and are sometimes obliged to lease their land to sharecroppers and receive less produce. In addition, agricultural extension services tend not to reach women at the same rate as they reach men. (Dessalegn, 1994; Dejene 1994; Tiruwork & Yigremew, 2000; WAT, 1996; Meheret, 1994).

Literature on the situation of women in Oromiya reveals that women by tradition do not own property in their own right¹¹ except for produce given to them by their husbands and household goods women bring with them at marriage. The WAO/WB study points out that upon divorce, women in Oromiya receive some grain, cash and cattle, if there are any. On the other hand, if the woman is widowed and has children, her brother-in-law inherits the husband's property, wife and children. If she has a grown-up male child, she can give the land to him but if she does not have children, she will be obliged to go back to her place of birth. The study further states that a female child cannot inherit her parent's property because her wealth is expected to be at her husband's home, and yet she cannot inherit her husband's property because it belongs to the clan. This shows the gender-based discrimination against women, which makes them resource-poor and dependent on men.

Unlike the situation in Oromiya, the situation in Tigray and parts of the Amhara Regional States, reveals that most women have access to land in their own right. In addition, credit facilities have been extended to former members of the TPLF. A case study of Land Reform in the District of Adi Nebried in Tigray revealed that women were given land on an equal basis with men. The case study underscores that this was a milestone in the liberation of women and elimination of their oppression by their husbands. According to Chiari (1996), the land reform eliminated economic dependence of women on men and improved intra-household relationships. Chiari notes that for those individuals who received parcels of land at the last distribution, land provides a degree of social security. Gebre'ab (1995) also underlined that the equitable distribution of resources, especially land, among the rural communities in Tigray during the liberation struggle was a deliberate political strategy for the peoples' survival.

2.0 Findings of the Study

2.1 Tigray Regional State

2.1.1 Access to and Control over Land

Land in Tigray has been redistributed and under continuous cultivation for many years. In addition, the terrain is steep and unsuitable for farming. The majority of the women in this area have land in their own right. A number of women who do not have independent land rights admitted to having equal decision-making powers over the land and the produce with their spouses. The average size of the landholding, however, was quite small: 0.50 hectare per farmer and mostly of poor quality.

Married women in the research areas have the right to retain their share of land in case of divorce. Land distributed to a married couple is registered in the names of the husband who is to be the head of household. Taxes levied on all distributed land are paid in the names of the head of the household. However, given the considerable politicization and awareness raised in the course of the liberation war, the fact that household heads are men does not mean that the male spouse has the upper hand or is the decision-maker.

2.1.2 Land Size and Quality

The views of the community regarding the level of satisfaction with sizes and quality of their land were mixed. Whereas, in principle, women were undeniably satisfied with the fact that they had independent rights over land, they were concerned about the small sizes of their land, its poor quality, and low productivity. Because of the small land holdings, poor soil quality and low productivity, most of the women cannot produce food to last them the whole year and are thus food-insecure. To mitigate this problem, intensive use of agricultural inputs to improve soil quality and productivity is considered essential by the community.

The women interviewed stated that having independent access to land had improved their living conditions and those of their families. They said that having access to land has enabled them to develop a sense of security, self-confidence and raised their status in society.

2.1.3 Land Rights and Redistribution

The level of awareness of women's land rights was found to be quite high among the respondents. The respondents also expressed their opinions

regarding land redistribution. This high level of awareness was an outcome of the politicization process which took place during the liberation struggle. Because land distribution has already been carried out repeatedly in the region, the majority of the respondents who had land were of the view that further redistribution of land would be inappropriate as it has become scarce, highly fragmented, and of low quality. However, one of the respondents without land desired to have land of her own whether through redistribution or any other means.

2.1.4 Ownership of Oxen and other Productive Resources

The majority of women interviewed, who have access to land, do not own oxen. In order to get their land ploughed, most of the them have to exchange grass and hay from their land for oxen and labour. One woman who has no oxen of her own leased her land because she was not capable of cultivating it herself. Another respondent was assisted by the community members because her elder son, who could have done the job was at the war front. A limited number of women who have land and are also married, have oxen of their own and their spouses provide labour.

2.1.5 Access to Agricultural Extension and Credit Services

All the respondents interviewed have access to agricultural extension services and can purchase fertilizers and improved seeds. These services were mainly provided by representatives of BOA and recently supported by a service cooperative set up about five years ago. Most of the respondents reported that they were satisfied with the delivery of the extension services, which were enabling them to increase crop production. However, there were indications that due to fear of repayment, farmers were not taking the inputs as much as they needed to.

A rural credit initiative run by the Dedebit Micro-Finance Institute operates in the research area. According to all respondents, the credit services are accessible to everyone and the amount of funds available for disbursement range between 250 to 2,500 Birr (equivalent to 30 to 300 US Dollars). A significant number of women met had taken cash credit for various activities including petty trading, animal husbandry and buying ox ploughs. In a similar vein, credit services are rendered by WAT to enable its members engage in income-generating activities. These endeavours have enabled women without land to earn a living and those with land to augment their family incomes. WAT has also established several support services such as grinding mills to reduce the workload of rural women.

2.1.6 Crop Production and Income

Even with the use of fertilizers and improved seeds, agricultural production is very low largely because of low soil fertility, shortage of rainfall in the lowlands, high water retention in the highlands, and prevalence of pesticides. Wheat production, a major activity in the area, vividly illustrates this fact.

The average yield of wheat per hectare through traditional means of farming is 6 quintals, while employing agricultural inputs results in 16 quintals. Respondents stated that three-fourths of the crops grown were consumed at the household level and the rest is sold to cover other family expenditures. Respondents reported that they engage themselves in food-for-work programmes and other off-farm activities in order to cover the shortfall in household food supplies.

2.1.7 Food Insecurity and Coping Mechanisms

All the respondents reported that they were food-insecure even during the time of good harvest, with the most critical period being between June and September. Almost all of the women interviewed were involved in one form of off-farm activity or other as a way of trying to generate income to cover family expenses. The most frequently reported coping mechanism against food insecurity were food-for-work, food aid, income-generating activities such as spinning and making traditional cloths, production of handicrafts, petty trading, and goat and poultry rearing. Respondents who were married cited farming and petty trading as the activities engaged in by their spouses.

2.2 Oromiya Regional State

2.2.1 Access to and Control over Land

Although the married women who have access to land claimed to have full control over it and its proceeds, informal discussions with some of the women revealed that they were often reluctant to publicly expose the reality of their lack of control due to the sensitivity of the subject which may result in their being condemned by society and even break their marriages. In some instances, women in polygamous marriages are permitted by their husbands to register as members of Peasant Associations. However, in such instances, their husbands usurp their control rights.

Other than through inheritance from their parents and/or husbands, there is no other channel for allocating land to married women in their own rights. Consequently, the majority of women who have independent land rights were widows who inherited the resource upon the death of their husbands. The women with access to land, though happy that they had land, deplored the allotment exercise which they criticized for being biased against them and based on nepotism as portrayed by the then PA officials. The majority of the women without land were young married women. The only option these women had for earning a living was to collect and sell firewood whenever they got some one to look after their small children.

Land Size and Quality 2.2.2

Landholdings in this research area are comparatively larger and of better quality than in Tigray: 1.5 hectare. Half of the people interviewed expressed satisfaction

with the land distribution exercise done 10 years ago, while the other half expressed dissatisfaction. A large number of the population that is landless bemoaned the high level of poverty and lack of employment opportunities in their area. Although some are aware that shortage of land, and high population growth have compounded their problems, they still want land redistributed so that they too can get a share. Despite this expressed need, there was no information about the availability of any land for distribution. Government officials contacted at various levels underscored the fact that even if land redistribution is done, the majority of married women still wanted land to be given in the name of the male heads of households.

2.2.3 Land Rights and Redistribution

Discussions held with respondents regarding land rights revealed that all of them were not aware of their constitutional rights to land. Women who secured land during the dissolution of co-operatives in 1990 reported that the PA executives showed nepotism and gender-bias in the land distribution. Most of the women did not want more land redistribution because they feared that they might lose what they now have. By contrast, women who are landless wanted land redistribution as they have no other source of livelihood.

Information gathered during discussions with the regional and zonal officials shows that they fully appreciate the problem of landlessness and the need to address the land question. However, due to the complexity of the issue and the socio-cultural factors prevailing in the area, the regional government is as yet to conduct further investigation and study of the problem before acting on it.

2.2.4 Ownership of Oxen and Other Production Resources

Out of the total number of women who have access to land, a good number own oxen. All these women were widows and they said they were assisted by their sons-in-law or neighbours to plough their gardens because they cannot do it by themselves. On the other hand, women without oxen reported that they use tractors to cultivate their land. This is an expensive option that costs 180 Birr per hectare for tillage and 80 Birr per hectare for harrowing. This makes it much harder for female-headed households as they are the ones who in most cases do not own oxen.

2.2.5 Access to Agricultural Extension and Credit Services

A significant number of individuals with access to land are entitled to purchase fertilizers and improved seeds on credit. Half of the number of women who have access to land reported that they were satisfied with the extension services rendered, while the other half was non-committal. None of respondents reported having had access to formal credit services for IGAs. Although there are credit institutions in the region, such as the Oromo Saving and Credit Company, the respondents and local officials reported that there are no such services in the PA vet. It seems that there is limited knowledge in the area of credit despite the fact that the current MFIs' policies are targeted at the rural poor, including women.

2.2.6 Crop Production and Income

This research area is situated in the surplus-producing region. The yield per hectare, even without the use of inputs, is relatively high. For instance wheat, which is the main crop grown in the area, yields 56 quintals with the use of fertilizers and improved seeds and 40 quintals with traditional means of production. According to the respondents who have access to land, they consume about 75% of the produce and the remainder is sold. Although there was a food gap particularly between June and September, there were no off-farm activities carried out and this was due to lack of credit services. Respondents noted that the loans given by traditional lenders in their area have very high interest rates and, therefore, they opted not to borrow from these sources.

2.2.7 Level of Food Insecurity and Coping Mechanisms

The household income is directly related to the size and quality of land. Out of the number of women who have access to land, a significant number reported that they were food-insecure while a small number indicated that they were self-sufficient in food. The problem of food insecurity was mainly attributed to the small size of farmland, natural calamities like floods, inadequate inputs, and lack of complementary resources such as credit. For those individuals who said they were food-insecure, the time of food scarcity is usually between June and September.

The most frequently reported coping mechanism against food insecurity in the Hatie Andodie PA in Oromiya is collection and sale of firewood and wage labour. It was noted by the respondents that it takes some 10 hours to travel back and forth to collect firewood because of clearing the forests for cultivation. These women do this job two to three times a week, whenever they have someone to look after their children. It was also learnt that although some are engaged in production and sale of handicrafts, they could have done better through petty trading had it not been for lack of funds to work with. The respondents reiterated that they do not want to take loans from local borrowers in their area since the interest rates are very high.

3.0 Comparative Analysis of the two Communities

The above overview has highlighted the distinction between the women farmers in Lima't PA in Tigray and Hatie Andodie PA in Oromiya. The study has demonstrated that women in Lima't have access to land in their own right as a result of the politicization and democratic practices carried out during the liberation struggle. In general, women in the region are well aware of their constitutional right of having access to land, although no major distribution has been made since 1990. However, most of the respondents underlined the fact that the land they have is small and poor in quality. This has meant that the produce they get from the land is inadequate to feed them throughout the year.

As a coping mechanism, women in the study area participate in the Food for Work programme and also engage themselves in off-farm activities using the credit they receive from the micro-finance institution operating in many areas of the state. Despite the low crop production, women with land holdings declared that having access to land in their own right has improved their living conditions and those of their families, increased their security in marriage, enhanced their decision-making power and social status in their households and society at large.

By contrast, women in Hatie Andodie have more limited independent access to land except as widowed heads of household. Unlike their counterparts in Tigray, women in Oromiya lose their land at divorce and are even forced to leave their marital areas to look for either employment or a chance to re-marry. Women in Hatie Andodie are unaware of their constitutional right to land. Women who have access to land secured it during the dissolution of producers' co-operatives in 1990 but reported that the distribution process was gender-biased and displayed nepotism. Though the size and quality of land accessed is better than that in Lima't, most women farmers in Hatie Andodie have admitted to being foodinsecure. There are no employment opportunities in Hatie Andodie area, even as daily labourers, except during harvesting season. Micro-finance institutions have not yet started to render services and, therefore, offfarm activities have been very limited.

4.0 Conclusions and Recommendations

4.1 Conclusions

During the feudal era, Ethiopian women had no access to land in their own right and the land tenure system was based on state ownership of land and tenant-landlord relations. Women who had right of inheritance in some parts of the country were discriminated against due to prevalent patriarchal sociocultural factors. Following the overthrow of the monarchy in 1974, the Derg regime which took over power nationalized all rural land and distributed it to the peasants. In spite of the fact that the Derg Constitution and legislation were progressive, women did not benefit on equal terms with men since the distribution was focused at the household and, in practice, was gender-biased. Most married women had no control over land and their decision-making role was very minimal. Only FHHs were able to get access to land by being registered in PAs. However, such women received marginal land compared to their male counterparts. In addition, FHHs were also disadvantaged because they lacked labour, traction power and other resources and, therefore, could not benefit from the land they had access.

The resettlement and villagization programmes introduced by the Derg regime in order to speed up development disadvantaged rural women further because they dislocated them from their villages. Women's workload increased as a result of the long distances from their villages to farms and water points. In general, the majority of rural women remained poor, foodinsecure, inferior and economically dependent on men. On the other hand, during the same period, women in Tigray and some parts of Amhara Regional States got access to land in their own right as a result of the liberation struggle waged in these areas. Although the situation of the states mentioned above was created through a different historical phenomenon, the land tenure issue in other regions of the country, including Oromiya, remained the way they used to be decades ago.

As regards the communities covered in the research, women in Tigray have access to land in their own right and are more aware of their constitutional right to land. Most of the women declare that having access to land has enabled them to enjoy a greater sense of security, confidence, and decision-making power. These women can also retain their land holding

in case of divorce. However, because women in Lima't have access to small plots and poor quality land, the produce they get remains very low. Agricultural production in the area has also been affected by shortage of rains, water retention and pests. As a result of all these factors, women in Lim'at PA have remained poor and most of the time food-insecure.

Women in the study area of Hatie Andodie, particularly married ones, have access to land but have no control over the resource and its produce. These women lose their rights totally upon divorce since customarily they cannot take their share. It is FHHs who inherited land from their deceased spouses or registered as PA members who get land in their own names and have full control over it. Women in the study area have no access to credit services to enable them carry out off-farm activities. There are no employment opportunities in and around the PA for the women themselves and their male counterparts.

The constitutional provisions and that of the land administration proclamation, other policies and the recently promulgated Family Code have opened new opportunities for altering gender relations in general and access to land in particular. Nevertheless, though there is a great commitment at the Federal Government level, the implementation of these policies and proclamations is very slow. Besides, laws in themselves will not bring about equity and equality. Investigating the problems and bottlenecks for implementation and finding remedies along the way is vital. This study has raised the point that access to land alone cannot bring about food security or eradicate poverty. Land rights for women must be supplemented by other resources like traction power and credit services. Intervention to resolve women's land rights need to take on board these complementary issues so that meaningful improvement in the lives of rural women can be attained and their eventual emancipation realized.

4.2 Recommendations

In light of the above overview and conclusions, the following recommendations are made for consideration:

- Opportunities need to be created to enable women have complementary resources like traction power, adequate inputs and expansion of credit services.
- The size and quality of land given to women farmers should be reasonable in order for production to be satisfactory.
- Women need literacy and skills training in order for them to effectively carry out off-farm activities.
- There is a need to seriously consider the provision of social services and infrastructure to address women's burden and enhance their participation in agricultural and off-farm activities.

- Regional governments and private investors need to intensify efforts to create employment opportunities to ease the double problem of scarcity of land and high unemployment.
- The Regional Government of Oromiya, which has not yet addressed problems of land issues, needs to conduct a detailed study on land in general, and women's land rights in particular, in order to resolve the inequalities in access to land.
- In consideration of the role played by customary laws and existence of deep-rooted cultural beliefs and practices, which are discriminatory to women, intensive gender sensitization programmes be conducted in Hatie Andodie and the region in general to achieve attitudinal change.
- There is need to respect the natural wisdom of the rural people. Therefore, community members in the study area in Oromiya, including women, should participate in discussions and formulation of by-laws in relation to land issues and be involved in subsequent processes to build trust and confidence among one another and facilitate effective implementation of policies and proclamations.
- Women's and other civil society organizations need to be in solidarity with rural women whose land rights have been denied, by lobbying at different forums.
- Planners should give due attention to women farmers who are often discriminated against and have lesser access to economic resources such as oxen and labour to ensure their benefiting from development interventions.
- The Federal Government needs to set effective monitoring and evaluation mechanisms to check the implementation of policies and proclamations and deal with any emerging problems.
- It has been observed that land is very scarce and unemployment high in the areas. Therefore, rural credit services need to expand to enable women farmers increase their income and also accommodate the everincreasing number of the landless to be engaged in off-farm activities.

CASES

The Case of Abeba Habtu

Abeba Habtu is a 29-year-old peasant woman in Lim'at PA, who received land in her own right during the 1990 distribution in the area. Abeba is married and did not go to school when she was a child since there was not any in her village. However, Abeba had the opportunity to attend a literacy programme organized by the TPLF so she was able to become literate. Abeba got married at the age of 17 and has three children. aged nine, four and one respectively. Abeba's eldest child is enrolled in a primary school.

Abeba and her husband benefited from the land distribution programme carried out 10 years ago. She confidently said that, apart from having access to 1.00 hectare of land, they have a pair of oxen that they use for ploughing and two cows. As a married woman, Abeba has no problem with labour, they have a good harvest most of the time and are therefore food-secure. Abeba further disclosed that they hire out their oxen and this enables them to get more produce from other farmers.

She noted that as a result of having access to land, labour, oxen and the two cows, her family was leading a better life than people who either do not have land, or those who have land but lack the complimentary resources. Abeba pointed out that this has been manifested by improved nutrition of the family, food self-sufficiency throughout the year, building a better residential house, buying good quality and adequate clothing, and sending their child to school. She declared that she has equal decisionmaking power with her husband, is secure and self-confident which in turn has enabled her to get respect in the community.

The Case of Hajo Gobie

Hajo Gobie is a 35-year-old widow living in Hatie Andodie PA. She got land in her capacity as a head of a household. Hajo is illiterate because there was no school in her locality and her parents had no awareness on the benefits of education. Upon marriage, Hajo's parents gave her dowry of cattle, a horse and household goods.

Although Hajo and her husband had 1.5 hectares of land at the land redistribution exercise that followed the end of the cooperatives, she neither had control over the land nor equal right in its utilization. Upon the death of her husband, Hajo inherited the land that they had access to since her co-wife had land of her own because she had registered as a PA member.

Hajo testified that she started having full control over the land and make decisions after the death of her husband. She noted that she has been food-secure most of the time and her living condition has improved substantially. Hajo has a pair of oxen so she does not need for hire tractors, which are expensive to rent. She reported that neighbours assist her to plough the land. Hajo has built a better residential house in her village, can feed her children satisfactorily, buy them adequate clothing and educate them.

Hajo does not wish her children to be farmers and depend on highly fragmented and degraded plots of land. She, therefore, wants to educate them up to the highest level so that they can get employment elsewhere.

The Case of Hiwot Haile Selassie

Hiwot Haile Selassie a 20-year-old woman living in Lim'at PA. Hiwot was married when she was 17 years old and was given an ox as dowry by her grand-parents. Her husband had a pair of oxen and a 0.25 hectare piece of land. Hiwot reported that her husband divorced her when the oxen she brought to the marriage died and was forced to go back to her grand parents' home. Her ex-husband has now remarried a woman who has land of her own. Hiwot noted that she could not access land during the redistribution exercise because she was young at the time. She regrets the fact that she has no land which could have enabled her sustain the marriage.

Hiwot has for a long time been engaged in the food-for-work programme, because of the priority it gives to landless persons. She also makes handicrafts, spins and makes traditional cloth that she sells in nearby markets. Hiwot said that she is working hard to buy oxen and hopes to be in a position to remarry, establish a family and have children. Although she was aware that access to land is a constitutional right, she does not expect to get any since there is not enough land in the area, and even the one available is divided into very small plots.

The Case of Sofia

Sofia is a 24-year-old married woman with four children. Sophia was abducted by her husband, who paid 1,600 Birr (equivalent to 180 US Dollars) as required by custom, considered to be a gift to her parents. Although her parents had acquired land, Sophia did not get any at her wedding because she is female. Sofia resented the fact that she was abducted and got married to a man without land or any other resource to earn a living. She mentioned that although they got along and were on good terms with her husband they had problems of supporting themselves.

Sofia revealed that she is most of the time depressed and saddened because of being unable to produce enough food. She said that the worst months of the year are from May to September during the rainy season when food is very scarce. She reported the bitter experience which she went through the previous August when she gave birth to her fourth child and she had no food for two days. Sofia agonized over the fact that she could not breastfeed her baby because she did not eat enough food.

Sophia's wish is to educate her children so that they are able to secure employment and do not face the same fate faced by their parents. Sofia's husband is a daily labourer who works during the weeding and harvesting seasons only. He also collects and sells fuel wood from distant places two to three times a week. She said that in and around Hatie Andodie PA, there are neither employment opportunities nor credit services to enable them engage in off-farm activities.

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- 3. Ato Yigremew Adal,

Non-Governmental Organizations

- 1. Ato Zegeye Assfaw, Executive Director, Hundie
- 2. W/o Zenebeworq Taddesse, Forum for Social Studies

Tigray Regional State

- 1. Ato Tsegay Berhe, Deputy Head of the Regional State
- 2. W/o Aregash Adane, Secretary of the
- 3. Hassen Shifa, Head of TPLF's Propaganda and Agitation
- 4. Tekle Woyini Asseffa, Executive Director, REST
- 5. Berhane "Head of Tigray BOA
- 6. Tesfay Hagos, Deputy Head of " "
- 7. Haile Yohannes, Head of Tigray BOPED
- 8. W/o Kidusan Nega, Chairperson of WAT
- 9. Aster Amare, Head, WAD

Degua Tembien Woreda

- 1. Ato Tewolde Berhan Teklu, Chairperson of Woreda Administration
- 2. Asseffa Tegegne, Deputy " " "

- 3. Berhane Hadush, Head, Woreda Education Office
- 4. Hailu Kiros, Expert, Woreda Agriculture Office
- 5. W/o Lete Berhan Teklu, Chairperson of Woerda WAT

Lim'at Tabia

- 1. Keshi Nebiye Liul Asgedom, Tabia Chairperson
- Haile Selassie Mirutse. Executive Committee Member
- 3. Ato Araya Hailu, Deputy Chairperson
- 4. Hadgu Kahsay, Development Agent
- 5. W/o Tibka Hagos, WAT Chairperson

Oromiya Regional State

- 1. Ato Chala Wordofa, Head, Social Affairs, Regional Administration Council
- Junedin, Head, Economic Affairs,
- 3 Kaso , Expert, BOA
- 4 Abu
- 5. W/o Gifti, Head of WAD

Arsi Zone

- 1. Ato Taddese Wordofa, Deputy Head of Zonal Administration Council
- 2. W/o Assegedech Aweke, Head, Zonal Women's Affairs Department
- 3. Ato Workeneh, Expert, Department of Agriculture

Hitossa Woreda

- 1. W/o Belaynesh Hailu, Head, Social Affairs, Woreda Administration Council
- Economic " 2. Ato Fekadu Adera.
- 3. " Libiso Ofolcha, Head, Woreda Agriculture Office
- 4. " Teshome Nebiyu, Expert,

Hatie Andodie PA

- 1. Ato Ahmed Eabu, PA Chairperson
- 2. Abubakar Bati, Secretary
- 3. Kebede Tola. Deputy Chairperson
- " Adem Guraro. **Executive Committee Member**
- 5. W/o Berkinesh Development Agent