



International Journal of Multidisciplinary Research and Growth Evaluation



International Journal of Multidisciplinary Research and Growth Evaluation

ISSN: 2582-7138

Received: 29-10-2021; Accepted: 18-11-2021

www.allmultidisciplinaryjournal.com

Volume 2; Issue 6; November-December 2021; Page No. 191-197

Rural land certification process in Ethiopia: Impact on land security and its contribution to land enhancing investment

Genene Tsegaye Mekonnen

South Agricultural Research Institute (SARI), Agricultural Economics Research, Ethiopia

Corresponding Author: Genene Tsegaye Mekonnen

Abstract

Ethiopia has implemented one of the low-cost land certification programs since 2003. The first-time land certification was fast, high in its scope, and less costly. After the whole process of measurement and registration, the certificate was offered to the landholders. Despite the ongoing debates on the land policy, there is yet some evidence revealing positive impacts on tenure security, productivity, and promoting gender equity. It provides a high level of tenure security by reducing land redistribution fears, protecting peasant eviction, lowering encroachment, and

reducing conflicts. It increased productivity and reversed the pro-longed women's inferior land-right position. To overcome the limitation of the first phase, a second-time certificate with geo-referenced plot maps was issued. In conclusion, information updating on land certification, in-depth analysis of cost and impact are highly recommended, and thereby policy recommendations should be present to policymakers to devise a vibrant and functional land tenure system in Ethiopia.

Keywords: Land certification, Land right, Impacts, Tenure security, Ethiopia

Introduction

While using and managing land, different land policy, laws and reforms have been ratified and practiced in Ethiopia. The historic path of Ethiopian land rights starting in the 1900s had been mimicked type containing diverse tenure holdings such as collective, communal (*rist* or *risti*), grant land (*gult*), private or freehold, church and state holdings (Joireman, 2001; Adal, 2002) ^[12, 1]. Before 1975, the land was concentrated in the hands of few absentee landlords, tenure was highly insecure, arbitrary evictions were common, and a large hectare of lands was underutilized (Deininger, Ali, Holden, & Zevenbergen, 2007) ^[7]. During that era, the land tenure system was broadly usufructuary tenures and private tenures were under the former '*rist*' ^[11] system was dominant in the northern highlands and private tenures were dominant in the southern part of the country (Tekelu, 2005) ^[17]. In 1974, at the time when a new regime emanated to the power, the private land right was changed to the public by proclamation of land reform for the first time. The force of political change called "land for tiller" built over time change the pre-existing tenure system and ownership of land was vested to the state (Tekelu, 2005) ^[17]. The tenure change enabled all peasants to be an owner and they have the use rights to exploit the resources for economic benefits; and the decision-making rights such as the right to plant crops, to protect from others but it was hardly possible to rent out, sell and transfer the land rights.

The land policy under the current Federal Democratic Republic of Ethiopia (FDRE), is a continuation of the past regime that land is under public property regime or state ownership while rural landholders have the right to use, exploit, manage, protect; and partly alienation rights. It reaffirms the constitutionality of state ownership, guarantees free access to landholders and constitutionally protected from eviction except where there is a need for a total or partial redistribution of land to ensure "fairness and proportionality" (Tekelu, 2005) ^[17]. In general land rights in Ethiopia is categorized in both use rights and control or decision-making property rights (Mwangi, E, and Meinzen_Dick, S, 2009) ^[13] of which farmers have the use rights (access, withdraw from, exploit for economic benefits) and alienation rights of rent out and bequeath. In 2005, FDRE had revised the rural land administration and land use policy of the country and implemented land certification reform in the different parts of the country (FDRE, 2005) ^[5]. In this reform, both monogamous and polygamous women were given a joint land certificate with their husbands that empower their land rights. Land registration and certification is one of the international policy agenda wherein husbands and wives are given joint titles to their land (Holden & Tefera, 2008) ^[11].

¹ *Rist* is tenure system where an individual (s) or group of individuals have the right to claim to their ancestral (original) land

Titling is a form of land reform in which private individuals and families are given formal property rights for land which they have previously occupied informally or used based on customary land rights (Gershon & Nishio, 1999) ^[10]. The land title is a written document providing proof of ownership and this ownership is recorded in a publicly recognized central land registry (Bezu & Holden, 2013) ^[4]. It is associated with full private property rights that can be transferred by sales and any means of land transfer. In Ethiopia's context land title is defined with respect to the country's constitutional law. Land certification involves measuring, demarcating, recording, processing and issuance of the certificate to the landholders that ensure their property rights.

Despite the contemporary land use policy and land certification reform of the government aiming to secure tenure rights (access and some alienation rights), increasing productivity, ensuring joint title to women and reducing land-related conflicts yet there is an ongoing debate on the land policy of Ethiopia. Therefore, based on a review of literature and studies of different scholars conducted in Ethiopia, this paper is attempting to review and find theoretical evidence for the following basic research questions: (1) do land titling and certification (tenure change) have imposed impacts on rural tenure security, land productivity, investment, and management? (2) Do women benefited from the joint land certification that has been implemented in Ethiopia?

The rationale for land titling and certification

Land title enhances tenure security, facilitate access to institutional credit and is an incentive to undertake investments which this, in turn, yields economic benefits over time (Gershon & Nishio, 1999) ^[10]. In Africa, including Ethiopia population increase and technical change coupled with resource scarcity resulted in subsequent increases in the value of land than ever before. As land becomes scarce due to population increment, it threatens the survival of rural farmers and increases demand change in land rights that permit them for a broad choice of access and secured rights that are enforceable at low transaction costs (Tekelu, 2005) ^[17]. Such rationales for change in property rights and the demand for the formalization of property rights to land in Africa leads to land registration and certification (Deininger, Ali, & Alemu, 2009) ^[6]. To cope with pre-existing pressure and emerging demand for land, since the 1990s, most African countries passed new land legislation by strengthening customary land rights, recognizing short of a full title, improving gender equity and decentralizing land administration (ibid).

Similar to other African countries, to avoid such pressure and to cope with emerging demand, the government of Ethiopia revised the land reform policy and implemented land certification reform in the different parts of the country (FDRE, 2005) ^[5]. The land titling and certification in Ethiopia differ from traditional titling interventions in a number of ways (Deininger *et al.*, 2009): 1) ^[6] rather than full title issuing non-alienable use-right certificates; 2) issuing joint certification for husbands and wives which promote gender equity; 3) using participatory and decentralized process of field measurement and demarcation; and 4) use of non-spatial information to reduce costs (except pilot and second-time certification). These are the basis for a rapid and less costly approach of titling and certification that avoids the

shortcomings of the historic land tenure system.

The process of land certification in Ethiopia

The land certification in Ethiopia has implemented into two rounds namely first-time and second-time land registration and certification phases. The first-time land certification has been implemented since 2003 (except Tigray that started in 1998) and over 5.5 million certificates had been delivered to landholders (Holden & Tefera, 2008) ^[11]. The process was very fast and low cost in its transaction. In the process, short awareness to the public was given, following the public meeting *kebele* ^[2] level Land Administration Committees (LACs) composed of 5 to 7 members of which at least one female member was popularly elected and formed (Deininger *et al.*, 2007) ^[7]. The LACs main responsibility is labor-intensive fieldwork of demarcation and conflict mediation arising during the process. During measurement and demarcation of plots, the landowner and his/her adjacent neighbors are compelled to be present as a witness that could create transparency and minimize the probability of dispute arising in the process.

After measurement and demarcation, the data is processed manually and recorded to the registry book (both at *kebele* and *woreda* ^[3]) and an official passport-sized and booklet type land certificate signed officially at *kebele* and *woreda* level (usually at *woreda*) issued to certificate holders. There were inter-regional differences in placing the pictures and the way landholders listed in the certificate. The certificate has only the name of heads in Tigray with no picture placed, but in other regions, the certificate includes both the name of head and spouse with their pictures (except in Oromia where only the head's picture is included) (Deininger *et al.*, 2007) ^[7].

For polygamous households, the certificate is issued jointly to the wives and husband having his name first on the first wife and below the name of his second and later wives (Holden & Tefera, 2008) ^[11]. Although the regional states follow the federal institution, there are also inter-regional differences in the duration of certificates on the hands of holders. In Tigray, holders of land are eligible for the registration certificate; in Amhara book of holdings is offered and in Oromia, a lifelong certificate is issued to certificate holders (Tekelu, 2005) ^[17].

In the first -time land certification, except some pilot *woredas* land was measured and demarcated with traditional measuring tools such as ropes and meter or relying on farmers' knowledge of the areas of the plots. Except emplacing corner boundary and neighboring parcels owners' identification, there was not geo-referenced spatial information such as geographical coordinates, altitude; no cadastral map and sketch are prepared and attached to the certificate for any of the plots (Deininger *et al.*, 2007) ^[7]. As repeatedly reported by different authors, (for example, Holden & Tefera, 2008; Deininger *et al.*, 2009) ^[11, 6] the cost excludes all survey and demarcation related and supervision costs. It only considers the very small amount of money probably this cost might be for the printed certificate and photos of individual holders. Though the cost is very insignificant and lowest, there was an inter-regional difference. With exception of Amhara, where certification was delivered free of payment, in the remaining Oromia, Tigray regions and South Nation, Nationalities and Peoples'

² *Kebele* is the lowest administration unit

³ *Woreda* is the second-lowest administration level equivalent to district

Region (SNNPR), households were expected to pay modest sum of money, i.e. Birr ^[4] 2 to 5 plus Birr 4 for photos and a cost of \$1 per parcel and a total cost of \$3.5 per household to get a certificate (Deininger *et al.*, 2007) ^[7].

By evaluating the process, limitation, early impacts and farmers' perceptions of the first-time land certification reform, the government of Ethiopia had decided to implement a more advanced type of rural land certification. It is called second-round land certification program and has utilized some technologically advanced materials and techniques for measuring and demarcating, data collection, processing, and registering the information (Bezu & Holden, 2013) ^[4]. To mention few; GPS, satellite images, computers, and software have been widely used to generate maps of all plots for titled households.

Debates on Land Rights

In many developing countries of Asia and Latin America successful land registration and titling programs had been introduced where positive impacts on investment, credit access, land productivity, and land market value were detected (Gershon & Nishio, 1999) ^[10]. For example, positive and successful effects of land registration and titling were found in Thailand and Indonesia (urban areas) (SMERU, 2002) ^[15], Vietnam (Do & Iyer, 2008) ^[8], the Philippines (urban area), Honduras, Paraguay, Peru and Ghana (Bezu & Holden, 2013) ^[4]. However, in most African countries land tenure, land registration and certification do not necessarily ensure tenure security (Behaylu, 2015) ^[2]. In those African countries, where there is no well-functioning property right, land registration and titling did not bring positive and significant impacts on credit and land markets. For example, in Kenya, Rwanda, Madagascar, and Ghana (except investment in trees) showed that land registration and titling had not brought significant impacts on land productivity, land investment, credit access (Bezu & Holden, 2013) ^[4]. In Ethiopia, the land rights and the current tenure arrangements have its retarding effect of a deficient public policy that is not fully informed by underlying the demand and supply condition that necessitate property right changes of land (Tekelu, 2005) ^[17].

Concerning land policy, there have been serious debates in land titling and certification with its causal effects and impacts on land tenure security and efficiency in Ethiopia, of which the debate has yet become popular and unresolved. Broadly, there are two antagonistic political discourses on the land, i.e., the discourse of fairness or state regulation and/or protection that support the state ownership of land and its counterpart called privatization and efficiency those who support the complete private exclusion of land property rights (Crewett & Korf, 2008) ^[5]. Furthermore, donor agencies, the international communities, and policy institutions are frequently propagating privatization of land through which decentralization and community empowerment to land usufruct and control rights can be achieved (ibid).

Those who support state ownership give their arguments that the concentration of land ownership in few hands through privatization crowd out poor and destitute farm families from their farmland (Crewett & Korf, 2008) ^[5]. The Ethiopian government claims that state ownership prevents the accumulation and concentration of land in the hands of small

number of urban and bourgeois landowners, who acquire and collect large tracts of land through distress sales by poor peasants which ultimately leads to subsequent peasant eviction and poverty, resurgence of exploitative tenancy institutions and undesirable rural-urban migration of landless peasantry.

In Ethiopia, those who support state ownership of land express their propositions by linking with its impacts. They give evidences that rural land certification imposed positive economic and social impacts and improved tenure security notably in promoting gender equity; reducing encroachment of communal lands; supplying land to the rental market; reducing fear of farmers with regard to land re-distribution and in engaging landholders in land-related investment (Deininger *et al.*, 2009) ^[6]. In public choice theory, the state can be viewed as a strategic actor in the development of new property rights, moving to take advantage of new economic opportunities through changes in the rule of the game (Joireman, 2001) ^[12].

Among the bundle of property rights, private property leads to the more efficient use of resources and treating the resource as a common property will lead to its inexorable destruction (Smith, 1981) ^[16]. Those who support the privatization of land have argued that state ownership of land prevents the development of the land market which in turn holds down efficiency in areas of land productivity (Crewett & Korf, 2008) ^[5]. Apart from its market function, the state may not take market forces into account and can create an inefficient economic environment (Joireman, 2001) ^[12]. Those property rights regimes failed to consider the right of alienation (selling, mortgaging, transferring, leasing and some other rights) lead to inefficient use of resources (Ostrom, 1999, p. 339). There is also empirical evidence, that Ethiopian rural farmers are expressing their preferences towards individual market-based tenure system for agricultural land such as land rental (Tekelu, 2005) ^[17].

State ownership of land resulted in negative effects on land productivity and resulted in a lower efficiency level that would be achievable with privatization due to it prevents dynamic rural land market (Crewett & Korf, 2008) ^[5]. A study made in the horn of Africa by (Joireman (2001) ^[12] revealed that land rights should move to privatization with less interference of state that its co-operation has to be restricted to titling and registration. All the scholars in favor of privatization argued that private property right to land increases its efficiency in terms of land productivity. In the privatization of land, it is not a matter of titling and land certificate issuance that secure land right rather all use and control rights should be fully considered. In both cases, paradoxically, government action of enforcing and regulation is necessary, however, its intervention should focus to meet the changing demands for land rights that are consistent with the desirable societal goals of achieving equity, efficiency, and sustainability (Tekelu, 2005) ^[17].

There is theoretical evidence that tenure arrangement should be seen with a size of a population that imposed a systematic influence on the type of property right regime. For example, Tekelu, (2005) ^[17] reported that tenure systems are more individualized in densely populated highland areas where a shortage of land is severe, whereas collective management of resources is dominant in the sparsely populated lowlands

⁴ Birr is Ethiopian official currency, exchanged at the rate of \$0.62 in 2006 (during the survey) and 0.037 cents currently as of June 2018.

where population pressure is less intensive. Based on a review and synthesis of empirical evidences, the author investigated a positive correlation between the land markets, rural infrastructure and market integration on one side and population density on the other, which shows positive relations of the covariates, indicating high population density, demanding a highly developed land markets which this is possible within the private property right regime

Impacts of Land Certification

Registration system and land titles have emerged in mankind's history as an institutional arrangement to reduce tenure insecurity (Gershon & Nishio, 1999) ^[10]. As supported by numerous studies, the basic tenet of land policy is to provide owners with a high level of tenure security; increase productivity; allowing a temporary transfer to those who can make most productive use of it and land as means of collateral for the money lending (Deininger *et al.*, 2007) ^[7]. With clearly defined property rights to owners and officially documented, the risk of challenges to ownership is reduced, the likelihood of incurring high costs in defending one's possession and duty of land is lower, an incentive to invest increased and land productivity and management are improved (Gershon & Nishio, 1999) ^[10]. A tenure system is welfare reducing of a given farming community if it constraints access to land, creates a disincentive to improve resource use and productivity, increases risk in investing in land, aggravates dispute and conflict over competition for scarce resources and misuse use of land (Tekelu, 2005) ^[17]. These complete individual land rights practices were common in most of the developed countries. In African countries, however, it is widely recognized that the tenure right is structured to provide little extra protection for joint and secondary rights (e.g. those of women); title registration system incurs high transaction cost of surveying and demarcation; high occurrence of land-related conflict due to the low involvement of the local institutions (Deininger *et al.*, 2007) ^[7]. Though African countries have passed legislation in their land acts, in operationalizing the new land acts they stand and act differently. For example, in Uganda issuing the joint land certificate of customary ownership took more than eight years (Joireman, 2001) ^[12]. In Ethiopia, the fastest and low-cost first-time joint land certificate took less than four years (Deininger *et al.*, 2007) ^[7]. Some of the key impacts of land titling and certification are presented as follows.

Impacts on tenure security

In Ethiopia, land titling and certification are bounded to the country's constitution and the land use and administration law that allows landholders to usufruct rights of access and some alienation rights. Apart from usufruct rights, renting out limited amount of the holdings for a limited period of time⁵, transferring via inheritance or gift and sharecropping are allowed which, in turn, have their impacts on the tenure security of the country. Land certificate holder's tenure security has been measured indirectly by farmers' willingness to pay to have a new and lost certificate. A national survey conducted on sample households in Oromia, Amhara, SNNPR and Tigray for lost certificate farmers' willingness to pay was found to be on average of ETB 22.00, ETB 9.00, ETB 7.00 and ETB 5.00 respectively (Bezu & Holden, 2013)

⁵ Rental contracts duration under traditional technologies differ from region to region, i.e. it is 3 years except Amhara regional state that it is rented up

[4].

From the global perspective, some scholars argued that land titling and issuing certificates in developing countries have a contribution to attaining the efficiency of land productivity and its management thereby it improves rural land security. Many developing countries have implemented land reforms particularly land titling and certification with the consensus of better property rights leads to efficiency, better access to credit, land market and the overall economic performance of countries (Do & Iyer, 2008) ^[8].

Though, scholars have reported positive economic and social impacts of the land reform for example, (Deininger *et al.*, 2009) ^[6], yet there are scholars arguing the existing property rights in Ethiopia imposed negative effects on land productivity that results in lowering efficiency level that would be achievable with the privatization of land rights (Crewett & Korf, 2008) ^[5]. These scholars argued that titling and certification of land rights cannot eliminate systematic uncertainty such as conditions of land redistribution, the expansion of renting out land beyond the minimum, fears of evacuating landowners (Deininger *et al.*, 2007) ^[7]. Moreover, another group of scholars and their proponents are arguing that the land reform type "land titling and certification" have no contribution in attaining efficiency rather it is the cause for its inefficiency in lowering productivity, market failure and misuse of the resource (Crewett & Korf, 2008) ^[5].

Public policy and formal laws that enable the government to own and control land rights make farmers less secured where tradable of land rights is restricted (e.g. in Ethiopia, where selling and mortgaging is prohibited), and have no or weak command on informal land markets (Tekelu, 2005) ^[17]. Coupled with high population density, incomplete and distorted tenure system will ultimately manifest in natural resources degradation, livelihood insecurity and poverty and land disputes and conflicts arising from its deficient (ibid). Equally importance, land titling, and certification have imposed social impacts on the farming community in reducing land-related conflicts that may arise by border dispute, during inheritance, divorce, the encroachment of marginal or communal lands. A study conducted on early impacts of land certification in SNNP and Tigray regions found that there was a significant reduction in land-related disputes after certification in areas where such land-related disputes were common before the reform (Holden & Tefera, 2008) ^[11].

Impacts on land enhancing investments

Theoretically, land titling enhances investments in the land that titled farmers can increase investment and input use leading to higher productivity per unit of land (Gershon & Nishio, 1999) ^[10]. The investment in land enhancing might differ from country to country and the land type. It mainly includes investment in the form of soil and water conservation structures, planting trees, cleaning of stones, application of fertility-enhancing technologies, for example, organic fertilizer and improved agronomic practices. The subjective and investment impact assessment on first-time land certification conducted in Ethiopia indicated that large majority of households perceived that land titling and certification has given an incentive for certificate holder in planting multi-purpose trees (about 88% of the case),

to 25 years, but for those who use modern technologies are allowed for up to 20 years in Tigray, 15 years in Oromia and 10 years in SNNPR.

implementing different soil and water conservation structures (86% of the case), and improve sustainable management and use of common-pool resources (CPRs) (66% of the cases) (Deininger *et al.*, 2007) ^[7].

Peoples' willingness to invest in is increasing in anticipation of land certification program rather than withholding investment in areas of land enhancing activities (Bezu & Holden, 2013) ^[4]. Another study conducted in northern Ethiopia showed that land certification has a positive and significant effect on the productivity of self-managed plots and an insignificant effect on the productivity of rented out plots (Bezabih, Holden, & Mannberg, 2016) ^[3]. The possible reasons given by the authors for such positive effects were, firstly, having land certificate reduces the fear of land redistribution thereby it increases incentives for holders to undertake short and long-term investments on owner-operated plots and secondly those with insufficient access to labour and other inputs, e.g. animal draught power farm their land inefficiently, as result certification enables them to balance the plots that can be managed efficiently by the holders and the remaining will be rented out, that in both cases land productivity is increased. On the contrary, when farmers feel insecurity about their tenure, i.e. land rights, they have less willingness to invest in their holdings that enhance or improve the fertility status of their land. In Ethiopia, a landholder who feels insecure about long-term rights is less likely to commit resources to long-term investment (Tekelu, 2005) ^[17].

Impacts on women's right

Women will secure both economic and social benefits when they offered secure land rights (USAID, 2014). They gain economic benefits because the land is a key input for agricultural production and enterprise development; it can be used as a source of income from rental and sale of titled land and it also provides collateral means to access credit that can be used further in any economic activity. However, if many socio-cultural factors undermine women to have less or no land right either individually or jointly as men have, they will have less self-esteem, are unable to participate in local civic and governance events, became inactive participant in any of the community affairs and generally they become economically and socially dependent agent on their male counterpart (USAID, 2014). Another study made on gender and land tenure by Tsikata (2016) in sub-Saharan African countries, the historic land tenure path shows that women have been marginalized in their livelihood choices and their position in the land tenure systems.

In Ethiopia, the evolution of women's land right has been held an inferior position to men that they did not own land independently, but they had only access to land as wives (Bezabih *et al.*, 2016). Nevertheless, the FDRE government, followed by its Rural Land Administration and Use proclamation of 1997, revised in 2005 confirmed that married women shall be granted a secured joint land right as their husbands, including the right to use, transfer, lease or rent out their joint rights (Crewett & Korf, 2008) ^[5]. Note that, the rural female-headed households are considered equally as that of male-headed households in having a land certificate and associated land rights.

Since then, all the national regions of the country have considered gender equity as an important component of the program in which women were given due emphasis in participating them in all process of land certification. A study

made in rural Ethiopia, Tigray, on the role of land certification by Bezabih *et al.* (2016), reported that land certificate issuance has enhanced tenure security and improve women's bargaining power to participate in the land rental market decision. Another study in the same region reported that land certification has contributed to improving food and nutrition security of women-headed households (Bezu & Holden, 2013) ^[4]. The post subjective perception and investment impact assessment made by (Deininger *et al.* (2007) ^[7] revealed that about 85% of sample households witnessed that women's incentive to rent out land has improved and increased after they received a joint land certificate. Furthermore, the certification program has benefited female-headed households by a relatively higher margin than male-headed households, by relaxing the historic land tenure constraint (Bezabih *et al.*, 2016).

Problems and Challenges of Land Certification

The Ethiopian land titling and certification process have been constrained by many challenges and problems that question its sustainability and government intention of securing rural land tenure. Some of the views and arguments of scholars are presented as follows:

Cost of the registration

The first-time land certification is less costly and it has not considered the cost related to surveying and demarcating the plots that were done by LACs and the technical advice and control was done by government-employed officers without considering their opportunity cost (Deininger *et al.*, 2007; Holden & Tefera, 2008) ^[7, 11]. The lack of in-depth cost analysis of the process, the unavailability of spatial reference, maps and sketches of the parcels are key reasons for undermining its scope and its non-applicability in other African countries (Deininger *et al.*, 2007) ^[7].

Traditional measurements and non-consistent plots information

One of the reasons that contribute for the low-cost and broader-scale land certification process might be the use of traditional measurement, for example, using measuring ropes, farmers' knowledge of the area of the plots, use of simple formats for recording, and no use of GPS and computers to collect and process the information. As opposed to the first-stage land certification, the second-time certification has used GPS to measure, demarcate and to verify the exact spatial borders of plots and/or parcels; holders have plot-level certificates with maps rather than farm level and the certificate has attachment of accurate maps and sketches of the plots (Bezu & Holden, 2013) ^[4].

Long-term sustainability

The Ethiopian land registration and certification program had a limitation in upgrading and updating the systems (Bezu & Holden, 2013) ^[4]. In the first-time land certification, after landholders have received the certificates, there have been cases of border conflict, inheritance, long-term leasing and/or renting, transferring, complete withdrawal of part and/or whole parts of holdings for public use, or any other arrangements that need adjustment and update of certificate for the holders. (Deininger *et al.* (2007) ^[7] revealed that the process of land inheritance, land leasing, renting out, transferring, withdrawal of holdings for public use and other land-related arrangements need updating and upgrading once

after the certificate is offered to the landowners. The failure to upgrade and adjust, the lack of a system for updating the information generated at the initial process has undermined its sustainability and limits its wider applicability in other African countries.

Incomplete and lack of unified rural land use administration laws

Though the regional governments are governed by the rural land administration and land use law of the country, there are inter-regional differences in implementing the land rights reform. To allocate land each regional state set a minimum floor size per family, for example, 0.25 ha and 0.75 ha in Tigray and Oromia respectively (Tekelu, 2005) ^[17]. The minimum amount of transferred and bequeathed land to children and to non-family members, the duration of leasing and renting out land, periodic distribution to sustain and ensure equitable redistribution of land, amount of financial compensation in cases of voluntary relinquishment and replacement of land for public use, individualizing common pool resources (for example, pasture, forest or any communal free land) and duration of certified land for holders are proclaimed differently (Tekelu, 2005) ^[17]. These scenarios and implementation modalities of the rural land rights reform make complex to operate intensively and to give legal base and enforcement at the national level.

Non-uniform conflict resolution system

Conflict over land could arise from an inheritance, informal and/or illegal participation in the land market and poorly demarcated borders (Bezabih *et al.*, 2016). The conflict resolution methods of the land certification have mainly based on the existing customary rules and informal institutional laws of mediation and conflict resolution mechanisms. Though there was variation across regions and over time, the conflict resolution was built on the existing system with local conflict mediators, kebele level social courts with the involvement of local LACs (Bezu & Holden, 2013) ^[4].

Conclusion

The land is a major source and means of livelihood of many people in Ethiopia. The tenure system starting in the 1900s has been mimicked type containing diverse tenure holdings such as collective, communal, private and state holdings. In the imperial regime, the land was owned by few absentee landlords and tenure was highly insecure and arbitrary evictions were common. Following the imperial regime, in 1974 the land property right was changed to state ownership and at the moment usufruct right to access land for economic benefits was offered to the landless rural community. In the current regime, state ownership of land reaffirmed by the country's constitution and rural farmers have similar usufruct access as before.

The land certification process was started in 2003 and the majority of farmers have received a land certificate. In this process, women have been delivered a joint land certificate with their husbands aim to benefit and empower them. The land certification was implemented into two rounds called as first-time and second-time land certification. In the first-time, the community was given awareness, and thereby LACs were selected publicly. After the whole process completed, official and sealed joint or single owner land certificate was offered to landholders.

The rationale for land registration and certification is multifaceted. It enhances tenure security, facilitates access to credit, an incentive to undertake investments, benefit and empower women. The institutional change in response to population growth demands a change in the tenure system that ensures fairness, efficiency, and sustainability. Though many scholarly works confirmed very successful land registration and titling programs in Asia and Latin America countries, still in some African countries the program was not successful and not functioning.

There have been debates on the Ethiopian land policy that lie into two antagonistic political discourses namely that of state regulation and privatization. Those supporting state ownership, privatization crowd out poor and destitute farm families from their holdings and those in favor of privatization argue that state ownership prevents the development of the land market that holds land efficiency down. Many empirical studies confirmed that, in Ethiopia, the land certification has imposed a positive impact on tenure security, land investment, impacts on women's equity and social benefits of reducing land-related conflicts. On the contrary, some farmers are feeling insecure about their tenure especially fear of land redistribution in the long run.

The land certification reform of Ethiopia has a limitation in using technologically advanced measuring devices; failure to have spatial reference and maps and sketches for plots; problems of upgrading and updating information and non-unified land administration laws in conflict resolution across regions. In conclusion, though the technical, technological and institutional constraints undermine Ethiopian land certification applicability and its scale-up in other African countries, its effect and impact in ensuring the tenure security of landholders, in enhancing land productivity, empowering women's land rights and in reducing land-related conflicts is key and instrumental in the contemporary tenure system of Ethiopia.

Recommendations

There are convincing shreds of evidence that land registration and certification lead to tenure security, land productivity, easy access to financial sources and women's economic and social benefits. On the other hand, the debates between state ownership and privatization call due attention of policy-makers, donor agencies and development practitioners to come up with the same discourse that ultimately leads to the efficient and equitable land tenure system. Moreover, there must be a coherent and uniform land administration policy at the national level with its legal enforcement rules. The government should also critically consider the growing population size vis a' vis the scarce land resources and environmental sustainability. The land certification program that partially ensures holders' access to and controlling of land should be strengthened, update and upgrade its entire process.

The limitation during the first-time land certification should be given due attention. Upgrading the land certification process, application of advanced technology in measuring, registering and updating the system, implementing sound and vibrant land administration and use laws across regions should be given due emphasis by government agencies to ensure more land tenure system to the country in general and the rural farming community in particular. In-depth further research and empirical analysis of impact and cost will be paramount importance to scale up the Ethiopian experience

to other African countries and thus research institutions should give due emphasis. In light of this, an updated and dynamic policy recommendation should be presented to policy-makers to revise and update the existing land use policy of the country that should consider the desirable societal goals of land equity, efficiency, and sustainability.

References

1. Adal Y. Review of Landholding Systems and Policies in Ethiopia under the Different Regimes. EEA/Ethiopian Economic Policy Research, Working paper No, 2002, 5/2002.
2. Behaylu A. Debates on Land Titling. *American Journal of Environmental Protection*. 2015; 4(4):182-187.
3. Bezabih, M, Holden S, Mannberg A. The Role of Land Certification in Reducing Gaps in Productivity between Male- and Female-Owned Farms in Rural Ethiopia. *Journal of Development Studies*. 2016; 52(3):360-376.
4. Bezu S, Holden S. Unbundling Land Administrative Reform : Demand for Second Stage Land Certification in Ethiopia. Center for Land Tenure Studies Working Paper 03/13, CLTSUMB, 2013.
5. Crewett W, Korf B. Ethiopia : Reforming Land Tenure. *Review of African Economy*. 2008; (116):203-320.
6. Deininger K, Ali DA, Alemu T. Impacts of Land Certification on Tenure Security, Investment, and Land Markets: Evidence from Ethiopia. *Environment for Development*, 2009. www.efdinitiative.org
7. Deininger K, Ali DA, Holden S, Zevenbergen J. Rural land certification in Ethiopia : Process, initial impacts, and implications for other African countries. *World Bank Policy Research Working Paper*, 2007, 4218.
8. Do QT, Iyer L. Land Titling and Rural Transition in Vietnam. *Economic Development and Cultural Change*. 2008; 56(3):531-579.
9. FDRE. 1.1A. Federal Democratic Republic of Ethiopia Rural Land Administration and Use Proclamation. *Negarit Gazeta Of The Federal Democratic Republic Of Ethiopia*. 2005. Proclamation No.456/2005, Addis Ababa., 3133.
10. Gershon F, Nishio A. The benefits of land registration and titling: Economic and social perspectives. *Land Use Policy*, Elsevier Science Ltd. 1999; 15(1):25-43.
11. Holden S, Tefera T. Land registration in Ethiopia: Early impacts on women. *United Nations Human Settlement Programs (UN-HABITAT)*, 2008. www.unhabitat.org
12. Joireman SF. Property Rights and the Role of the State : Evidence from the Horn of Africa. *The Journal of Development Studies*. 2001; 38(1):1-28.
13. Mwangi E, Meinzen Dick SR. *African Agricultural Development*. (and V. N. Kirsten, F. Johann, Dorward, R. Andrew, Poulton, P.Colin, Ed.). Washington, D.C. 20006-1002, U.S.A, 2009.
14. Ostrom E. *Private and Common Property Rights*. Indiana University, 1999-2000, 332-379.
15. SMERU. *An Impact Evaluation of Systematic Land Titling under the Land Administration Project (LAP)*. The SMERU Research Institute, 2002. Retrieved from www.smeru.or.id
16. Smith RJ. Resolving the Tragedy of the Commons by Creating Private Property Rights in Wildlife. *Cato Journal*. 1981; 1(2):439-468.
17. Tekelu T. Land Scarcity, Tenure Change and Public Policy in the African Case of Ethiopia: Evidence on Efficacy and Unmet Demands for Land Rights. In *International Conference on African Development Archives*, paper, 2005, 89. http://scholarworks.wmich.edu/africancenter_icad_archive/89.
18. Tsikata D. Gender, Land Tenure and Agrarian Production Systems in Sub-Saharan Africa. *Agrarian South: Journal of Political Economy*. 2016; 5(1):1-19.
19. USAID. *Land Tenure, Property Rights, and Gender Women's Land Tenure and Property Rights: Challenges and Approaches for Strengthening Women's Land Tenure and Property rights*. U.S Agency for International Development, 2014. Retrieved from www.usaid.gov