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Conflicting Priorities in the Promotion of Gender Equality in Ethiopia

*Uneven Implementation of Land Registration
and the Impact on Women's Land Rights*

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Gender and Agriculture after Neoliberalism

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Acronyms

DA	Development Agent
EPLAUA	Tigray Environmental Protection, Land Administration and Use Agency
EPRDF	Ethiopian Peoples' Revolutionary Democratic Front
ESDA	Ethiopian Sugar Development Agency
LAC	Land Administration Committee
MoARD	Ministry of Agriculture and Rural Development
NGO	Non-governmental organization
OLF	Oromo Liberation Front
OPDO	Oromo Peoples' Democratic Organization
PSNP	Productive Safety Net Programme
SNNPR	Southern Nations, Nationalities and Peoples' Region
TPLF	Tigrayan People's Liberation Front
USAID	US Agency for International Development

Glossary

chiguraf sehabo	A form of residence-based tenure found in parts of Tigray during the Imperial era
gadaa	A customary system of social and political organization in Oromo society
gebri	A unit of land measurement used in Tigray, notionally the amount of land that can be ploughed by a pair of oxen in one day
kebele	The lowest level of formal government administration
kilil	An ethnic region in Ethiopia's federal system
kushet	A sub-division of the tabiya
risti	A form of descent-based tenure common in northern Ethiopia during the Imperial era
tabiya	The lowest level of formal government administration in Tigray, the equivalent of kebele in the rest of the country
wereda	The district level of government administration

Abstract

The current Ethiopian government originated in a Marxist revolutionary movement, which early in its struggle against the Derg regime recognized the widespread discrimination against women in Ethiopian society and placed gender emancipation at the centre of its revolutionary strategy. While political expediency and confrontation with patriarchal Ethiopian society has at times challenged its commitment to women, the EPRDF has, nevertheless, introduced a number of reforms which aim to promote gender equality. This includes recognition of equality between men and women in land rights, and a land registration programme that requires the names of both husbands and wives on certificates. This paper examines the gendered impacts of these reforms through analysis of three village-level case studies based on fieldwork conducted in 2009–2010. The cases highlight the contingent nature of gender outcomes based on local state-society relations, and the government's political and economic priorities, resulting in considerable variation within Ethiopia.

Tom Lavers is a Visiting Fellow at UNRISD.

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Introduction

The ruling Ethiopian Peoples' Revolutionary Democratic Front (EPRDF) has its roots in a Marxist revolutionary movement, which early in its struggle against the Derg regime (1974–1991) recognized the widespread discrimination against women in Ethiopian society and placed gender emancipation at the centre of its revolutionary strategy. Since coming to power, the EPRDF has initiated a number of reforms intended to enhance women's rights, including a process of land registration, the objectives of which include improving the security of women's land access.

A great deal has been written on land tenure in Ethiopia, the majority focusing on the effect of state ownership on tenure security and investment incentives.¹ However, relatively little research has explicitly considered the gendered nature of land administration. Exceptions include Rahmato (2004) who briefly considers women's land rights in a broader analysis of Ethiopian land laws, and Flintan (2010) who examines women's access to land through customary institutions among the Boran Oromo pastoralists. To date, there have only been two studies that have focused on the gender implications of the recent land registration process. The first, by Teklu (2005), provides an overview of the land registration process in Amhara region, concluding that registration has enhanced women's access to and control over land. The second, by Holden et al. (2011), uses econometric analysis of a panel dataset to show that land registration has improved tenure security in Tigray and, as a result, women are more likely to rent out their land. This paper complements existing research by providing an analysis of the political economy of policy implementation, showing how the implementation and effects of land registration in Ethiopia have varied according to the compatibility of the programme with the government's other economic and political objectives. This variation in implementation has had important consequences for the objective of enhancing women's land rights.

The paper employs a realist, case-based research strategy,² which links macro policy analysis to village-level case studies. The analysis draws on a year of fieldwork conducted between September 2009 and September 2010. This fieldwork involved more than 200 semi-structured interviews with federal, regional and local government officials, and inhabitants of the case study sites who were purposively selected according to criteria of class, ethnicity, age and gender. In a few instances, interview testimony is supported by documentary evidence where land disputes have been mediated by elders or pursued through the courts. The selection of case studies and respondents was not intended to generate a representative sample. Rather, the cases were selected to examine the implementation of government policy in different political settings and agro-economic zones, and to illustrate variation, where it exists. Meanwhile, interview respondents were selected to ensure coverage of a variety of types of rural household and individual, and to focus on key informants within relevant departments in the government bureaucracy. The three case studies set the land registration process in the context of the government's development strategy and state-society relations.

The next section sets out the analytic framework on which the paper is based. The following sections turn to Ethiopia, examining first, the political and socioeconomic

¹ For example, Rahmato 2004, 2009; Deininger et al. 2008b.

² Hammersley 1991; Ragin 1992; Yin 2008; Bevan 2009.

context of land and agricultural policies, and second, the implementation of the land registration process in three case study sites. The final section concludes.

Policy Implementation, Land Rights and Gender

The existing literature on gender and land rights has frequently highlighted the challenge of translating legal reforms and good intentions at high levels of government into real change at the local level, where state reform efforts frequently conflict with customary institutions and local interests.³ Thus, while legislation can be an important starting point for transforming local practices, implementation is “where the real struggle begins” (Daley and Englert 2010:103). These findings mirror the literature on policy reform in general, which frequently highlights the disconnect between policy and practice.⁴

In order to examine the links between policy and practice in land registration in Ethiopia, this paper draws on Migdal’s (2001) State-in-Society approach. Migdal’s work rejects the frequent assumption that the state constitutes a unitary, goal-oriented actor, which can result in a failure to problematize the relationship between policy and practice. Instead, the State-in-Society approach conceptualizes the state as a loose network of semi-autonomous organizations, which are in constant competition for domination with organizations in society. Each state organization—the Prime Minister’s office, a national Ministry or a rural administrative office—has its own set of objectives, which reflect the individual interests of its staff members, the organizational interests of the department or agency, and the balance of interests in local society, with cleavages along ethnic, gender and class lines often assuming importance.

In many cases, local state organizations will have very different priorities and face a very different set of local interests to policy makers at the highest levels of government who announce policy reforms. As such, the State-in-Society approach understands policy change as one outcome of the ongoing competition between state organizations and sources of authority in society in the pursuit of their contrasting objectives. The result is that sweeping policy changes announced by senior officials at the “commanding heights” of the state may be considerably adapted during the process of implementation based on the contrasting objectives and interests in different local contexts (Migdal 2001:121). This paper draws on this approach to examine the political and economic context within which federal and regional governments have launched land registration processes in Ethiopia and how these factors have influenced the paths of implementation in three case study sites.

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