

THE ROLE OF RURAL LAND REGISTRATION AND CERTIFICATION PROGRAM IN ENSURING TENURE SECURITY IN MENZ GERA MIDIR DISTRICT, AMHARA STATE, ETHIOPIA

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ABSTRACT: *Land registration and certification has been perceived as a precondition for secure property rights and agricultural development. The objective of this study was to examine the role of rural land registration and certification program in ensuring tenure security in Menz Gera Midir District, in Amhara State. Data for this study were collected through questionnaire, interview of farmers and experts of the field and focus group discussions. About four hundred households were taken as sample population for the questionnaire. A total of one hundred thirty two households were participated in the focus group discussions. The data collected through questionnaire were analyzed quantitatively; whereas data collected through focus group discussions and interviews were compiled, summarized and interpreted qualitatively by cross checking with responses of questionnaires. The findings of this study show that in Menz Gera Midir District rural land registration and certification program ensured tenure security.*

KEYWORDS: Rural Land Registration and Certification, Land Investments, Tenure Security

INTRODUCTION

Billions of people especially rural dwellers in developing countries of the world based their lives on land. Cotula *et al.* (2006) argue that land is basic for economic development, food security and poverty reduction. They argue that land contributes to a major share of Gross Domestic Product and employment in most countries, and constituting the main livelihood basis for a large portion of the population.

In Ethiopia, land is a basic resource in which agriculture is the main stay of the economy contributing almost half (41%) of the country's Gross Domestic Product (GDP), 89% of population engaged on it, accounts almost 80% of export earnings, and supplies three-fourth of the raw material requirement for agro-based domestic industries (CSA, 2010). This view tells us that land is a vital resource in determining the status and level of socio-economic development of a nation. However, this valuable property is being degraded. There are various factors for land degradation. Factors may be demographic, social, and institutional and policy issues, economic and environmental changes (Mitku *et al.*, 2006). Some of these factors mentioned by several researchers include population pressure, diminution of size of farm holdings, improper land use practices, lack of technology, land tenure insecurity, steep topography, repeated land

redistribution, limited access to credits and limited education which are the factors leading to unsustainable land management, soil erosion and nutrient depletion (Aklilu and Graaff, 2007).

As indicated by studies, land tenure insecurity is a major factor for land degradation and unsustainable land use (Sutcliffe, 1995). There are variety of factors contribute to land tenure insecurity. According to Gizachew(1994) factors that cause land tenure insecurity are: growing population pressure which in turn causes scarcity and fragmentation of farm lands; lack of a proper and accessible juridical body responsible for land disputes; lack of knowledge on the part of rights holders of their rights and their inability to defend their rights; and increasing rural poverty and the fact that farm life is becoming unviable. Tenure insecurity can be caused by disputes with relatives over inheritance claims; expropriation of land by government agencies without adequate compensation; and redistribution forced on communities by their administrators; restrictions on the amount of land that can be rented out and short periods for land leases and rent controls; and fear that tenants may lay claims of use right on the land they are renting (Solomon, 2006). According to the EEA/EEPRI (2002) there are also other factors for insecurity of tenure such as suspicion (doubt) of further land redistribution and how long farmers feel they can stay in their current holding in the future. Therefore, in most countries tenure insecurity is the major problem affecting the land management system, and caused either by fear of eviction by the government or land redistribution (Field, 2007).

It is argued that the more secure systems provide the necessary incentives for farmers to better management of their land and invest on land improvement measures. The more secure the farmers are about their land, the more they are interested in making investments on land management (EEA/EEPRI, 2002). Again, it is argued that land tenure security is vital to assure investment on land. This can be done through title certification. However, in most African countries land is not titled (IIED, 2006). This lack of widespread land titling programs in Africa has led many to question the conventional wisdom regarding the importance of secure property rights for investment in land (Goldstein and Udry, 2008).

Researchers argue that measures should be taken to ensure tenure security for farmers. Among the measures that the present government of Ethiopia has taken to improve rural land tenure problems are: the provision of different land administration laws, the establishment of land administration institutions, and land registration and certification (AAE, 2006). For nations to have good wealth that exists in their land resources effective systems of land registration, land administration, and land management are required. Land registration ensures tenure security that promotes productive land use and investment in the land resources for agricultural development, commercial and industrial enterprises (Marquardt, 2006). In relation to this, the Ethiopian government enacts a land policy to ensure land tenure security for farmers to protect their rights, farmers' landholdings should be registered and user certificates should be given to them to start land management and soil conservation activities in combating soil erosion (Deininger *et al.*, 2003a).

In its strategy of sustainable development and poverty reduction, the Ethiopian government emphasis that certification process that guarantees land use and transfer rights ensures tenure security and is a vital incentive for farmers to invest in their land and improve production. The policy addresses the issue of tenure insecurity among others through land registration and certification.

Thus, rural land registration and certification in Ethiopia was started in 1998 (Amdissa, 2006). The four states of Tigray, Amhara, Oromia, and SNNP have conducted land registration and certification programs with different approaches and methodologies of land parcel identification, boundary demarcation, land registration, land certification and dissemination of land information (Solomon *et al*, 2006; Deininger, *et al.*, 2007). Tigray state started a comprehensive rural land registration and certification process in 1998 (Deininger, *et al.*, 2007; Yirgalem and Solomon, 2006). Other states in Ethiopia have already have started to implement similar land registration and certification programs. Amhara state started land registration and certification in 2003 with some donor support and used and tested more modern equipment. The Oromia and SNNP states started recently (2004) (Berhanu and Feyera, 2005; Solomon, 2006; Deininger, *et al.*, 2007).

There are numerous case studies conducted in other areas that show the role of land registration and title certification in ensuring tenure security. Berhanu *et al* (2003) argued that land titling and legal enforcement of title are considered fundamental for tenure security. They had shown that more secure land tenure and land rights enhance farmers to make investment on land. Sikor (2005) in his study in the northwest Vietnam assured that land registration and title certification is counterproductive to rural peoples of the country by avoiding the economic and political uncertainties and providing tenure security to the region. A study by KAbubo-Mariana and Linderhof (2009) in two provinces of Kenya (Naro and KAjado) show that land management practices strengthened as a result of land tenure security which was brought due to land registration and title certification in the region as the cost of other incentives. Deininger *et al* (2003b) in their study at Nicaragua also founded that land titling and administration project has great contribution to reduce the pre-existing uncertainties on land tenure; and enable poor people to have a guarantee on their holdings. Their study and finding was supported by another study conducted by Binswanger *et al* (1995) in that landholder can reasonably expect that if his/her property rights are well enforced, a farmer will have strong incentives to make long-term land investments, when these long-term investments combined with better formal credit access it will led to higher land price and better functioning of land markets (Binswanger *et al*, 1995). Holden *et al* (2007a) explained the effect of land registration and certification on tenure security in the following way.

“Important policy concerns are whether the land reform in form of registration and certification has contributed to increased tenure security, especially for the poor, including women that women think differently about their land certificates than men do as their tenure rights have been less secure than that of men, and the certificates may therefore have a higher value to them than they have to men. Men on the other hand may be more concerned about defending their plot borders and the certificates have little added value for that purpose since they do not contain any map of the plots. Furthermore, the cultural rule against women cultivating their land cause single women to depend on assistance from men or renting out or sharecropping out their land” (Holden *et al*, 2007a:13).

In light with the above point of view this study was designed to investigate the role of rural land registration and certification program in ensuring land tenure security in Menz Gera Midir District in Amhara state.

MATERIALS AND METHODS

The study area

Menz Gera Midir District is located in North Shewa Zone of Amhara state. Astronomically, it is located between 10°00' N to 10°34' N and 39°17' E to 39°43' E. The District is characterized by a rugged terrain, degraded lands which is resulted in the decline of productivity of agricultural land. The natural forests have almost vanished due to: uncontrolled harvesting for fuel wood and charcoal, construction and farm implements, and uncontrolled grazing (MGWARDO, 2008).

Agro-ecologically, it is classified as *Wurch* (Alpine), *Dega* (Temperate), *Woina Dega* (Sub-tropical) and *Kolla* (Tropical). The District has an altitude range from 1500-3500 m.a.s.l. Flat areas constitute 38%, mountain constitutes 25%, rugged areas constitute 23%, where as valleys and water covered area constitute 13% and 1% respectively of the total area of the District (MGWARDO, 2008). The rainfall pattern of the District is bimodal; unpredictable in nature and its distribution most of the time extends from June to August. The average annual rainfall ranges from 700mm to 1100 mm per annum. The mean annual temperature of the area is 12.3°C. The District comprises 22 *Kebele* administrations (*KAs*), having 2 urban *Kebeles* and 20 rural *KAs*. The total population of the District is estimated to be 112,670 in the year 2010. The total area of the District is 1105.55 km². The average population density of that year was 101p/km² of land (MGWARDO, 2008).

Data sources

To get the required data from the primary sources, questionnaire survey, in-depth interviews, case studies, and focused group discussions were employed. These techniques were used to collect data about the land registration and related issues, feeling of security of land rights, perceptions of farmers towards redistribution of land in the near future, perceptions of farmers towards conservation of resources before and after certification, investment on land undertaken by the households after certification, and level of awareness on rights and obligations of households under their holdings. Structured questionnaire with close-ended and open-ended questions were used to collect primary data from sample households. A focus group discussion (FGD) with open-ended questions was done in both *Kebeles*. FGD facilitators were selected. Individuals for the discussion were selected by facilitators. The FGD was conducted during watershed conservation activities in both *Kebeles*. The total number of group members in each *Kebele* was eleven. The total number of groups was six in each *Kebele*. A total of one hundred thirty two households were participated in the FGDs. Semi-structured interviews were conducted with few individuals. The participants were informants such as Development Agents of both *KAs*; experts from the agriculture and rural development office of Menz Gera Midir District; land administration committees (LACs) of both *KAs*; chairmen of *KAs*; District court officers; and farmers.

Sampling design

For the study two *KAs* were selected purposefully from the total of twenty *Kebeles* of the District. From the two *Kebeles* one is selected from the District in which the bestowing of green cards (certificates) was first implemented in 2007 (i.e. Hana-Mariam *KA*). The other one is the *KA* which started to implement the program later by the year 2010 (i.e. Kuria *KA*). By studying the two *KAs*,

comparison on land tenure security of the two areas was made. About 200 households from each KA, and a total of 400 households were taken as sample population.

For the study systematic sampling method was applied by taking the n^{th} element of the sample frame. But, first lottery method was used to select the first element; with a specified gap samples from the sample frame were picked. The sample frame from was taken from KA offices of the respective *Kebeles*.

Data analysis

The data analysis process was done after the desired data were collected from different sources through various tools of information gathering. Data collected through questionnaire about issues related to certification and land investments were analyzed quantitatively using percentage. The responses from FGDs and interviews were compiled, summarized and interpreted qualitatively by cross checking with responses of questionnaires.

RESULTS AND DISCUSSION

The certificate of land ownership can allay fears that rental land can be taken away, either by the government through redistribution or by a tenant who does not vacate it at the end of the lease period (Deininger *et al*, 2009). A study made by Sanga (2009) in Nigeria show that 60% of respondents prefer their land to register because it makes them confident that even the land is safeguarded in their absence. In Ethiopia, as explained earlier, there was high level of tenure insecurity before the certification program started which implied that the perceived level of land tenure security could be a useful indicator (Deininger *et al*, 2009). According to the study conducted by Palm (2010) in Amhara state tenure security is highly appreciated by farmers, and hence resulted in increasing of land investment activities.

As it is repeatedly explained, fear of future redistribution of land is significantly affected by landlessness, which also tends to affect the use of several land improving technologies negatively (Benin and Peder, 2001). Berhanu *et al* (2003) founded that only 27% of their respondents are certain that there will not be redistribution of land in the near future. Whereas 73% of their respondents were confused regarding the possibility of future land redistribution in their study area. This result may be due to the fact that their study conducted in the early stage of certification program in the state.

A study by Holden *et al* (2008) in Tigray show that about 50% of the households in their baseline survey in farmers fear to lose land in future expected land re-distributions. In contrast to their findings, in this study more than 97% of Hana-Mariam and 95% of Kuria *Kebele* households perceived that there will not be redistribution of land in the near future. On the other hand only 2.5% of Hana-Mariam and 5% of Kuria *Kebele* households perceived that there will be redistribution of land in the near future. This has an implication that the level of security of tenure among farmers gradually increases with the passage of time. This study shows that there is increasing of land holders' confidence through time because of different awareness creation trainings were given to farmers. It may be for this reason that the finding of this study is more

similar to other studies which are conducted few years back. For example, the finding of Assefa (2010) in Amhara state (Fagetalekoma District in Awi zone) shows that 85% of the respondents are confident that future land redistribution will not take place and 15% of the studied households have a fear of future land redistribution. Another study conducted by Sabita (2010) in the Ethiopian rift valley system (Meskan in SNNP and Adamitullu Jidokombolcha (AJK) in Oromiya state) show that 90% of respondents replied that land certification ensured tenure security of farmers on their lands by avoiding fear of land redistribution in the near future.

In the FGDs of both *KAs* participants in the group agreed that the major problem in the previous regimes was lack of tenure security which was caused by continuous, frequent, or persistent redistribution of land. Hence, farmers were in fear of redistribution of land in the near future. They were uncertain about the continuity of their farmlands with them even in the near future, because they feel that they may lose it if there is redistribution of land. These uncertainties enable farmers not to use the land productively, and hence land investment activities undermined because they feel that since it will be taken from them and given to others, investing on land is extravagancy of labor and money.

Some farmers in study *KAs* responded that they are not sure whether or not there is future redistribution of land, but what they are sure is that, though there is future redistribution of land, they have the right to get a land which is similarly fertile with their previous land.

Here, one thing what we can understand is that both groups of respondents (those who perceive that there will be redistribution of land in the near future and those who perceive that there will not be redistribution of land in the future) agreed on that they have to invest on their land since they are using the land. Majority of farmers in FGDs and interviews responded that there will not be redistribution of land in the future. They frequently explained that redistribution of land do not benefit farmers. The reason behind this is that due to the growing of population, if in case land is redistributed among the population, the land size will be decrease and hence land fragmentation will be resulted. If three or four *Timad* of land is distributed to five or six children in a family, it results land fragmentation as bread parcels.

Land fragmentation is also the major cause of soil erosion in the sample *KAs*. Some other FGDs and interview results of farmers indicate that whether land is redistributed or not it does not matter, because even though the land that they made land investments is given to others, they have the right to get similar fertile land as compensation.

CONCLUSION

Poor land management is caused by tenure insecurity among farmers. Tenure security is assumed to be ensured by rural land registration and certification program. Rural land registration and certification program among farmers in Menz Gera Midir District has ensured tenure security in which farmers gain confidence in their land holdings. The study shows that in spite of the fact that majority of respondents perceive that there will not be redistribution of land in the future; there are farmers who perceive that there will be redistribution of land in the future and hence we may lost

our holdings though we do land investment practices. Therefore, the issue ensuring tenure security among farmers needs additional awareness creation training.

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