

# Politics and Property Rights Regimes in Land in Arsi Negele and Hetossa, South-Central Oromia, Ethiopia: Late 1880s – 2006.

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## Abstract

This study explores the role of politics in shaping changes and continuities in property rights regimes in rural land in Arsi Negele and Hetossa Districts (*Woreda*) in South-Central Oromia, Ethiopia, in historical perspective. The field data were generated from key informant interviews and focus group discussions, supplemented by archival materials. The study was inspired by the current national debate over land tenure policy options, which is not much substantiated by empirical studies on both current issues and historical events. The core argument of the study is that in spite of differing in their political systems, successive Ethiopian governments have been dominant actors in shaping the mode of land ownership and patterns of power relations among various social groups in the country especially in the southern areas, including Arsi Negele and Hetossa. The changes were essentially dictated by the aspirations of the ruling classes to consolidate their power and control rural resources, and were effected through the use of political power, much often relied on military force. The politically imposed changes in property rights regimes in land created classes of winners and losers in which the majority of the peoples in the South were net losers under two out of three successive Ethiopian governments.

The study reveals that the government of Menelik who conquered and incorporated the southern areas in the last quarter of the nineteenth century appropriated the predominantly communal land and converted it to state property. It, then, granted a large portion of the appropriated land to the ruling elite and their associates, initially, for temporary appropriation and allocated a small portion of it to the *balabat* and through them to the local peoples. As a result, the majority of the peoples in the South lost their collective land ownership rights and land management authority, and were converted to *gabbar* on what had been their own land. Haile Sellassie's government inherited and consolidated Meneleik's land appropriation and land allocation policies. Following subsequent conversion of the state land to private property of the grantees or their heirs, mainly under Haile Sellassie's government, the majority of the peoples in the South became landless tenants who were subjected to a number of adverse effects of private ownership of land.

The drastic Land Reform Proclamation of 1975 that was implemented by the *Derg* reversed all these situations. The proclamation nationalised all the rural land in the country, abolished private ownership of land in the South, and eliminated communal ownership in the North. In the South, moreover, it dispossessed the landed-elite of their land, restored collective land ownership rights and land management authority to the masses of the local peoples, and assigned individual land *use* rights to households.

The EPRDF government has retained the *Derg's* state and public land ownership

policy and has incorporated it into its constitution. The retention of such a tenure policy under a market economy has generated heated debate in the country, which is still ongoing.

Findings in this study also illustrate that while sharing the above general experience with other areas in the South, Arsi Negele and Hetossa *Woreda* present a particular historical setting to gain a deeper understanding of the political history of land appropriation and asymmetrical land allocation in the incorporated southern areas. In these two *woreda*, the imperial governments of Menelik and Haile Sellassie appropriated virtually the entire extent of land, through a cunning method, namely land bequeathing, by deceiving the *balabat*. While granting the appropriated land mainly to the royal family and a nobleman, in Arsi Negele and Hetossa, respectively, they nearly totally dispossessed the local people of their land, who then became *gabbar* and subsequently landless tenants, like their fellow peasants in other areas in the South. Following the introduction of mechanised farming, tenants in the two *woreda* under study were, moreover, subjected to large-scale eviction and migration, *inter alia*, which lasted until the introduction of the Land Reform of 1975.

Findings in Arsi Negele and Hetossa support the claim that under the existing land tenure system, peasants have security of tenure over their holdings, and the existing land tenure is not a constraint to peasant investments and access to bank loans. This means that:

Firstly, peasants believe that land belongs to them both collectively and individually, and will remain so. Their confidence in the existing land tenure stems from a number of factors. Peasants have use rights and rental rights; the right to bequeath land rights to their children or other family members; the freedom to live anywhere and engage in any activity, without fear of losing their land rights; and perhaps, most importantly, land has not been redistributed since 1976, nor is there a threat to take peasants' land rights away in their areas or in neighbouring areas.

Secondly, the existing land tenure does not constrain peasant investments. Peasants in the two *woreda* under study have been engaged in a variety of investment activities, both short term and long-term investments, since the *Derg* period. However, peasant investments are constrained by a variety of non-tenurial factors, above all, resource constraints.

Thirdly, the existing land tenure is not a constraint to peasants' access to bank loans. Although peasants as individuals cannot borrow from banks, as they do not meet the banks' lending criteria, they receive group loans for investments without showing any collateral to the banks.

Another finding of this study is that unrestricted land lease markets caused a number of problems for poor peasants in Arsi Negele and Hetossa *Woreda*. The free-for-all situation that emerged following the change of government in 1991, led to underground land sales, presented as pledges, and to the dispossession of many poor peasants of their land. It also contributed to land-based conflicts and litigation. All this situation forced the government of the National Regional State of Oromia to impose some restrictions on the operation of the lease system. The restrictions were meant to discourage illegal land transactions and the resultant peasant dispossession and minimise land conflicts. The

restrictions appear to have achieved their objectives. Nevertheless, they target symptoms, while the underlying factors that forced peasants to alienate their land rights in the first place, namely financial problems, are still intact.

The study recommends nationwide comprehensive, empirical studies on both historical events and the existing situations. Above all, profound studies on historical experience in the southern areas is necessary not only to shed light on key events of the past, but also for better understanding of the land question and current debate over tenure policy options, particularly the possible social and political consequences of hasty privatisation in the country.