

The Role of Regulatory and Customary Institutions to Access Farmland by Rural Youth in Rural Sidama and Gedeo: The Case of Dara and Wenago Weredas, SNNPR, Ethiopia

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Abstract

The right to use and/or control over land is central to the lives of rural populations where the main sources of livelihoods are derived from land. Access to land may not be easily understood outside of institutional settings as they are influential factors and land is also a natural asset in which its access is filtered through institutions. This article, therefore, explores the role of customary and statutory institutions and their contributions to ensure access of rural youth to farmland in the context of Gedeo and Sidama. Qualitative and quantitative data were triangulated by taking both youth and key informants as the main sources of information. The findings of the study show a somewhat 'pessimistic' picture to shed light on the hitherto neglected role of informal institutions to support the formal ones in land and related matters. Customary and regulatory institutions were observed 'conflicting' as they deal with the already scarce land, both of them have their own conditions, as the former is negotiated and the latter commanded through the rules of the game. It is the contention of this paper that both customary and statutory institutions should work in harmony and show a certain level of flexibility to reap the benefits of formal laws and the advantage of informal institutions that are already embedded in the society. Thus, identifying some sort of common interest in between seems essential to avert role confusion between customary and statutory institutions to own, manage and use land as well as to look for non-farm options for the youth as land is getting scarce.

Key words: Rural youth, Access to land, Customary/regulatory institutions, Sidama, Gedeo

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Introduction

Ownership or access to land is a key to the well-being and livelihood of many African families. Land is the single most important asset. It is a key social and economic asset, crucial for cultural identity, political power and participation in decision making, providing a secure place to live and a site for economic and social activity (Nzioki, 2007).

The right to use and/or control over livelihood assets, mainly land, is central to the lives of rural population where the main sources of income and livelihood are derived from land. The main challenging question to answer adequately is how to access farmland as it is a politically, socially and economically sensitive issue. Access to land may not be easily understood outside of institutional contexts as they are influential factors, and land is also a natural asset filtered through policies and institutions.

The government of Ethiopia currently encourages formal institutions to promote its development policy and distributions of resources. The community, on the other hand, has been exercising customary institutions before and after the introduction of the formal laws. In the traditional institutions, there are different social groups which are organized by the local community to solve their problems and maintain relationships among community members. People living in the same area usually submit themselves voluntarily to these groups and cooperate on specific areas of interest as long as they reach a consensus. These traditional forms of institutions were not given due attention in establishing access to land and streamlining development policies and programs. Accordingly, the government-initiated formal institutions have been serving the community by dominating the traditional ones, but in reality many of the societal problems were tackled more by informal institutional settings. Customary and regulatory institutions were seen in conflict as they deal with the already scarce resource (i.e. land), both of them have their own conditions, as the former is negotiated and the latter commanded. However, currently, there is a need to see all options on how the traditional and local institutions can work complementarily and in conformity with the formal institutions to implement development activities at each level and maintain equity, fair resource distribution including land (Pretty, et al, 1995).

Land is a critical livelihood resource in rural Ethiopia as it has great social, cultural and economic values. Land allocation is blamed for its tendency to favor

older adults than younger household heads, especially in the rural areas like Wenago of Gedeo and Dara of Sidama where land is very scarce. Many young households, because of their youth³ and limited farm experience, obtain less land or no land, although they need it seriously and opt to make it the last resort as a means of livelihood.

Formally, able bodied children have legitimate right to claim their share of land when they form their homesteads. But such claims over the allocated land at times cause dispute and social friction between parents and children particularly where community land is scarce and/or land allocation is halted unless negotiation is made through traditional means (Yigremew 2002). This is because in communities of Sidama and Gedeo access to land is mainly governed by old age customary laws, which emerged from unwritten social rules derived from shared community values and traditions. The customary laws limit the youth's rights to access land. This is mainly because they happen to be in a subordinate position in patriarchal households. These laws underpin patriarchal system of traditional authority to reinforce patriarchal values which disadvantage the youth, the majority in number and proportion, and place them to a subordinate position in society (Tadesse 2002, Watts 1993). This might be one of the very reasons that necessitated the operation of formal and informal institutions in harmony to work towards favoring all but benefiting the youth by diversifying options of access to farmland.

Formal institutions should be in place at least to oversee these age-old customary practices in the community. This is because there are disputes arising due to deficiency in customary practices of intergenerational land allocation. It is customary in the predominantly patriarchal Ethiopian societies for parents to allocate plots of land to their children when they get married. Children, particularly male children, are also entitled to inheritance upon the death of their fathers. As land becomes scarce, disputes arise over legitimizing claimants to parental land, and allocating land equitably to competing children. For protecting use rights, the right to exclude others needs to be bounded, specified and enforced.

³ The Ethiopian youth policy (issued in 2004) defines youth as persons of age group ranging from 15-29. This age in most rural parts of Ethiopia is a time that rural youth aspire and acquire independence by all available options..

Where there are primary and secondary right holders (for example, grazing in crop fields after harvest), such rights need to be clarified in statutory or customary laws. Failure to meet these conditions as land becomes scarce begets disputes and conflicts. For example, since farm boundaries are not always unambiguously defined, there are disputes over land use. Similarly, ambiguity over using land between primary and secondary holders of land rights is also a source of conflict (e.g., grazing crop fields after harvest or excluding non-community members to common grazing land in dry season). So far, the role of formal institutions and informal institutions in connection to accessing (owning) and managing land is investigated in Ethiopia by many researchers: Dessalegn (1995), Yigremew (2002), Yared and Zenebework (2000), Teferi (1995), Ege (2002) and Dejene (1999), to mention some. Although most of these researchers focused on the role of formal institutions in influencing access to land and dealt with land issues and adults in other parts of the country, the fate of the youth or emerging households was not given attention and researched. The role of institutions in accessing land to the youth, it seems, was not properly explained. Research work that connects land issues with the youth is scanty. The writers could not easily locate research work done on similar issues in the context of rural Ethiopia, in this case in rural Gedeo and Sidama specifically. As a result of this, it appears that there is knowledge gap in this regard. Therefore, how these statutory and customary practices should work together must be examined and exploring what roles these institutions play in the process of accessing farmland by youth is the concern of this paper.

Objectives of the Study

This paper explores the role and influence of formal and informal institutions in the community working at both household and community levels in permitting and prohibiting the rural youth's access to (farm) land. Particularly, it describes *how the* access to farmland is established by formal and informal institutional setups and what roles each have and assesses the responses of the rural youth to these institutions. Moreover it explains *why* investigations of institutions are important to look into the rural life of the youth, and find out opportunities and constraints of the formal and informal institutions in the land tenure system of the area.

Scope of the study

This research concentrates on how the youth in Rural Wenago and Dara access farmland by considering 13 selected rural *kebele* administration units (RKAUs), of which 8 and 5 were from Dara and Wenago *weredas* respectively. The study mainly focuses on the formal and informal institutions working for and/or against the rural youth to access farmland. It also looks at the possible ways of harmonizing these institutions to work for the easing of access to available land.

Significance of the study

As to its significance the study will partly fill the knowledge gaps and raise awareness about permissible and/or unacceptable roles of those formal and informal institutions in Dara and Wenago in making young people get access or not to farmland. It also helps us understand where and why formal and/or informal institutions can be important or not.

Conceptualization and Review of Related Literature

Mapping the Conceptual Terrain

Institutions can be usefully defined as *complexes of norms and behaviors that persist over time by serving socially valued purposes*. Institutions understood in this way can function either as **organizations**- defined as *structures of recognized or accepted roles that serve particular purposes, persisting patterns of behavior with a normative dimension, i.e., some sense that people ought to cooperate or comply*. The latter, not being structured in terms of roles, do not function on the basis of such structure, but rather they depend on norms (Watson 2003).

Informal Institutions: Informal rules are traditions, customs, moral values, religious beliefs and all other norms of behavior that have passed the test of time. They are often called the old ethos, the hand of the past, or the carriers of history. They embody the community's prevailing perceptions about the world, the accumulated wisdom of the past, and a current set of values. Thus, informal institutions are part of a community's heritage that is called culture. They are maintained from one generation to another through various transmission mechanisms such as imitation, oral tradition, and teaching. The enforcement of informal rules takes place by means of sanctions such as expulsion from the

community, ostracism by friends and neighbors, or loss of reputation. In the process of enforcing informal rules, tribal chiefs and religious leaders have been (and, in some parts of the world, still are) known to use more severe forms of punishment. On the other hand, some argue that customary institutions more or less negotiated, but unchanging and less likely affected by influences from other places or people; but they are characterized by particular constellations of power (Pejovich 1999; Watson 2003).

Formal institutions: Formal rules are constitutions, statutes, common law, and other governmental regulations. They determine the political system (i.e., the governance structure and individual rights), the economic system (i.e., property rights and contracts), and the enforcement system (i.e., the judiciary and the police). Governmental authorities enforce formal rules by means of sanctions such as fines, imprisonment, and execution (Pejovich 1999). Formal institutions are statutory and are commanded and are at the disposal of modification and change (Watson 2003).

For the purpose of clarity, institutions and organizations should also be raised here. Writers like Watson (2003) and Ostrom (1990) briefly consider definitions and typologies that make the variables of concern more analytical and concrete. Watson (2003) indicated a distinction between *institutions* and *organizations*. In much of the literature, the terms institution and organization are also used interchangeably. Some institutions are also organizations, and vice versa, some organizations, though not all, are institutions. On the other hand, there are some institutions which are not organizations-and some organizations that are not institutions (Ostrom 1990).

Conceptualizing Policies and Institutions in the Context of Rural Livelihood

Rural livelihoods are activities of the rural people used to earn a means of living using available rural resources which mostly are influenced by formal and/or informal institutions. They are dependent on natural resources as sources of income.

Policies and institutions are an important set of external factors that influence the range of livelihood option open to different categories of people, including access to assets and vulnerability to shocks. They influence household livelihood strategies directly, by determining which activities are legal/illegal and appropriate/inappropriate for women and men, adult and youth, by creating incentives to pursue certain activities and choices over others. They are influencing also perceptions of the effectiveness of particular strategies for

achieving desired outcomes. An enabling policy and institutional environment makes it easier for people – both the poor and the less or non-poor – to gain access to assets they need for their livelihoods. A disabling policy and institutional environment may discriminate against the poor, thus making it difficult for them to get access to land, livestock, capital and information (Ostrom 1990, Agrawal 2001).

The term institution can be taken to refer both to membership of an organization and the invisible, historical set of rules of the game that govern socioeconomic, cultural and political life. This includes the basic building blocks of society, such as families, kinship, marriage, inheritance, access to and/or property rights, markets and land tenure (Box 1)

Box 1: Examples of rural institutions
<ul style="list-style-type: none"> • Formal membership organizations: cooperatives, registered groups, farmer groups, community-based organizations • Informal organizations: exchange labor groups, rotating saving groups • Political institutions: parliament, law and order, political parties at national and local level • Economic institutions: markets, private companies, banks, land rights, tax system, sharing draught oxen • Social-cultural institutions: kinship, marriage, inheritance, religion, solidarity groups
Source: Agrawal 2001:1450

Access to Farmland and Institutions

How do formal and informal institutions relate to one another when it comes to access, use and control over rural land? Gore (1993) suggests that they co-exist, but also interact in a complex and dynamic manner. Within these institutions numerous conflicting or competing rule-orders exist, characterized more often than not by ‘ambiguities, inconsistencies, gaps, conflicts and the like’ (Cousins 1997). In times of scarcities of livelihood resources, informal rule-orders can take precedence over legal property rights as rules of entitlement to food or other commodities (Gore 1993).

Despite the apparent abundance of land, agricultural land with a dependable growing period represents a fraction of the total land area of Ethiopia. Moreover, land degradation is extensive and severe, particularly in the highlands that are above 1500 meters above sea level and accounts for about 40 percent of the total

land area, but it is home for about 90 percent of the total population and 70 percent of the livestock of Ethiopia (Ege 2000). Population continues to grow rapidly in these highlands and exert pressure on diminishing supplies of agricultural land, particularly arable land for cultivation and pasture (Ege 2000: 15). There are signs of declining farm size and increased fragmentation, and excess demand for land such as pushing cultivation onto marginal lands (i.e., steep slopes, low rainfall zone), proliferation of rural landlessness, and increasing land rentals (Dessalegn 1995).

The African evidence indicates that as land becomes scarce, tenure regimes (or, property rights) evolve towards individualized land rights (Platteau 1996). The evolutionary process is not, however, a smooth progression; either indigenous institutions are not capable to meet sufficiently the growing demands for individual land rights and/or public policy acts in a way that negates the evolutionary process (Yigremew 2002).

The Ethiopian cases reviewed in this paper exemplify the retarding effect of a deficient public policy that is not fully informed by underlying demand and supply conditions that necessitate tenure change. Despite the government's deliberate land policy to do away grossly with the past tenure systems, there is evidence that indicates farmers are expressing preference towards individualized market based tenure system for agricultural land such as land rental. But such self-evolving process is not as operative and effective. Paradoxically, government intervention is still necessary. However, it has to be informed to meet the changing demands for land rights that are consistent with the desirable societal goals of equity, efficiency and environmental sustainability (Whitehead and Tsikata 2003).

Where induced institutional innovation is slow, public policy has an important role in hastening the process, thereby closing the gap between the demand for and supply of land. Public policy has pivotal role particularly in ensuring expanding choices for access to land, providing legal protection and enforcement to land rights with social legitimacy, enhancing awareness to overcome resistance to change rooted in existing social norms and values that are not justifiable on equity ground such as excluding rights to women, children, and youth (Yigremew 2002). But public policy and formal laws may have also diluting effect on evolving land rights and capacity of indigenous institutions to respond to demand pressures. For example, where government owns land and exercises control rights, farmers may become less secured as compared to indigenous rights. Where tradability of land rights is restricted, farmers can have weak command on informal land markets, especially where both legal recognition and social legitimacy are deficient. Rights that are legally recognized may not be considered socially legitimate if statutory laws fail to recognize social norms and values. It is plausible that right to land (access) degenerates where public policy

and statutory laws undermine indigenous institutions. Public policy, instead of strengthening these institutions and enhancing conditions that are favorable towards innovative tenure arrangement that is consistent with increased security of tenure, efficient use of land, and conflict prevention, rather hastens the erosion of indigenous institutions (Ostrom 1992).

One of the weapons of formal institutions is land policy. Land policy has been the source of power in all governments of Ethiopia including the current one. It is also at the center of a controversial policy debate. The debate has largely been carried out along two antagonistic lines concerning property rights to land. The Ethiopian government continues to advocate state ownership of land whereby only usufruct rights are bestowed upon landholders. The usufruct rights exclude the right to sell or mortgage the land. This, the government asserted, was to protect the rural peasants from selling off their land to wealthy individuals leaving them landless and without source of livelihoods (Yigremew 2002, Ege 2000).

In the ancestral Gedeo and Sidama philosophy land belongs to the tribe and women are prohibited from inheriting tribal and family land. The youth, as emerging households, either look for land in the parent's lot or ask the tribal leaders if extra farmland is available. Currently tribal involvement for land is almost weak as the land is already scarce, but the majority of emerging households depend on their parents' land (Tadesse 2002).

The controversy in Sidama and Gedeo is the mismatch between the scarce land resource and the increasing young population with an average growth rate of three percent. *Formal institutions* have exacerbated land shortage problems by inappropriate interventions, often by ambitious development plans, lacking basic understanding of Gedeo and Sidama land use (Tadesse 2002 emphasis from the authors).

Description of the Study area and the Research Methodology

Description of the Study Area

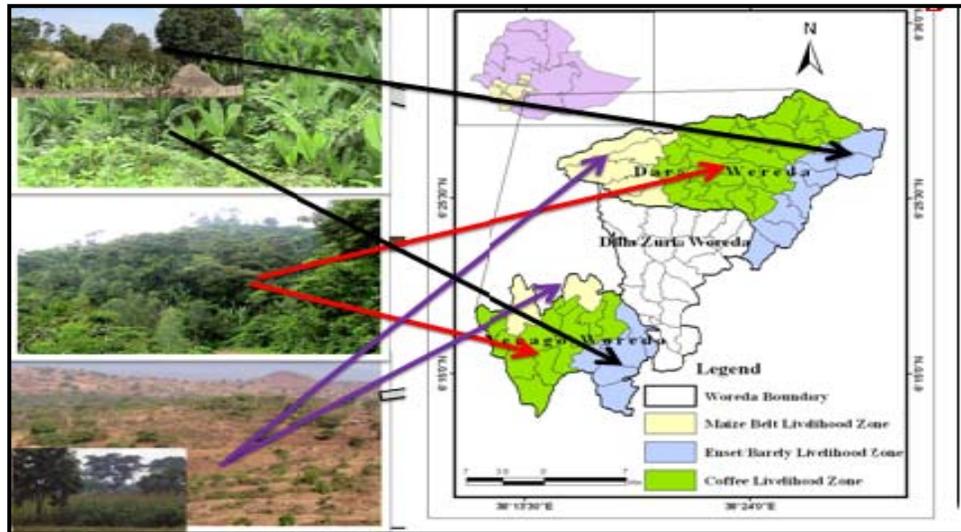
Wenago is one of the five *weredas* in Gedeo Zone, SNNPR (see figure 1). It has three major livelihood zones. It is bordered in the south by Yirgachefe *wereda*, in the west by the Oromia Region, in the north by the Sidama Zone (Dara *Wereda*), in the east by Bule *wereda* and in the northeast by Dilla Zuria *wereda*. The main administrative town of Wenago *wereda* is also a town called Wenago. According to CSA (2007), Wenago has 12 kilometers long asphalt roads, 56 kilometers of all-weather roads and 17 kilometers of dry-weather roads. This gives an average

road density of 333 meters per km². Local landmarks include the Qallu compound (*galma*) of Guji, which the local communities claim ought to be annexed by Guji Zone of the Oromia Region, the claim which led to violence in the past particularly in 1995 and 1998 (CSA 2005, Hussien 2004).

Astronomically, the *wereda* is located between 6.22⁰ to 6.42⁰ latitude and 38.21⁰ to 38.41⁰ longitudes (see Figure 1). The elevation of the *wereda* ranges from 1401 to 2500 meters above sea level. It has sub-humid tropical climate, receives mean annual rainfall of 1500, with a range of 1200 to 1800 mm. The rainfall pattern is bimodal, with short rain season between March and May, accounting for 30 percent of total rainfall, and a long rainy season between July and October, accounting for more than 60 percent of total rainfall. The mean monthly temperature is 21.5°C with mean monthly maximum and minimum temperatures of 25°C and 18°C, respectively.

Wenago *wereda* has a total population size of 117,630, of whom 49.75 percent are male and 50.25 percent are female; 25.36 percent of its populations are urban dwellers which is more than the Zone average of 14.4 percent. With an area of 255.16 square kilometers, the *wereda* has a population density of 1,086.30 people per square kilometer. This is probably one of the most densely populated areas (at *wereda level*) in the country (CSA 2005). The five largest ethnic groups that inhabited the area have been Gedeo (73.5%), Amhara (6.98%), Oromo (6.37%), Sidama (3.34%), Siltie (2.33%) and all other ethnic groups account for 7.48% of the population. The largest religious group was Protestants accounting for about 45.92 percent of the population, while 26.06 percent practiced Ethiopian Orthodox Christianity, 16.96 percent were followers of traditional beliefs, 4.66 percent were Muslims, and 2.56 percent were Catholics (CSA 2005, 2007).

In Wenago *wereda*, as it is for the whole *wereda* in the Gedeo Zone, due to the ongoing diminution of land because of growing population size and heritage, households working on a large single field are few. Some households operate several fields, dispersed within a walking distance from peasant's farmhouse. Households from related families, their heads being sons of the same farmer, often form a cluster of huts, group settlements. However, each keeps a farmhouse (*uranee*) on his own plot. This system is attributed to a polygamous marriage among the Gedeos. About 66 percent of the farm households in Wenago *wereda* hold less than 0.5 hectare of land which is more than the zone average of 54 percent (Tadesse 2002).

Figure 1: Map of study *Weredas*, *Kebeles* and Livelihood zones

Source: Filed Pictures and own Construction on the basis of Ethio-GIS 2009

Dara is one of the 19 *weredas* in Sidama Zone, which is located north of Gedeo zone. It has also three livelihood zones. It is bordered in the south by Gedeo Zone and in the east and west by the Oromia region, in the northwest by Aleta Wendo *wereda*, and in the northeast by Hula *wereda*. Towns found in Dara include Kebado and Teferi Kela. It was a very recent phenomenon that the number of *weredas* in the Sidama Zone increased from 10 to 19. Astronomically, Dara *wereda* is situated between 6.36° to 6.54° latitude and 38.26° to 38.51° longitudes. The elevation of the *wereda* ranges from 1001 to 3000 meters above sea level. The mean annual temperature and rainfall are slightly greater than the zone average (see Table 4.1). Dara *Wereda* has 8 kilometers long asphalt road, 66 kilometers of all-weather roads and 16 kilometers of dry-weather roads; hence the average road density of the area was 369 meters per square kilometer area (CSA, 2005). The *wereda* has a total population of 157, 866, of whom 49.29 are male and 50.71 were female; 6.19 percent of its population are urban dwellers. With an area of 250.8 square kilometers, it has a population density of 616.4 people per square kilometer, which is more than the Zonal average of 430.03 (CSA, 2007). The seat of *wereda* administration is Kebado found at a distance of 355 kilometer south of Addis Ababa.

The four largest ethnic groups of Dara *wereda* were the Sidama (89.68%), Amhara (5.28%), Siltie (1.62%), and Oromo (1.37%); all other ethnic groups accounted for 2.05 percent of the population. Sidama is spoken as the first

language by 92.54 percent of the inhabitants and 5.42 percent speak Amharic; the remaining 2.04 percent spoke all other primary languages. About 64.4 percent of the populations were adherent of Protestant Christianity, 15.82 percent practice traditional beliefs, 11.85 percent practiced Ethiopian Orthodox Christianity, 4.23 percent were Muslim, and 1.4 percent Catholic.

Table 1: Study location characteristics (2007)

Some statistics	<i>weredas</i>	
	Wenago	Dara
Total Population	117,630	157,866
Total youth population (15-29 age)	28452 (24.3%)	40418(26.0%)
Average household size	8.0	7.3
No. of <i>kebeles</i> (smallest admin unit)	16	33
No. of sample <i>kebeles</i> taken	5	8
Sample HHs	30	30
Sample youth	90	90

Source: CSA, 2007; Field Survey, 2011

Land issues are associated with population and demographic situation. About 24 percent of the population in Wenago and 26 percent in Dara are youth, lower than the national average (28%). Sample *kebeles* were taken proportionally and eight were from Dara and five from Wenago. Equal number of households (30) and youth (90) were taken from each *wereda* purposely. The 90 young persons from each *Wereda* were sons and/or daughters of sample households. Accordingly, three young persons from each household were selected in descending order of their age.

Methodology: Procedures, Data Sources and Analysis

The study has applied a qualitative research method to illustrate the influence and roles of formal and informal institutions to access farmland by rural youth. It also used the method to portray affiliations of the rural youth towards local institutions. Both primary and secondary data sources were employed. Primary data was collected from sample respondents using questionnaire survey, personal observations, structured interview and focus group discussions (see table 1). In order to broaden the source of information, key informant interview and some individual case histories were gathered and analyzed.

Table 2: Sampling framework and selection of respondents for questionnaire

Region	Admin. zones	Weredas	Livelihood zones	Agro ecological Zone	Total no. of <i>kebeles</i>	sample <i>kebeles</i>	sample HHs	youth
SNNPR	Gedeo	Wenago	Ensete and barely	2400-2500 (Dega)	5	2	10	30
			Coffee	1500-2400 (Woinadega)	9	2	15	45
			Maize	1400-1500 (Kolla)	2	1	5	15
	Sidama	Dara	Ensete and barely	2400-3000 (Dega)	8	2	10	30
			Coffee	1500-2400 (Woinadega)	20	4	15	45
			Maize	1200-1400 (Kolla)	5	2	5	15
Total	2	2			49	13	60	180

Source: Own compilation, 2012

Wenago of Gedeo and Dara of Sidama were selected purposively: A) Both zones are known for high scarcity of livelihood resources particularly land. About 65 percent of the population owns less than 0.5 hectare per household (Tadesse 2002). B) Both *Weredas* are full of physical diversities following the three major agro-ecological zones/livelihood zones (Maize, Coffee and Enset/Barley based). C) Demographic dynamics and settlement pattern was another factor of selection. Both areas are known for highest population density in the region and in the country (CSA, 2007).

The *Kebeles* (based on the agro ecological/livelihood zones) and the study subjects (HHs and youth) were selected randomly. However, amongst the randomly selected *kebeles* and households, three *kebeles* from three agro-ecological zones of a *Wereda* and 10 households from each were selected

purposely to pursue those households which had young people of 15-29 years of age, who rely for their livelihood on the rural settings. This was done so because all households that were randomly selected did not have youth of the given age category. These young people were considered the main focus of the study. Respondents for interview and group discussion (both heads of HHs and youth) are selected randomly out of the respondents selected for questionnaire survey. Observation of all livelihood realities was also made. From the available youth, the oldest youth is listed as number 1; the second is number 2, and so on. Willingness to participate in the study was what mattered most. This is because some young girls were unwilling to participate because of some cultural reasons and misunderstandings. Three groups of youth were selected and three groups of elderly people, of which one group is women, were selected purposely for group discussion.

Secondary data was gathered from various sources like *Wereda* Bureaus of Agriculture and Rural Development, CSA, and office of *Zone/Wereda* Finance and Economic Development.

In presenting individual case studies, interview results, focus group discussions and personal observations and an overall account for some cases was given qualitatively. Simple statistics was used to analyze quantitative data obtained through questionnaire survey and interview. Besides, analysis was made to assess the determining factors of the means of accessing land either formally or informally or both by young people.

Results and Discussion

The Property Rights of the Youth and Rural Institutions

Assets are properties that give meaning to a person's world and constitute an essential element of livelihood. Natural capital is one of such assets that the term used for the natural resource stocks (e.g., land resources) upon which people rely. Access to these assets is usually problematic as it is a function of formal/informal institutions and statutory and/or customary practices among communities of Sidamas and Gedeos.

One of the main functions of a family is ensuring the transfer of property rights from one generation to the next, i.e. from parents to children. The work of Nzioki (2007) shows that if parents fail to make custody arrangements, their children are at a greater risk of long-term negative outcomes. It was observed and also understood from the information obtained from elders of Sidama and Gedeo

that the main challenge of a family has been the inability to ensure inheritance of the main assets like land and other properties for children and the youth. This is mainly attributed to shortage of land and scarcity of livelihood resources due to increasing number of people among household members. This was more exacerbated and became more serious particularly when parents die and caretakers (givers) and family members enter into strife and conflicts during sharing of family land and other properties. This is because access to livelihood assets like the right to own and use land, livestock and other agrarian resources are critical to livelihoods of rural children and youth after the death of parents.

Property rights are shaped by many actors ranging from individuals to institutions. In this case, the right and access to land depends on the response of a combination of authorities such as the state, local authorities, and customary leaders. In rural Gedeo and Sidama, as it is in most countries of Africa, women and children's access and rights to land and property depend on their relationship to their male family members as a wife, daughter, sister or mother, though with some exceptions. The case is especially serious where matrilineal kinship system is practiced, their gender as male or female, their proximity and relationship to the head of the household, before and after his/her death.

The youth often find that their right to family land is challenged by family elders. A young man aged 27, at *Hatile Fulanto kebele* narrated:

I was supposed to have some land when my father died last year but my two elder brothers took it away. I and Genet, my younger sister, are now without land. They are using the crops grown up on the land for their own benefit. I asked my uncle to settle the issue peacefully. He suppressed my idea and said to me that you are a child and Genet is female. So please, he said, let your brothers think by themselves, and most probably they will give you something out of the harvest of your parents' land. I kept quiet hoping for something positive in the future but I am doubtful.

This experience tells us that family and its networks as one of the informal institutions can affect the probability of accessing farmland positively or negatively.

Property is a bundle of rights entailing a set of entitlements as well as a set of obligations. In order for these rights to be secured they need to be enforced by an authority. As outlined by the Food and Agricultural Organization, property rights and property relations can be the subject of negotiation and compromise on the one hand and confrontation and struggle on the other, and these struggles can be violent in various ways (Nzioki 2007). Although legal rights may exist in principle, they are not always respected in practice as customary rules co-exist.

Two scenarios can be identified as far as property rights and owning land in Wenago and Dara is concerned. These are collective property rights, which are also connected with collective livelihood and communal property rights. Children from their early years of age work towards the strength, survival and continuance of the collective livelihood of the family. They share more obligations in the family than rights. This is true both in Gedeo and Sidama.

Shared livelihoods are peculiar characteristic of both Gedeo and Sidama. Shared livelihoods are also called collective livelihoods (Tatek 2007). It refers to the situation when every member of the family is working for the family members, i.e. they shared roles and also shared outputs. Most of the youths either directly or indirectly reflect the collective livelihood issues. These tasks are organized entirely on the basis of division of labor, with virtually no household co-operation. This coexistence and collaboration is expected to help the youth to inherit an asset including land out of the property of the household during retirement or death of the head of the household. Accordingly, the major types of land tenure in rural South Ethiopia, particularly in Sidama and Gedeo, can be crudely lumped into common property and lineage controlled. The head of the lineage has authority to allocate land to those with need as it pleases him. The youth have no right to question except taking what is allocated for them.

A common property right of the youth on the other hand is emerging. It indicates that when the youth are organized in groups through youth development programs and have a group access to use and control land in groups. It was indicated by Ato Ashenafi, Youth and Sport Officer of Dara *Wereda*, that the youth are being organized in groups and are working towards a collective property right, particularly land, because of the absence of farmland to distribute to the youth. In this kind of land owning process, the youth who are married are given priority. The information obtained from Dara *Wereda* youth affairs office indicated that the property ownership of the youth has changed from a private type to a collective type for those who are part of the rural youth development package. But, he also added that the land which is distributed to these groups of youth is already degraded and scrappy.

When asked about the issue of equal right and access to agricultural land to the agricultural community, an officer in the land administration office of Wenago *wereda* said that:

It is not the regulations that are working but the reality in our locality that matters. The law contains provisions that aim to protect children's property and inheritance rights; the reality is that we do not have land for 'the newly born'⁴. We have also our own traditions on property rights and inheritance issues. Children and the youth should also be able to abide by the rules and regulations embedded in the community; otherwise they might be regarded as deviants. This, I am telling you because I am totally supporting these local traditions but it is there, it is as old as the people of Gedeo are. Some youth tried to challenge the community but gradually they saw that it does not work for the time being and therefore they opted to remain silent and try to survive by being engaged in non-farm rural activities. That means they are not able to utilize the laws to protect themselves from land impoverishment. Therefore bridging the gap between statutory law and customary law remains a significant challenge, as the latter dominates in practice.

Box 2 deals with one of the most densely populated *kebeles*. Both historical and cultural contexts of community ownership and right of distribution of land were described by the two key informants. Land related issues - ownership approval, land distribution and land based conflicts were handled and resolved by the community leaders. The land related problem seems to be a recent phenomenon connected with population pressure. It is also indicated that ownership right is not according to the land policy of the government: it is more of informal. Customary institutions seem to be more powerful than the formal ones and are more acceptable.

⁴Indicates youth who recently married and looking for agricultural land.

Box 2: Traditional land allocation process in Gedeo

Ato Shibiru (Male, 75) narrates his story as follows: until about 1941, commercial farming system was virtually unknown to the local population. All lands belonged to the community who has had the highest say on land. Although the community leaders historically held the largest amount of land, every single member of the community had the right of access to land except women and children. Every member of community (man) was entitled access to and cultivates any vacant piece of land available. In the absence of vacant land, an individual or a family could cut trees down and open new fields. A simple word of approval from the elders and households was enough to turn a piece of forestland to cropland. The leaders would also grant the right to use wood resources that lie adjacent to the crop field. Water and grazing land was also shared communally. The Gedeo used to encourage people, particularly men, from other areas to settle and marry in their village. The community elders would allocate a parcel of land of less than 0.5 ha in the first year of settlement and progressively increase the area depending on the social and moral conduct of the newcomer. Although land allocation was done based on specific criteria for different people who were in need of it, the ability to behave according to the norms that governed community life carried the greatest weight in the decision to allocate land to an individual or family. This could only have been possible in a situation where the economic supply of land was adequate.

An elderly man (86) who lived in Mokonnisa *Kebele*, also stressed that in the old days “there was no as such land ownership problem and was not a big deal because there was a plenty of land”. The ownership right granted by the elders was fully acknowledged by the rest of the community and ensured ownership security. For the native families, land was passed on from one generation to the next. Moreover land access was not only through inheritance. People also used to borrow fields from each other, particularly old people who could not manage large fields due to lack of family labor. For men, to let somebody use (borrowing) a field was a reflection of incapability. It was recalled in Gedeo that a “father would never allow his daughter to marry a man who does not let others use his unused land. There was sufficient land available, although it was restricted only to males. But now it has become a story. Whoever cleared a field first was considered the owner unless it was formally handed back to the Abba Gada who was the caretaker of all community issues – advising and deciding concerning land is one of their responsibilities. Some people rarely encountered land conflicts because the community leaders (they) used to allocate land well aware that it was the most important resource.

Source: Field notes, 2011

Complementarities of Formal and Informal Institutions

Generally, control over and access to farmland is in the hands of the lineage that was the first to start farming in the village, personified in the (male) head of that

lineage (Tadesse 2002). Wives and unmarried boys and girls will receive land to cultivate through their husbands, mother-in-law or parents but can never own and control it.

Many studies indicated that interest in “formalizing” access to land and transactions is increasing in Africa, particularly in areas where pressure on land is increasing. Informal land markets are spreading. Disputes may have a generational dimension when elders decide to sell the land without consulting the younger generations, or conversely, when people sell family land without asking for permission from ‘custodians’. Policy responses are oriented towards promoting registration such as the right of using land, and in the Ethiopian case, marketing is forbidden (Tadesse 2002, Ege 2000, Platteau 1996, Ostrom 1992). Currently the Ethiopian government has introduced new ways of owning land for rural young people following the 2006 Rural Youth Development Package. It is also connected to sustainable land management of Gedeo and Sidama agro-forestry.

... there is land allocated for one of the youth associations by government officials near *Adame Tesso Kebele* but disagreement erupted because the land belongs to the community and it is a place where herders and community children keep the community’s cattle. Actually the land is not productive but we need it for bee farming if we are allowed. So look at ... promises and practices are here and there... they are unable to negotiate and give us the land promised before a year” says a young man, 22, who is from *Hatile Fulanto kebele*.

Still strategies to get access to land are diverse - formal and informal. With respect to farmland, sharecropping and renting is still very common. Young people utilize these opportunities in some cases as a means of accessing farmland. This practice is more common in Dara than in Wenago. When asked about the land he is cultivating, a young man in *Adame Tesso Kebele*⁵ of Dara said “...it is not my plot...I will give half of the entire product to him.” The land belongs to an old man who has no caretaker.

The traditional rural community leaders (elders) are not only responsible for land cases but for all aspects of life within their locale. Their influence is somehow limited to their village or territory mostly possessed by their tribe. These

⁵ A small administrative locale of Ethiopia

practices are still operating more in Gedeo than in Sidama, although the traditional rules are getting eroded due to the imposition of formal rules and institutions. The legitimacy and authority of the traditional community leaders is based on a mixture of customary and religious laws, and social agreements (norms). However, some chiefs who are now called ‘customary’ acquired their powers in connection with traditional rituals and cultural norms. While these institutions reflect existing social agreements, they also replicate prevailing forms of discrimination, exclusion and prejudice, such as those that affects the rights of women, children and the youth.

It was observed that social configurations and agreements underlying the more ‘customary’ institutions for resource management evolve continuously in response to internal and external transformations. The trend within these communities that will affect these institutions and their effectiveness include: changing relations between generations; breaking apart of large families into smaller units; the undermining of the notion of custodianship under the influence of emerging (informal) land markets; the growing ‘influence of political party memberships’ on social relations (sometimes also linked to local government elections including *kebele* chairman).

“Customary” local governance institutions, such as village chiefs used to be effective in exercising authority over access to and use of land and natural resources, and resolving conflicts. Although their relevance continues in most rural areas, their powers have been undermined. The destabilization of these institutions started during the *derg regime* when every institutional setup was expected to shout socialism, and continued until now in the time of EPRDF, reflecting the growing power of the formal institutions, the expansion of statutory law, and changing social relations and new markets. It was also reflected by key informants that government uses more informal institutions than formal ones for conflict management and resolution.

Ministries in charge of land, youth and formal institutions increasingly intervened in overseeing the use of resources like land, while issuing users permits often without taking into consideration the availability of the resources. There was no recourse available to the ‘customary’ authorities who used to govern resource use. This situation is increasingly affecting the sustainable management of shared resources, creating situations of conflict that may lead to worsening of family and community members’ relationships.

So, the point here is to try to combine “customary” and “modern” institutions, while seeking to anchor the results to the legal authority of formal government system. As a result of the lack of implementation of state legislation and of the continued application of customary law, several legal systems – statutory, customary and a range of “in-betweens” - regulate resource rights in the

same territory, resulting in overlapping rights, contradictory rules and competing authorities. In Sidama and Gedeo, the neat distinction between “customary” and “statutory” land tenure systems is considerably blurred, and the dichotomy between the two must be avoided.

In both Gedeo and Sidama communities of Dara and Wenago, “customary” systems have been much imbedded in the community since time immemorial with interference by statutory ones. Equally, statutory systems for land management usually operate with considerable possibilities for negotiation, and it is not uncommon for government officials to follow customary law principles to settle natural resource disputes on the basis of mediation and conciliation. Between the ideal-type “customary” and the ideal-type “statutory”, a great deal of hybrids and “in-betweens” exist. Farmers might have registered their land, thereby converting their customary rights into user rights or it is title registration (Solomon, n.d); but not updated the register following succession or sales. It does not also indicate the fate of women and the youth in the registration process (Solomon (n.d.)). In many disputes over land rights, parties selectively refer to bits of both customary and statutory law, choosing those norms and dispute settlement institutions that better support their claims. In other words, resource users gain access to natural resources through a blend of “customary” and “statutory” arrangements. Rather than a dichotomy between opposing extremes, local reality usually resembles more a continuum of different combinations of both.

Conflicts Co-exist in Formal and Informal Institutions in Wenago and Dara

Although the issue is not thoroughly investigated, as a result of formal policies and customary practices, ‘conflicts’ over access to and rights on land are central and seem unavoidable. The following types of conflicts that co-exist in formal and informal rules/institutions were identified in Wenago and Dara. Conflict between:

- traditional community leaders and local government officials over land administration powers of functions;
- heads of households and able bodied members of the household over land;
- men (and traditional community leaders in particular) and women over gender equality in relation to land rights;
- traditional community leaders and emerging adults/young people on who should control/use the available land and how to access the available land; and
- local groupings with competing visions of the desired form of ownership, or over the content of internal rules, or over boundaries between sub-groups.

All of these factors mean that at present the rights, duties, responsibilities and powers of the social actors and institutions operating at different levels on communal land administration are ambiguous, conflicting, and highly contested. Again, it is clear that enacting the proposed law will not by itself resolve the conflicts; it may create a framework within which processes of 'democratization' of land rights can occur, but active agents will have to press their claims and struggle to make their rights realities.

Rural Youth and the Problem of Access to Farmland

As it is in many other rural parts of Ethiopia, the problem of landlessness has been increasing in both the study communities. Landless poor families and young people were observed engaging in many income-generating activities. The rural youth who came 'late' to the scene are at high risk of being landless. Since there has not been a comprehensive survey in both communities as well as in the country, data derived from small sample surveys portray the state of landlessness. The findings of these surveys are divergent and inconclusive on the size of the landless population with age while all of them concur on the seriousness of the problem and its increase at an alarming rate (Dessalegn 1995). Now the problem with landlessness is not only because land is scarce. Partly, it has been observed that the problem is 'who should do what' among formal and informal institutions to make accessible the available land. Easily cultivable land is found more in Dara than in Wenago but conflict of interest between them sometimes permits and mostly prohibits access.

Land is the most precious item to the Gedeos because among them it functions as a membership card. This goes so far as saying that a "man without land among the Gedeo is not considered a fully developed human being" (Tadesse 2002). Landlessness in Sidama is also exacerbated by the mismatch between the limited land resources, role confusion and conflict of interest between formal and informal institutions and the growing youth population who needs land. For example, Gedeo population is growing annually on average at more than three percent (CSA 2007). The majority of the households own less than 0.5 hectare of land who at the same time are responsible to sustain more than 8 household members each.

Therefore, a combination of shortage of agricultural land, the customary practices and statutory rules have exacerbated the problem of access to land. One of the problems is corruption and discrimination against some background of people.

When I raise the issue of corruption I know it is difficult to bring to the forefront, supported with evidences but what I need to show here is that corruption in different forms is one of the greatest challenges of young people today. They are young after all. They lack life experiences, their social capital is limited compared with adults or the social capital that they have already built up is weak; they are not in a position to predict the consequences of things yet to come, etc. They are therefore an easy prey to the teeth of corruption. Access to land, sharing public spaces of any type, earning of benefits from something, etc. all are subject to certain forms of linkage or sabotage, even among elders and community leaders (see box 3).

Box 3: Problem of Access to Land: Corruption

Hailu (26), one of the interviewees from Dara coffee growing village, reported saying, “we usually have access to land if we can afford to buy a piece of land with perennial crops. I bought a piece of land from someone; I paid a small amount of money and later on, another man came who paid for the same land a bigger amount. And the owner told me to leave the plot and he gave me back the money,” saying "This land was for that man there [and] I gave it to you because that man was not coming. But now that he is around so give me back my land and here is your money." Really, such things happen often. The local authorities can do nothing because some of these people are part of the authorities, so they can even order someone to leave the plot in 24 hours. Or there are some conditions to get land from the community. But such kinds of practices are secret and done more informally. There are some people from towns, who come here and create such problems on us just because they want to occupy a piece of coffee land to cultivate, while those without economic power continue in absolute poverty. [Such people] accentuate and increase our poverty.

Source: Hailu (2010), Interviewee

So, what has been learnt from Hailu’s story is that there is an encroachment of land by outsiders while the insiders are already land starved. Although this case is taken from Sidama (Dara) there are also similar cases in Gedeo (Wenago).

The role of the state also contributes to erosion of indigenous institutions where statutory laws fail to recognize the role of customary laws and/or indigenous institutions become politicized such as appointing traditional leaders as local officials. These (traditional) officials often mix up and confuse customary and statutory rules.

There are also other factors as well that contribute to the worsening of the already dire situation of the rural youth with respect to access to land. Two of these explanations are related to recent demographic trends in both Gedeo and Sidama. First, the rapid population growth has induced a transition from abundance of land to scarcity of land, from land owner to land borrower, from land inheritor to land seller, etc. situations in many villages of Gedeo and Sidama.

The situation is more prevalent in the highly populated and cultivated part of the coffee growing villages of both Gedeo and Sidama. The situation is still more appalling in Gedeo where most of the villages are sustaining more than 1000 persons per square kilometer. Increased population pressure on land resulting from the transition could be expected to have resulted in a decrease in terms of areas available for younger generations. Second, increased life expectancy could have resulted in late access to land for younger generations. Aman (23), a youth respondent from Hase Haroa *kebele*, Wenago, indicated that “the number of young people who seek land is increasing. Only a few succeed. Due to limited availability of land more young people move to towns to seek better livelihoods. Currently, looking for other livelihood strategies (options) is becoming a must and not optional”.

This seems also true in other parts of Ethiopia. According to Dessalegn (1995) younger generations in Ethiopia cannot claim new fertile land nor invest on land. As a consequence, young adults end up dependent on their families and farm plots are subdivided into ever smaller size of parcels, which are becoming economically not viable. This consequently resulted in livelihood insecurity among young people, increasing rate of dependency, rural-urban migration, increased rate of incidents of social evils in both urban and rural areas, social unrest, etc. This of course does not mean that land is the only and better option to the rural young people. Rather it was also observed in Dara *Wereda* that some young people do not like to remain rural and agricultural even when they are less educated. This means that access to farmland and engagement in farming activities is not only due to land shortage and impact of institutions but also the willingness of individual young people.

Gender and Access to Farmland

Access to land was not found as “gender neutral”. Not only being rural, being youth in many parts of rural Ethiopia including in Gedeo and Sidama is a disadvantage; but being a woman appears to be a more serious problem regarding the inheritance of land and getting access to other livelihood strategies.

Traditionally, women are excluded from inheriting family land. This is the historical extension of customary rules linked to the vital priority of protecting the life support structure of tribal lands. Since daughters are married off outside their own tribe (i.e., marriage within the tribe is prohibited), loss of tribal land through inheritance is avoided, as the tribe follows male lines. The tribe of a woman’s husband would then acquire the land, not the wife. The husband and his tribe would become the owners of the land according to the Gedeo traditional law. This

would strongly enhance the risk of accumulation of land in a few hands. Daughters in Gedeo society are known as *manna*, i.e., foreigners. That means they are only born to be given away to another tribe. A young woman's membership to her tribe lasts only until her marriage, when she loses her old citizenship and becomes a citizen of her husband's tribe. That is why the Gedeo consider it a curse to have a married woman give birth in her mother's house. In case a married woman dies in her parents' house, the latter are prohibited from performing burial ceremony, and they have to take the body to the tribe of her husband. According to Tadesse, after all Gedeo women, at first, are only a little more than daily laborers, relying on their skills and knowledge in matters regarding the house as well as *ensete* harvesting and processing (Tadesse 2002).

When we arrived at Hase Haro *Kebele* (Gedeo) on June 15, 2011 for group interviews, village leaders were in a meeting with Mr. Deyasso to resolve a family land issue. Many people were surprised about it because it was unusual for a young girl to claim a plot of land from her father. We were allowed and took the opportunity to attend the meeting (see box 4).

Box 4: Can Women Claim Land Rights? Experience from Wenago

Ato Deyasso had refused to give land to his daughter, Meseret, who had decided to return home after divorcing her husband. As in many other cases, she did not have the right, traditionally, to inherit land from her father. This is well known in the tradition of Gedeo (Tadesse 2002). Since Meseret's family failed to find a solution to their land problem after three consecutive family meetings, Ababa Shibiru and other village leaders were called to settle the conflict. Ato Deyasso ranks among the well off village men in Hasemo village. He has 5 hectares of land and a number of other assets. He is the father of seven children – four girls and three boys. Meseret is the first-born from Deyasso's first marriage. He divorced Meseret's mother after 12 years of marriage but left no land for her (Meseret's mother) children. Meseret lived with her mother until she got married at the age of 20 to a man in another village. It is unfortunate that the marriage did not last more than five years because her husband decided to marry another woman. Like many other women without land even to feed the children born of him; Meseret went back to her mother's home with her two young children. Meseret's mother was happy to have her back home with her kids but she did not have land. During the first six months at home, Meseret and her mother worked together as farm laborers to earn a living. This place is quite comfortable for women wage laborers since *ensete* preparation needs time and energy, people usually outsource it. The household short-term income increased threefold but it was unreliable in the long run. If close-by relatives did not help, Meseret's children would go hungry during labor (tough) slack periods. The problems with Ato Deyasso started when Meseret, his first daughter, decided to ask him for a piece of land to work on. Meseret was confident that her father would attend to her request positively not just because she was his first daughter, but also because he had enough land to share to all his children. Her

expectations began to crumble when Ato Deyasso informed her that all his land had already been divided among the children from the second marriage. Ato Deyasso never expected that Meseret would claim a piece of land from him, but from her mother who happens to be landless. After several unfruitful meetings with her father, Meseret decided to take the case to Elders. At the village meeting, Meseret made her point consistently clear: "I have nowhere else to turn to but my father. I am his daughter and he should give me some land as he did with his other children. As most of you know he left my mother empty ... If there is land for others there should be a piece for me too..." Ababa Shibiru, a wise 75 years old man, proved that customs are to be adapted to the circumstances of community life. Although Meseret did not have inheritance rights to her father's land, Ato Shibiru appealed in her favor. His argument in favor of her was not only that she is a daughter but also that he sent her mother away empty handed. Ato Deyasso was to find a plot for his divorced daughter. The negotiation was continued and we left the area because it was so late. After we left the village, we heard that Meseret has managed to get 0.2 hectare of land for herself and her mother.

Source: Field notes, 2011

The lesson from that story of Meseret (box 4) and the final position of her father, Ato Deyasso, is that customary practices are being challenged, replaced and negotiated. The influence of Women Affairs Office and awareness creation made by some local and international NGOs contributed in favor of women's position including Meseret (This is not simple). The writer purposely followed the court cases in Dara and Wenago *weredas* and there were cases of divorce and sharing of resources. This was not common before because most of the cases were handled by elders in the villages. An increase in the literacy of women, being aware of their property rights from time to time, the education of young people and being intolerant of the misery of their mothers were some of the factors that started challenging the old customary practices as it was indicated by people attending the court and women themselves. Accordingly, sharing of property upon divorce is also growing from time to time.

Means of Acquiring Land in Dara and Wenago

Concerning means of acquiring farmland, about 83 percent and 90 percent of youth respondents from Dara and Wenago, respectively, indicated that land is acquired only from parents. Despite the strength of the farmers' struggle, almost no farm household can be fully self-sufficient, mainly due to the inheritance of the already scarce land (Tadesse 2002). It is also indicated that the old way of clearing and negotiating on community land has become unthinkable in both communities. Buying of land, although not allowed by law, is the second important means of

acquiring land. Although it was not explained by the respondents, there are other ways of acquiring land like in the form of gift from relatives, and old people without family labor and caregivers, etc.

Table 3: Means of acquiring land by youth in rural Gedeo and Sidama (Note: Multiple responses are recorded, percentages in parenthesis)

I acquired land via	Sidama (N=35)	Gedeo (N=20)
Inheritance from parents/relatives	29(83)	18(90)
Buying/leasing/contracting	7(20)	5(25)
Clearing of community land/unused land	1(2.8)	--
Rent from individual farmers	6(17)	2(10)
Other forms of acquiring agricultural land	4(11.4)	3(15)

Source: Field Survey, 2010

A Glimpse at Rural Youth Development Package: Programs and Policies

The Ethiopian government has developed youth development packages for both urban and rural areas. The package includes strategies, how young people can be eligible to own, manage and control land. It has put down some directions concerning land and the rural youth. It primarily focuses on increasing the productivity of parents' land through intensive farming, application of technology and modern farm inputs. Then the product will trickle down to benefit children. Secondly, it encourages rearranging of the distribution of productive land (if available) and/or allocating the available land to the youth who are jobless and able to form groups and willing to engage in agriculture. Thirdly, the youth development package put the right of using uncultivated and mountainous land for those who can still organize themselves in groups. The Office of Youth Affairs of the SNNPR has also adopted similar strategies for the young people of the region. Key respondents indicated that so far access to land is impractical.

After realizing the alarmingly growing youth population in the country, the Ministry of Youth and Sports formulated the national youth policy in March 2004 with the broad objective of ensuring the active participation of the youth in the economic, social and cultural development endeavor (life) of the country,

and to support the process of democratization and ensuring good governance. The basic principles of the policy are to ensure that the youth will be active participant and beneficiary of the democratization process and economic development activities. The policy addresses a wide range of youth issues, ranging from HIV/AIDS to environmental protection and social services. The Ethiopian government has also formulated the youth development package to translate into action the national youth policy based on the formulated strategic plan with the view to alleviate the economic, social and political problems of the youth. It was said by the official in charge of rural youth development package in the SNNPR that the Ethiopian youth development package was developed through the full participation of the youth themselves and their organizations at different forums, although he did not mention the details of the youth participation during the formulation of the policy.

According to the information obtained from the office in charge (see box 5), the package recognizes that the youth are a strategic force for the implementation of the youth development package in order to address their problems. According to the implementation strategy of the package, participation of young people will be promoted at all stages of the program design, implementation, monitoring and evaluation. It is also indicated in the package that 'young people will not only be passive implementers of the package that affects their lives but take the leading role in implementing the formulated package'.

Box.5: Result of interview carried out with Dara *wereda* Youth Affairs Officer about the rural youth development packages and rural micro finances services, Dara *Wereda*

1. Can you please explain the situation/experiences of the practice of small and micro enterprises of rural youth?

When micro enterprises started operating in the area, they were organized just to create jobs to rural youth as stipulated in the rural youth development packages. Loan was given to those youth who organized themselves in small and micro enterprises. But there was no monitoring and evaluation system. The youth were not willing to pay the money they borrowed back because of some misconceptions and misunderstandings. They assume that the money belongs to the government and as citizens it is their 'share' given by the government which is contrary to the information provided by the lenders and the regulation. This had been a source of conflicts between youth and lenders and government bodies. Currently the situation seems improved and more awareness among the youth is created. Accordingly, there are activities that the rural youths are engaged in, which include: beef fattening, vegetables and fruits production; quarrying; livestock trading; baking (of *injera* and bread); nursery sites and bee keeping. In the *wereda* there are about 62 youth income generating groups (organizations). About 7 of them are new and are waiting to receive loan from lenders. The majority, about 40 of them, are engaged in fattening activities. Most of the programs are urban based however.

2. Do you think that all the youth who are in need of job are benefiting from the programs?

No, only those who were willing to take part have been beneficiaries and participants. Besides, only those who have no jobs after completing high school education and those who are dropouts from schools with tangible reasons that make them fail to continue their education can be involved and form association. There is also lack of money used for loan and problem of coordination, auditing, etc. to incorporate all. The packages need more money, coordination, evaluation and monitoring.

3. What are the progresses made and problems of the programs/activities? Are all of them successful? He said, I can categorize these activities/associations into three (both rural and urban): a) those which have been successful income generating activities (20%), b) those that dissolved/dispersed income generating activities (45%), c) those that became bankrupt income generating activities (35%)

4. What are the reasons for the failure and success of some of these packages? The problems for the failure of some of the packages include lack of experience, monitoring, follow-ups, evaluation, etc.

5. Do you think the package can accommodate all? His answer was no! no!

Source: Dara *Wereda* youth affairs officer, 2012

To ensure their participation in all stages of program implementation, the package specifies measures to be taken to empower them to be agents of change by providing them technical, material, financial assistance, and training opportunity with relevant and timely information to enhance their overall capacity. Measures that have to be taken to ensure their participation and to develop entrepreneurship mentality, attitude and the leadership capacity of the youth, have been explicitly pointed out in the package; and it is designed a) to develop the youth's leadership experience and promote their competence; leadership capacity building system would be designed and put into practice and engage in ventures that would enable them to produce an extensive leadership force; b) to ensure that the training given to the youth deployed in small-scale enterprise, urban farming activities and service institutions and to the youth that develop them includes entrepreneurship and management training and thereby strengthen the youths' leadership capacity and competence. What had been observed was more of rhetoric than practical (see box 5).

Conclusion and Recommendations

Pressure on land is growing fast. In rural Sidama and Gedeo where problems such as high population pressure, increased land shortage, and the low capacity of the non-farm sector to siphon off the excess youth population have made access to land a politically, socially and economically sensitive issue.

The youth face marginalization under both customary and formal systems of land tenure as a result of culturally embedded discriminatory beliefs and practices and adult control of resources. So, the question will be: What, then, are the prospects for the right-based laws which form such a central component of use and control over land in Ethiopia in order to translate them into realities? There are two crucial dimensions which need to be considered by government agencies, local authorities and the potential holders of these rights. One is the relationship between different kinds of formal institutions, at different levels (including rights-conferring laws, but not limited to them), as well as the complex interplay between formal and informal institutions within which rights to use and control over land is asserted and resisted.

If informal institutions are given more priority, then changes will be slow, patriarchal relationship over generations will perpetuate and the regulatory institutions stay without meaning. If regulatory institutions took dominion, then they can only benefit few youth and also gradually get weak as land is already scarce. Then the 'struggle' to make the youth benefit from land will be in vain.

But, the fit between formal and informal institutions is the key to the success of the farmer.

After the introduction of Rural Youth Development Package, conflicts between formal institutions and communities over the use and control of land erupted, mostly over rights to grant 'free land' to the youth. Rural youth development package, which is expected to mitigate livelihood related problems of the youth including access to land needs regular monitoring and assessment of its effectiveness.

It is the contention of this paper that customary and statutory institutions should work in harmony and should show a certain level of flexibility in order to reap the benefit of formal laws and the advantage of informal institutions that are already embedded in the society. Thus, introducing some sort of flexibility or modification in the formal land tenure system seems essential to avert role confusion between customary and statutory institutions to own, manage and use land by young farmers. Besides expansion and development of non-farm activities, encouraging and training the youth to acquire basic skills that would promote micro-entrepreneurship activities, etc. can also be supported by both formal and informal institutions. This is because continued dwelling on land, business as usual, may not be a sustainable option unless pressure on land is released.

Thus, we recommend what geographers call the need for 'complementarity' between two influential forces (Watts 1993, David Waugh 1995), between customary and statutory institutions in this case; anthropologists talk of the need for 'contextual fit' in policy development; sociologists talk about 'embeddedness'; and institutional economists talk about the need for formal institutions to build upon informal institutions (North, 1990). This will move the debate forward and clarify points of agreement and difference.

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