



Do rural women realized land tenure security rights? South Wollo, Ethiopia

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Abstract

Land is a valuable resource, with economic, political, and cultural significance for the rural poor. Land rights are fundamental to eradicate poverty. Strengthening women's land rights is increasingly on national and international agendas. The previous studies fail to investigate the status of rural women in realizing their tenure security rights in the frame work of the revised proclamation no. 133/2006. This study analyzed the current status of rural women in realizing land tenure rights in the South Wollo Zone, Ethiopia. Data were collected from 198 sample households and 83 key informants selected following a multi-stage sampling technique. The data were analyzed using qualitative and quantitative techniques. The qualitative data were analyzed thematically. The results of the study reveal that 39% of rural women in the study area practiced the experience of transferring land tenure rights according to proclamation no. 133/2006. The study shows that 37.66% of respondents undertook different land right transfers in written form according to proclamation no. 133/2006 article 17(5–6) at land administration offices. Understanding the rights and obligations of transferring tenure rights is an important aspect of reducing land disputes among landholders. In the presence of land disputes, rural women use both formal and informal dispute resolution mechanisms. Therefore, the study concludes that large numbers of rural women realized their landholding and using rights. To better improve the tenure security of rural women, further awareness creation activities and counseling of women are imperative by the local government and other non-governmental organizations working of tenure security, sustainable land management, and women's land right.

Keywords Land dispute · Landholding · Land transfer · Rural women · Tenure rights

1 Introduction

Land is critical for the rural poor in developing countries, affecting their economic, political, and cultural dimensions (Ambaye, 2012; USAID, 2016). Property rights as a social institution, represent a set of specific relationships, rights, duties, powers, and privileges

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(Baye, 2018). The 2030 Agenda emphasizes land and tenure security rights for poverty alleviation, human rights, and progress (UN Women, 2019).

UN Women's agenda prioritizes land rights for development, aiming to eradicate poverty, end hunger, promote gender equality, sustainable cities, and life on land. Land tenure security positively impacts agricultural investments and female empowerment (Chigbu et al., 2019; Higgins et al., 2018). Secured land rights help to achieve the SDGs, promote peace and security, and reduce inequalities (UN Women, 2019). Land tenure security and rights have been identified as important determinants of land improvement (Gedefaw et al., 2019) and reducing poverty by increasing agricultural productivity, managing natural resource, and addressing socioeconomic inequalities (Bambio & Bouayad Agha, 2018; Gedefaw et al., 2020).

The extent to which legal frameworks guarantee equal rights to land for women ranges from very low to medium (FAO, 2021). In Africa, women's insecure land tenure and property rights can be attributed to a combination of economic and social pressures that have profoundly altered social structures and land tenure systems (Alemu, 2015; Bayu, 2015; Tura, 2014). In rural settings, customary norms and religion are prioritized in determining women's rights than statutory laws (Namubiru-Mwaura, 2014).

Women's land rights are increasingly being prioritized at national and international levels (Doss & Meinzen-Dick, 2020). According to article 5(1(c) of the rural land administration and use proclamation 456/2005, women who want to engage in agriculture have the right to access and use rural land. Similarly, article 6(4) states that when land is held jointly by a husband and wife or other individuals, the holding certificate shall be prepared in the names of all joint holders (Hailu et al., 2019).

In line with the federal government land administration and use proclamation, the Amhara Regional State developed the revised land administration and use proclamation no. 133/2006 to address the problems of land disputes, lack of investment and resource management practices (Council of the Amhara National Regional State, 2006). The proclamation gives bundles of rights to women. The regional government is taking several steps to improve tenure security, including raising awareness (Thu & Goto, 2020) and land certification programs (Asmare, 2016; Cochrane & Hadis, 2019; Gedefaw et al., 2020; Yami & Snyder, 2016). Despite these efforts, land-related disputes are still high (Agegnehu et al., 2021), and most women are facing insecurity of land tenure rights (Bayu, 2015; Tura, 2014). There is still a lack of research on the threats to women's land rights, tenure security, and intervention effectiveness (Hailu et al., 2019). Therefore, this study is intended to analyze the current status of rural women in realizing land tenure rights in the context of Amhara Regional State land administration and use proclamation no. 133/2006. This study provides insight into the realization of their rights as well as assess the perceived understandings of major tenure rights and obligations vested in the proclamation. The next section presents information on empirical evidences of related literature, methodological approaches, detail findings, and conclusion.

2 Review of literature

2.1 International and regional experience on women's land rights

There are many international frameworks to protect women's land rights (Hailu et al., 2019). Sustainable development goal gives emphasis for gender equality (Doss et al.,

2018). World Bank, USAID, and FAO put tenure security of women at the center of their funding strategies (Lawry et al., 2017). For example, USAID's Gender Equality and Female Empowerment Policy of 2012, places a centralized role on incorporating women's empowerment. The Voluntary Guidelines on the Responsible Governance of Tenure (VGGT) prioritize strengthening women's land rights (USAID, 2016).

Despite these, evidences show that the tenure rights of women are found insecure (Odeny, 2013). The study done by Doss et al. (2018) reveals that women own 1% of the world's land. In terms of the number of land ownership/holding across region, women comprises 15% in sub-Saharan Africa, 11% in Asia, 18% in Latin America, and 5% in Middle East and North Africa in terms of holding agricultural land (USAID, 2016).

Most of the land in sub-Saharan Africa is governed under various forms of customary tenure (Chimhowu, 2019). The inclusion of women in the land titling process in Madagascar improved their access to land (Doss et al., 2018). Marriage has various implication on tenure security of women. For example, land regularization program made in Rwanda improved access to land for legally married women (Doss et al., 2018). On the other hand, in Malawi, during the time of death and divorce, landless partner will return back to the village of the origin without any compensation, hence most of the land in Malawi is under a traditional customary land system (Lovo, 2016).

2.2 National and local experience on women's land rights

According to Article 9(4), Ethiopia's constitution ratifies international agreements as integral to its land law. International and regional declarations, agreements, and conventions promote mandatory joint registration, spousal consent, equal inheritance rights, and government commitments to strengthen women's land control and participation. These include the Convention on the Elimination of Discrimination against Women, Sustainable Development Goals for 2030, African Charter on Human and Peoples' Rights, Maputo Protocol, Beijing Platform for Action, Solemn Declaration on Gender Equality in Africa, and Agenda 2063.

Ethiopian laws acknowledge women's property rights (Tura, 2014). The Federal Democratic Republic of Ethiopia (FDRE) Constitution grants women rights to land use, transfer, administration, and control (article 35(7)). Women receive equal property inheritance and marital property disposition; Constitution prohibits discrimination (article 35(4)). Federal Rural Land Administration Proclamation No.456/2005 grants indefinite tenure, property rights, intergenerational transfer, and lease rights to land users for commercial investments. The Amhara regional state implements land administration policies in accordance with federal land policy. The current study is conducted in the general framework of the revised Rural Land Administration and Use Proclamation (No. 133/2006) and Rural Land Administration and Use System Implementation, Council of Regional Government Regulation (No. 5 1/2007). The revised Amhara national regional state rural land administration and use proclamation No. 133/2006 guarantees rights of women in acquiring land. This is stated under article 5(2) as a principle, as any farmer residing in the region shall, despite gender or any other reasons of deference, have equal right to get land in holding. The proclamation also gives priority to women in the land provision procedure under article 9(1–2). The provision of land shall be made to all applicants, impartially, having a right to acquire land in holding based on petitioners' interest and a sequence to be determined by the participation of people (Article 9(1)). Notwithstanding the provision of sub-article 1 of this article, where the land to be distributed is not available to all petitioners with equal

magnitude of landholding problem, it shall priority be caused to be given to orphan children, disables, women, and youngsters who join the new life of independence, consecutively (article 9(2)).

With regard to the transfer of landholding rights, the proclamation also clearly stated under article 16(1) by providing equal chance for both sexes without any discrimination by stating as any person who is made the holder of the rural land in accordance with this proclamation may transfer his holding or using right in will to any farmer engaged or likes to engage in agricultural work. This is also true in transferring landholding rights through donation and is stated in article 17(1) of the proclamation. In relation to transferring land use rights in rent, as stated in article 18(1) of the proclamation, any land holder may transfer his using right in rent to any person. Furthermore, the proclamation addressed women's rights during the certification of landholding in article 24(2–3). Article 24(2) where the land is a holding of a husband and a wife in common, the holding certificate shall be prepared by the name of both spouses. Article 24(3) where marriage is concluded after the certificate is given in the name of a spouse; they may agree to make the land common holding. Where the spouses make the land that was individual holding to common holding, the holding certificate may be renewed freely, without any payment. In addition to the provision of land use and holding rights, the proclamation also recognized women's rights to be elected as members of the *kebele*¹ land administration committee, and among approximately 7 members, at least 2 of them must be women, as stated in the proclamation.

2.3 Land registration and tenure security: gender perspective

For decades, people have debated the role of land registration in alleviating rural poverty (Yami & Snyder, 2016). Various studies have argued that land registration and certification can help improve the tenure security of land holders, particularly rural women. Gedefaw et al. (2020), Hailu et al. (2019), and Holden et al. (2011) explained that land certification enhances tenure security, reduces disputes, and boost farmers' investment. Land certificates reduce disputes and increase women's confidence and status (Asmare, 2016; Gedefaw et al., 2019). Land registration improves land rentals by reducing fear, enhancing tenure security, and addressing conflicts related to land access (Yami & Snyder, 2016). Land tenure security boosts agricultural investment, productivity, and income (Rahmato, 2009; Thu & Goto, 2020).

Joint land titling secures women's access, decision-making, and land use. Land registration allows for improved tenure security, gender equity and reduced disputes over land (Yami & Snyder, 2016). Even though many efforts have been made by different national and international organizations to ensure land tenure security for land holders in general and rural women in particular, the process is challenged by different impediments (Bayu, 2015; Tura, 2014; UN Women, 2019). There is a limitation in updating landholding certificates (Cochrane & Hadis, 2019).

The intensive review of the literature shows that land registration and certification played a great role in securing tenure rights. However, none of the studies provided information on the current status of rural women in the context of land administration and use proclamation. This study provides a detailed understanding and explanation of rural women's tenure security status regarding the rights and responsibilities vested in proclamation

¹ *Kebele* is the lowest administrative unit in Ethiopia.

number 133/2006. Therefore, this study particularly analyzes the current status of rural women in realizing land tenure rights vested in the revised Amhara region land proclamation no. 133/2006 in the case of South Wollo Zone.

3 Materials and methods

3.1 Description of the study area

This research is being carried out in Ethiopia's Amhara region's South *Wollo* Zone. South *Wollo* is bordered to the south by North *Shewa* and the *Oromia* region, to the west by East *Gojjam* and South Gondar, to the north by North *Wollo*, to the east by Afar region and *Oromia* Special zone (SWZAD, 2022). The zone covers 1,815,748 ha, of which 659,012 ha is cultivable, 245,804 ha is covered by forests and shrubs, 331,555 ha is forage land, and 579,377 ha is designated for other uses such as house construction, roads, and infrastructures (SWZAD, 2022). *Dessie* is the administrative center of South *Wollo* Zone, located 400 km North-East of Addis Ababa.

The study area is located between latitudes 11° 10' N and 11° 41' N and longitudes 38° 28' E and 40° 5' E (Mekonen et al., 2020). The study area has three agro-ecological zones (*Dega*, *Woynadega*, and *Kolla*)². According to SWZAD (2022), 51.2% is *Dega*, 42.4% is *Weynadega*, and 6.4% is *Kolla*. Elevation ranges from 927 m (over the dry plain/Arabati) in the east to 4261 m above sea level (*Degat* Mountain) in the west (SWZAD, 2022). Mean annual temperature of 15 °C to 20 °C. The study area experiences bimodal rainfall regimes, locally known as *kiremt* and *belg* seasons. *Kiremt* is the big rainy season usually extending from June to September, and *belg* is the small rainy season extending from January to March. The mean annual rainfall ranges between 500 and 900 mm in the lowland area and 950–1100 mm in the highland area (SWZAD, 2022).

South *Wollo* Zone has 20 districts and 9 city administrations. The total population of south *Wollo* Zone is 328,939 of which 1,659,263 are females (CSA, 2021). Crop production is the dominant source of livelihood in the study areas. The dominant crops grown in the study area are wheat, *teff*, sorghum, barley, vegetables, fruits, and spices (SWZAD, 2022). Besides, livestock rearing, daily labor, small business, migration, and remittance are the other important income sources for farming households in the study area zone (Asegie et al., 2021).

3.2 Sampling techniques and sample size

A multistage sampling design was used in this study. Rural women were the primary sampling units. The inclusion criteria used were being a female who owns or uses rural land. All rural women (married, divorced, widowed, and single) have an equal chance of being chosen for this study. The preliminary data on the list of districts with the highest rate of pleading on land use and holding related cases is obtained from the South *Wollo* Zone department of land administration. Based on the information, four districts

² *Kolla* (agroecological zone equivalent with lowland between 500 and 1500 m above sea level); *Weynadega* (middle land, between 1500 and 2300 m) and *Dega*, highland, between 2300 and 3200 m) (National Meteorological Agency (NMA), 2007).

Table 1 Sample distribution across *kebeles*. Source: South Wollo Zone Land Administration Department annual report, 2016

Name of district	Selected <i>kebele</i>	Number of women	Sample size
<i>Kutaber</i>	03	810	24
	07	775	22
<i>Albuko</i>	012	574	17
	03	612	18
<i>Tehuledere</i>	05	886	25
	013	1035	30
<i>Dessie Zuria</i>	040	1115	32
	015	1051	30
Total			198

were purposively chosen as having the highest level of pleading: *Kutaber*, *Tehuledere*, *Legambo* and *Albuko*. Following that, two rural *kebeles* were selected at random from each district. In addition, 83 key informants were selected purposively. The sampling frame consisting the list of all rural women (7838) who fulfill the inclusion criterion is collected from respective *kebele* land administration office. The sample size was determined using the Yamane (1967) sampling formula as presented in Eq. 1.

$$n = \frac{N}{1 + N(e)^2} \quad (1)$$

where ‘ N ’ represents the total population (7838), ‘ n ’ represents the sample size, and ‘ e ’ represents the margin of error (7%).

According to the given formula, $n = \frac{7838}{1+7838(0.07)^2} = 198$.

The determination of a representative sample size for survey studies continue to be the foundation of social science research (Story & Tait, 2019). For survey studies, a minimum precision of 10% error of margin is acceptable (Abebe et al., 2018). According to Gamil and Alhagar (2020), the maximum estimation error is 8 or 9%. So far, different authors have used different margins of error. For example, Abebe et al. (2018) used 8% error of margin to determine factors affecting market outlet choice of wheat producers in North Gondar Zone, Ethiopia. Gamil and Alhagar (2020) also used 9% error of margin to analyze the impact of COVID-19 pandemic crisis on the survival of construction industry. Therefore, it can be inferred that the error of margin can be relaxed up 10% to get reliable and representative data. Thus, for this study, 7% error of margin is used; hence, it can give representative sample size.

The acceptable maximum margin of error for a 95% confidence level is check according to Gamil and Alhagar (2020) as presented in Eq. (2)

$$\frac{1.96}{\sqrt{n}} \leq 0.07 \quad (2)$$

where 1.96 is z -score value at 95% confidence level and ‘ n ’ is the calculated sample size in Eq. (1). According to Gamil and Alhagar (2020) the sample size is acceptable if the ratio from Eq. (2) is greater than the margin of error used.

Thus, $\frac{1.96}{\sqrt{198}} = 0.14$

This implies, $0.14 > 0.07$, hence, the margin is acceptable. Then, proportionate sample size to the population was also used in determining the sample size for each *kebeles* (Table 1). Finally, sampled households were selected randomly by using a simple random sampling technique.

This study included key informants with detailed information on land use and holding rights of rural women. These informants include experts from various levels, including kebele, district, and zonal level land administration offices, committees, courts, attorneys, local elderly, and arbitrators assembly. The sample size was determined based on data saturation, with 83 key informants interviewed.

3.3 Data collection and analysis

The study used qualitative and quantitative data from primary and secondary sources. Primary data were gathered directly from rural women and key informants, while secondary data were gathered from publicly available resources such as journal articles and annual reports. A semi-structured interview guideline was created to collect data from rural women. Semi-structured interviews aid in gaining a thorough understanding of the issue at hand by allowing the interviewee to add additional points not covered in the guidelines. For Key Informant Interview (KII), separate checklist was prepared focusing on perception and awareness of women's land tenure rights, land dispute resolution mechanisms, and current status of women in realizing land tenure rights. The interview guidelines are created in such a way that they address the study's objective. The pre-test was carried out on eight randomly selected households (which were not included in the analysis), and some technical changes were made to the final interview guideline.

Before collecting data, district and *kebele* land administration experts were consulted on how to approach sample households. *Kebele* land administration experts aided in the identification of randomly selected households in convenient clustered locations for contact with interviewers. As a result, four clusters were established in each *kebele* to conduct interviews. The schedule was then prepared for those clusters to collect data, and *kebele* land administration experts and local leaders assisted in bringing selected respondents to the site. When selected respondents are unable to be reached on the scheduled date, enumerators interview those households at their residence.

After one day of training on the details of the interview schedule, eight enumerators (six male and two female) for seven days were assigned to collect data for this survey. Training is also provided on how to approach women and adhere to ethical principles during interviews. Researchers were responsible for facilitating the data collection activity in identifying selected respondents, communicating with local leaders and mobilizing the logistics. Face-to-face interviews with selected respondents and key informants were used to collect data. As a result, data on household characteristics, sources holding and using rights, total size of holdings, transfer of tenure rights, institutions approving the transfer of tenure rights, perception and awareness of women on tenure rights, perception of women on their current tenure security status, methods used for land dispute resolution, and information used for decision-making were gathered from both sample women and key informants.

Both qualitative and quantitative methods were used to analyze these data. Thematic analysis was used to analyze qualitative data. The qualitative data was divided manually into four themes and corresponding sub-themes. The first theme of the study is manoeuvre of women in transferring tenure rights (bequeath, donation, renting, and share cropping). The second theme of the study is awareness of women in land tenure rights (knowledge of

women for transferring rights, awareness of holding and using rights, and sense of security). The third theme is about methods of dispute resolution (local elders, court charge, and decision of land administration office). The last theme is information used for passing decisions (landholding certificate, public display, marriage certificate, personal witness, and decision of land administration office). The data were then interpreted further through narration, explanation, summarization, and interpretation of the content. Quantitative data, on the other hand, were analyzed using simple descriptive statistical tools like frequency and percentage. Tables, charts, and graphs were used to present the data.

3.4 Ethical approval and consent to participate

Ethical clearance letter was collected from College of Agriculture, Wollo University, Ethiopia, to safeguard both the study participants and the researchers. All participants of the research, including survey households and key informants, were fully informed about the objectives of the study. They all were approached in a friendly and fraternal way. Their oral informed consent was obtained before their involvement in the study. The researchers developed confidentiality with all participants of the study through oral discussion. The questionnaire was designed to collect information that directly relates to the research objectives. As a result, the privacy of the participants was ensured, and no personal data were collected. The questionnaire was free from any degrading, discriminating, or any other unacceptable words that could offend the participants. The research finding is reported anonymously (no one knows the individual respondent). Any phrases or paragraphs, concepts or quotations not belonging to the researchers and used in any part of the study were fully acknowledged.

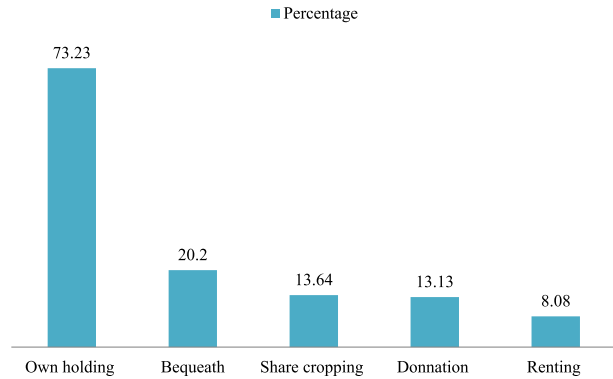
4 Results and discussion

The text analyzes rural women's land tenure security rights, focusing on their implementation, awareness, and tenure security status using Amhara Regional State Land Administration and Proclamation No. 133/2006 framework.

4.1 The experience of transferring land tenure rights by rural women

Women in the study area use various methods to transfer landholding and using rights. The difference between holding and using rights was clearly stated the Revised Amhara National Regional State Land Administration and Use proclamation No. 133/2006. Land redistribution, donation, bequeath, and parcel exchange/consolidation are all ways to obtain holding rights. On the other hand, using rights can also be obtained through renting or sharecropping. The result from Fig. 1 shows that own holding is the dominant source of tenure rights in the study area. according to the proclamation, any person residing in the region and engaged or wants to be engaged in agricultural work has the right to acquire land in holding by distribution from the *kebele* administering the land in which he or she regularly resides or wants to reside (proclamation No. 133/2006 article 7 sub-article 1a). As a result, during 1997, 73.23% of rural women acquired land through redistribution in the Amhara region.

Fig. 1 Sources of land tenure rights. *Note:* One woman may have more than one source of tenure right, hence the sum of percentage is more than 100%



Article 15 sub-article 1 of proclamation No. 133/2006 stated that any person provided with rural landholding may transfer his holding right by bequeath or donation. With respect to this proclamation, 20.20% of women in the study area acquired the land by bequeath.

One of key informant from in *Kutaber* district said that:

“Women are acquiring their lands through bequeath. Their number is growing from year to year. We give detail information and awareness regarding the administrative and legal procedures to be followed to complete their bequeath process.” (July 11, 2016).

Article 16 of the proclamation clearly explains the details of bequeath procedures and applicability (Proclamation No. 133/98 article 16 sub article 5–6, pp. 16).

A woman from *Albuko* district also said:

“I have a land with my husband. When my mother passed, I have one brother and two sisters. All of us have our holdings. Now, I inherited 0.125 ha of land by equally sharing with my brother and sisters.” (July 23, 2016).

Another common practice in rural areas is sharecropping, in which landholders temporarily transfer their use rights to other farmers for an agreed-upon period of time. The guarantee distributes the land’s produce based on mutual agreement. In this scenario, 13.64% of women obtained temporary use rights from other land holders (Fig. 1).

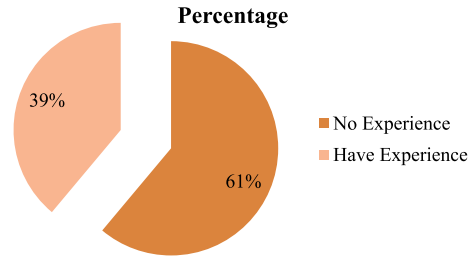
One of respondent from *Tehuledere* district said:

“I am married and have 3 children. We have only 0.5 ha of land. The land is not sufficient to feed our family. We rented land from others. We also cultivate others land through sharecropping.” (July 18, 2016).

Renting in and sharecropping are the common practices in the study area that resource full farmers take agreement with resource poor farmers to cultivate their land temporarily.

Article 17 sub-article 2 of proclamation No. 133/2006 states that any landholder may permanently transfer his holding and using rights to different persons in gift. Women in the study area have exercised the transfer of holding rights through donations for their children and family members. According to Fig. 1 and 13.13% of rural women acquired their holding rights through donation. Land holders donate their land to family members who have served them for a long period of time. Moreover, 8.08% of women acquired their using right through rent in.

Fig. 2 Status of rural women in experiencing landholding and using rights transfers



One of respondents in *Dessie Zuria* district said that:

“I live with my grandmother. I give here every care and support. Now, she donated 0.75 ha of land to me. I have issued landholding certificate by myself. I promise to continue caring my grandmother. This land is very critical to lead my life in agriculture in the future.” (July 14, 2016).

They usually donate if a family member does not have enough land to live independently. This is in agreement with Amhara national regional state land administration and use proclamation No. 133/2006, article 17 sub article 1. Donee’s may provide financial or in kind assistance to donors. Donors anticipate that the current support system will be maintained in the future and decide to make donations on behalf of their supporters. However, in the study area, there is the tendency to abandon the donors after the donees have received the land. According to key informants from the land administration office, some of them became landless, and others had small holdings that prevented them from caring well after they donated the land.

The proclamation also addresses the fact that any land holder’s using right can be transferred through rent out and any lessee can obtain his using right from any land holder (Proclamation No. 133/2006 article 18 sub-article 1). Approximately 8.08% of women acquired their use rights through renting (Fig. 1). In general, a number of women have acquired and exercised rights through bequeath, donation, rent in, and share cropping. This indicates that they are exercising their right to control property at each event of transferring land using and holding rights. This intern enables them gain confidence in their tenure rights on land.

The result from Fig. 2 shows that 39% of respondents have experience transferring their holding and using rights to others. The use rights will be transferred temporarily through renting, sharecropping, and bequeath (will)³ to other individuals. In addition, the holding right may be transferred through donation and bequeath. This result implies that rural women are exercising the rights postulated in article 15 of proclamation No. 133/2006.

Table 2 addresses the place of agreement where land transfer rights were undertaken. The proclamation states that any land tenure right transfer agreement shall be made in writing. Accordingly, 41.56% of respondents undertaken the transfer at the court level. Particularly, during bequeath, smallholders with the right to acquire land use the court system to verify the death of the land holders and their succession right. District and *Kebele* land administration offices are also responsible for registering land transfers through rent, donation and bequeath. As a result, 37.66% of respondents undertaken different land right

³ ‘Will’ is the practice of transferring holding rights while the land holder is alive where the inheritor shall start to use that land after the prior landholder died (proclamation No. 133/2006 article 16 sub article1).

Table 2 Institution for undertaking land tenure transfer agreements

Institutions	Frequency	Percentage
Court	32	41.56
District land administration office	29	37.66
<i>Kebele</i> land administration office	29	37.66
Relatives	9	11.69
Local elders	13	16.88
No written agreement	12	15.58

Percentage is calculated from the households who have experience in land tenure right transfer ($f=77$ or 39%, as presented in Fig. 2)

transfers at district and *kebele* land administration offices. The copies of documents for a particular transfer should be available at district and *kebele* level offices. For example, pursuant to this finding, proclamation No. 133/2006 article 17(5–6) states that any gift agreement shall be in writing. An agreement made orally shall not be acceptable by law.

The responses of key informants from land administration sectors regarding the place for undertaking land tenure transfer is summarized as:

“Women undertake land tenure transfer rights at different places. Most commonly, bequeath and donation are carried out at courts and land administration office. All women are required to follow the procedures. Bringing evidence that states their relationship and legal inheritance right from the court is a precondition to undertake bequeath and donation. After that, respective district and *kebele* land administration experts processes the transfer rights. On the other hand, there are some women who undertake the transfer rights at relatives and local elders.” (July 20, 2016).

The proclamation further states that any gift agreement made in writing shall be submitted to and registered in the district branch office of the Authority. This shows that any agreement shall be in written form and be registered either at the district land administration office, at the *kebele* land administration office or at both. Article 16(5) of the proclamation states that if a landholder dies without leaving a will, their holding and use rights are transferred sequentially to their child or family engaged in agricultural work. Courts verify identity, and the applicant then provides this verification document to *kebele* and district land administration. After fulfilling all legal application procedures, the landholding certificate shall be made on the name of the donee and heirs. According to this argument, most women in the study area are exercising these rights.

There are also some women who are taking their agreement from relatives (11.69%) and local elders (16.88%). Land tenure transfer rights such as rent, particularly for the period of less than three years, are undertaken at relatives and local elders. In some cases, due to family ties and strong social relations, they undertake agreements with relatives and local elders. The result implies that there are women who undertake land transfer rights at informal institutions such as local elders and relatives. In the study area, 15.58% of women also undertake transfer of tenure rights without any written agreement.

4.2 Perception and awareness of women on land tenure security rights

For the sake of assessing women’s level of awareness, checklist-wide open-ended questionnaire was employed as presented in Table 3. According to key informants’, these

Table 3 Major areas of knowledge on land tenure rights

Area of knowledge	Frequency	Percentage
Knowledge on transferring tenure rights	146	73.7
Knowledge on rights and responsibilities of cultivating the land	137	69.2
I know the right to ask compensation during expropriation	124	62.6
Knowledge to secure my tenure rights	118	59.6
Knowledge on the rights and obligations of transferring tenure rights through renting	56	28.3
Knowledge to use the land based on the agreement made	40	20.2

One woman may have more than one area of knowledge on tenure right, hence the sum of percentage is more than 100%

areas of knowledge are frequently practiced in the study area by land holders. Most of the time, *kebele* and District land administration experts create awareness for land holders of land tenure transfer rights, the rights and responsibilities of land holders, ways of securing tenure rights, and the rights and obligation of transferring tenure rights through renting.

The responses of key informants from land administration committees is summarized as:

“Now days most of women are aware of their holding and using rights. *Kebele* land administration expert and committees give continuous awareness creation on the proclamation. Before taking any land tenure transfer rights, most of women consult experts and committee.” (July 6, 2016).

Proclamation No. 133/2006 article 16–18 addresses the transfer of holding rights. The result shows that 73.7% of respondents have knowledge of transferring tenure rights.

A 25-year-old single woman from *Tehuledere* district said:

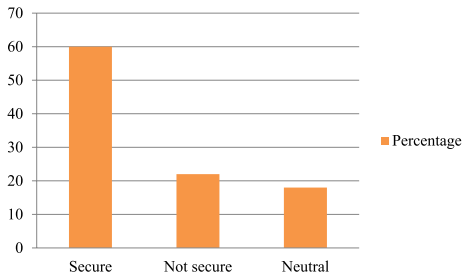
“I was encountered certain problem in inheriting my parents’ land. I don’t know anything so far. When I disputed with my brother on land inheritance, I try to consult experts and legal officers. I got good understanding on tenure rights. [...] secured my inheritance right through legal procedure. This situation allowed me to have better knowledge of tenure rights.” (July 17, 2016).

In the study area, women have been exercising the rights on the transfer of holding. As indicated in Fig. 1, approximately 55.05% of respondents acquired tenure rights through different land transfer mechanisms (bequeath, donation, sharecropping and renting). In each step of transfer, they have been passing different legal procedures that make them aware of existing legal procedures and the realization of rights vested in the proclamation and legislation.

A married woman from *Albuko* district said that:

“I discussed with *kebele* land administration expert and committee on land proclamation. I got a good understanding on transferring the land through donation, rent, and bequeath. I know requirements and conditions for all types of transfer. I also know that I have a right to ask compensation for my land. I can secure my land by following the legal procedures in case I am expropriated.” (July 22, 2016).

Fig. 3 Perception of women of their current tenure security status



Article 13 sub-article 5 of this proclamation states that where there is no land use plan prepared in writing by the pertinent body, any land user may use his land for house construction, farming, animal husbandry, forestry development, or for other related same activities. According to the survey results, approximately 69.7% of the respondents had knowledge of the right to use their land for proper and productive cultivation. Proclamation No. 133/2006 article 11 sub articles 1&2 also states that the holding of any person is respected by law. Therefore, pursuant to provision of sub-article 2 of article 8 or article 28 of this proclamation, no person shall be expropriated from his holding without his consent, unless it is done by redistribution according to decision of people or for the purpose of public interest. Any person provided with a right to use the rural land shall not be deprived from the right to use the land other than provisions of this proclamation or a regulation to be issued to execute this proclamation. Regarding this provision, 62.6% of women in the study area have knowledge of the right to ask for compensation during expropriation.

The other dimension of knowledge for realizing tenure security is on the ways of securing or respecting their tenure rights during the time of land dispute. Table 3 shows that 59.6% of women know the rights to ensure tenure security. To realize tenure rights, women should know the rights and obligations vested in the proclamation. In addition, awareness and knowhow on legal procedures plays a crucial role in securing tenure rights. Moreover, understanding the rights and obligations of transferring tenure rights through renting is an important aspect in reducing land disputes between land holders and rentees. In the study area, 28.3% of respondents have understandings of the rights and obligations of transferring tenure rights through renting. Among the rights and obligations of transferring tenure rights through renting, the use of land based on the agreement made is the most important issue. If the rentee uses land for a purpose other than the agreement made, the land holder may accuse the rentee of making the agreement invalid. As presented in Table 3 and 20.2% of respondents have knowledge of using the land based on the agreement made. This implies that rural women need more awareness creation activities regarding the rights and obligations of land holders, particularly land rentees. Limitations in the knowledge of rights and obligations may lead to land disputes between renters and rentees. The findings of Agegnehu et al. (2021) reveal that land use-related conflicts are the major conflicts in rural *kebels* of *Debre Markos* town.

The survey result from Fig. 3 reveals that approximately 60% of the respondents are replied that they are secure from future uncertainty and hesitation. They are free from any compliance, and they are certain of future expropriation and land disputes. The main source of certainty for these respondents is having landholding certificates and attending different awareness creation trainings and activities on land administration proclamations. However, 22% of the respondents are felling unsecured on their current holding and using conditions.

Table 4 Justification for sense of insecurity

Reasons for sense of insecurity	Frequency	Percentage
The government will expropriate for public purpose	18	22.8
Government will expropriate	10	12.7
The child under law will expropriate	10	12.7
Redistribution will come	3	3.8
Others	9	11.4

Percentage is calculated from the households who are perceived as insecure and neutral ($f=79$ or 40%, as presented in Fig. 3)

The remaining 18% are not sure of the future security situation. Their sources of insecurity and uncertainty are emanated from either of the conditions presented in Table 4.

As indicated in Table 4, the major source of uncertainty is that the government will expropriate the land for public purposes (22.8%). One of the respondent from *Tehuledere* district said:

I am living near *Hique* town, the center of *Tehuledere* district. The town is expanding...my land will be expropriated for the public service for the seek of urban expansion.” (July 16, 2016).

This uncertainty may come from the growing interest of the public in different social services and infrastructures in rural and urban areas. Approximately 12.7% of women also perceive that the government can expropriate the land without any precondition. A 52 years old woman from *Kutaber* said that.

“[...] no one is above the government...what can I say if the government took all of my land? ... it is up on him.” (July 10, 2016).

This is due to a lack of awareness on federal and regional land legislations and proclamations. The Amhara regional state rural land administration and use proclamation 133/2006 article 5(8) states that rural land shall not be expropriated unless it is used for public service. Similar to this finding, Gedefaw et al. (2020) reported that 17% of respondents from *Gozamin* district expressed their fear as the government at any time could take their land use rights.

In the study area, the expropriation of land by close relatives or family members is another issue. A total of 12.7% of women reported that the reason for felling insecurity is the fear that the child under law will deprive their holdings. It will happen after the death of their spouse. For example, a woman from *Tehuledere* district said that:

[...] my husband is passed away ... I live with a child under law. When he grow up, I have a fear that he will expropriate my land... I am economically poor and support less...” (July 19, 2016).

This could be due to the weak efficiency of land management institutions in registering and documenting the land. The findings of Bezabih et al. (2011) and Singirankabo and Ertsen (2020) confirm that the efficiency of local land management institutions determines the realization of tenure security and land productivity. Respondents replied that there are also other reasons for insecurity and uncertainty, such as the fact that share croppers, rentees, and adjacent farmers will expropriate their land, especially when women are economically powerless, aged and less marginalized. Fewer respondents (3.8%) also expressed their fear

Table 5 How do you justify the state of your tenure security?

Argument	Frequency	Percentage
Having landholding certificate	186	93.9
Holding the land for long period of time	139	70.2
Presence of written agreement	29	14.6
Making agreement with close relatives	1	0.5

as the redistribution would come and their land would be distributed to others. Moreover, 11.4% of respondents are uncertain due to other reasons, such as renttees, and adjacent farmers will take their lands forcefully. Consistent with this result, Ege (2015) confirmed that tenure insecurity is increased due to increased land rents.

Women in the study area described their security status in terms of having landholding certificates, holding land for a long period of time, having written agreements and making agreements with close relatives (Table 5). Accordingly, approximately 93.6% of women expressed their security based on the presence of landholding certificates. The Amhara land administration proclamation 133/2006, directive 51/99 of article 20(4) states that any person who is granted landholding certificated book having been prepared in his name shall, unless the evidence which contradicts this is submitted pursuant to the proclamation and this regulation hereof, be considered as an appropriate apposite legal holder.

A 43-year-old-widowed woman from *Kutaber* district said that:

“I have a landholding certificate. All of my parcels are registered on the certificate book. I put my book on a secured place. I am confident that no one can’t expropriate my land forcefully. If some problem is faced, I will apply to court using the landholding certificate.” (July 10, 2016).

Different authors report similar findings to this result that landholding certificates ensure tenure security for land holders (Asmare, 2016; Gedefaw et al., 2019, 2020; Holden et al., 2011; Yami & Snyder, 2016). A total of 70.2% explained that their tenure right is secured as a result of holding land for a long period of time.

One of the respondent from *Dessie Zuria* district explained that:

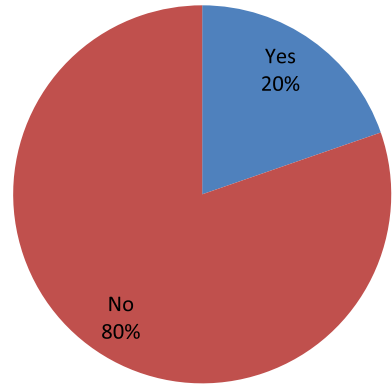
“I inherited the land from my parents 12 years ago. The land belongs to me still now and I cultivate it. I don’t have either landholding certificate or will agreement given in. I have ever thing on the security issue; hence, it is long period of time since I started to use the land.” (July 13, 2016).

Individuals may hold land without fulfilling legal and administrative requirements (legal land transfer, having illegal landholding certificate) that may not guarantee tenure security.

The responses of land administration experts regarding landholding certificate is summarized as:

“There is a practice of depriving others holding rights by issuing illegal holding certificate book. Particularly women are the victims of such illegal action. In this case, when contradicting evidence is submitted to the respective land administration office regarding that particular certificate, the responsible expert from the land administration office tries to triangulate various sources of information to search the real evidence for passing the decision. Most of the time the experts use public display (collecting evidence from the local community through gatherings). During public

Fig. 4 Experience in landholding disputes



display, the local community are asked to tell the right land holder and underling issues regarding their disputes. By taking the majorities voice of the public, the decision would be passed and the holding certificate book prepared based on false documentation could become invalid. In return, the landholding certificate could be issued to the right land holder.” (July 24, 2016).

There are others who justify tenure security based on only the presence of written agreements. As depicted in Tables 5 and 14.6% of the women also expressed tenure security based on the presence of written agreements. There are also women who express their tenure security based on social ties and relationships. For example, one of respondent is *Kutaber* district said that:

“I rented in 0.25 ha of land from my brother for 15 years. We don’t have any written agreement. We just communicated orally in front of relatives and elders. I don’t have any hesitation that the land holder may deny our agreement because we have intimate relation and I believe him.” (July 9, 2016).

Therefore, the description of tenure security varies from individual to individual in general, and the reliability of written agreement and validity of landholding certificates in particular.

4.3 Methods of dispute resolution and information used for passing decisions

In rural areas, the major source of conflict and dispute is land- and land-related issues. The experience of land holders/users in the study area is presented in Fig. 4.

Approximately 20% of the respondents had faced a dispute problem with relation to landholding and using rights. The disputes can be emanated from improper handling of landholding/use transfer rights. For example, land administration experts explain that:

“There are practices of depriving ones holdings illegally. When somebody deprives others holding rights by issuing illegal landholding certificate book by submitting a false document to the lad administration office, we gather evidences through public display to identify the appropriate apposite legal holder. After that, the respective office void the first certificate and issue the new certificate to the appropriate holder.” (July 21, 2016).

Table 6 Ways of solving landholding disputes

Ways employed to solve dispute	Frequency	Percentage
By court charge	19	48.7
By local elders (Mediation)	10	25.7
By decision of land administration office	7	17.9
Not solved	3	7.7
Total	39	100

The results show that land holders and users solve their disputes via formal conflict resolution methods such as formal court systems and decisions of *kebele* and district land administration offices. As shown in Table 6 and 48.7% of land holders solved disputes via litigation/the formal court system. A total of 17.9% of respondents also solved through the decision of the land administration office. This study noted that most of the women have exercised the right to realize and respect their holding and using rights by asking and applying for their pleading through the court system.

In addition, rural women also use informal conflict resolution methods such as mediation by local elders. The other 25.7% have been solved the disputes by the local elders through mediation. In the case of mediation, the local elders play a great role, and in some societies, there is a local institution developed by the community members. For example, the responses of key informants from local elders in *Tehuledere* district is summarized as:

“In *Tehuledere* district, the Muslim community members developed the common consensus, which is called “ABAGAR.” According to this consensus, all community members come together and inter an agreement and promise not to lay a wrong and to tell the truth. The truth is the basis for everything to live in a good social relationship and harmonious life. If there is a dispute among individuals, the affected party may submit the pleading either orally or in a written form by stating the detail to the ABAGAR members (ranging from 3–5). Based on this, the members send message to offender to explain the case and defend him/herself. The accused party give his justification and promise whether he/she did the stated action by affected party. The ABAGAR members hold a sort of prayer to explore the truth. The community believe that if someone lays and gives false information to ABAGAR, something bad on them or family members could happen. Accordingly, no one lays in front of ABAGAR.” (July 17, 2016).

The naming of traditional conflict resolution mechanisms varies across geographical locations due to various sociocultural characteristics. For example, Wolde (2018) reported that the most common traditional conflict resolution mechanisms in *Kaffa* society are the *Shimgelena*⁴, *Tommo*⁵, and *Eqqo*⁶ systems. In general, different studies have witnessed

⁴ *Shimgelena* is a way of resolving conflict by local elders or religious leaders (*Yehager Shemagelewoch*) consisting of at least three members as a mediators. These elders and religious leaders can be selected based on age, ability to convince, charisma, previous history, and religious leadership. One who fulfill one or more of this can be selected as a member of *Yehager Shemagelewoch*.

⁵ *Tommo* refers to the leader of *Tammo* clan in *Kaffa* society who has a gift of knowing what people have done to other people even if he has not seen it in person and/or heard of that act from other people. The disputing parties bring the case to *Tammo* and reach in to consensus after following certain procedures.

⁶ *Eqqo* is a spirit that is traditionally accepted by a significant segment of *Kaffa* society. The person on whom this spirit is believed to reside is known as *Alammo*. With this spirit, the *Alammo* is believed to have a gift of prophecy of resolving conflicts by identifying the truth.

Table 7 Information used to pass decision

Sort of information	Frequency	Percent
Landholding certificate	21	58.33
Marriage certificate	2	5.56
Ideas of local community	22	61.11
Decision of land administration office	15	41.67
Personal witness	29	80.56

the contribution of traditional conflict resolution mechanisms for land dispute resolutions through peaceful and less costly situations (Mohammed et al., 2017; Muchie & Bayeh, 2014; Mutuku, 2020).

Decision makers have been using different documents at a time to pass their decision in relation to land and land-related disputes. As presented in Table 7, most of the applicants replied that the decision makers had been using landholding certificates and the comments and ideas of the local community during public display to pass their respective decisions. Approximately 80.56% of the applicants also said that the decision makers pass their decision depending on their personal witness. The responses of key informants from legal bodies (courts and attorneys) on decision-making process is triangulated and summarized as

“We investigate the case in detail, review documents presented to courts. For more clarification and getting right evidence, we request district land administration office to provide information regarding the right land holder, the land administration office gather information from the local community through the public display. We also hear the saying of witnesses from both parties. After all, we triangulate the information gathered and pass decision for the application. Women are aware of the relevance of all these information.” (July 18, 2016).

Most of the time courts did not use a single document to pass a decision but rather requested the supply of a combination of possible documents to triangulate the precision of their decision. As a result, respondents in the study area provide different supporting evidence to convince decision makers.

5 Conclusion

This study analyzes the current status of rural women in realizing their tenure security rights vested in proclamation no. 133/2006 of the Amhara national Regional State rural land administration and use authority. Even though there is a practice of land tenure transfer in the study area, own holding is the dominant source of tenure rights in the study area. Slightly moderate numbers of women in the study area exercise their land tenure transfer rights vested in proclamation no. 133/2006 of article 15–18 through bequeath, donation, rent, and sharecropping. The place of the transfer of land tenure rights determines the tenure security of smallholders. Land transfer rights should be exercised at legally recognized institutions such as land administration offices and district level courts to secure tenure rights. However, there are still a small number of women undertake the transfer of land tenure rights at informal institutions such as relatives and local elders. The awareness creation through meetings given by kebele and district land administration experts enabled rural women to know their rights and responsibilities regarding their tenure, land

tenure transfer rights, and ways of securing tenure rights. The main justifications for their state of tenure security are having landholding certificates and holding the land for a long period of time. During the presence of land tenure insecurity, rural women use the court system and mediations as a dominant means of resolving disputes; hence, formal and informal land dispute resolution mechanisms are practiced in the study area. The study confirms that rural women provide essential documents to decision makers during land dispute cases. Therefore, the study concludes that a large numbers of rural women realized their landholding and use rights. To better improve the tenure security of rural women, further awareness creation activities and counseling of women are imperative by the local government and other development organizations. Governmental and non-governmental organization should work on enhancing the knowledge of women on land tenure rights, conditions for transferring tenure rights, and ways of securing their tenure rights.

Data availability The author declares that he can submit the data at any time based on the publisher's request. The datasets used and/or analyzed during the current study are available from the author upon reasonable request.

Declarations

Conflict of interest The authors declare that they have no conflicts of interest.

Ethics approval and consent to participate We declare that this article is our original work, and all ethical clearances are under consideration. The materials used for references are dually acknowledged, and all sources are cited accordingly. Prior to data collection, informed consent was received from respondents.

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