

Abstract

This dissertation investigates land and tenancy disputes in Gedeo, southern Ethiopia, between 1941 and 1974. Such disputes were a deeply entrenched feature of Ethiopian land tenure systems until the revolution, and despite its importance the subject has not received the attention it deserves. Based on local court archival documents and oral interviews, the dissertation seeks to understand how these conflicts shaped agrarian relationships in Gedeo during this crucial period.

The study highlights how differential access to resources created disharmony within Gedeo. It not only contributed to the proliferation of disputes but also eroded community cohesion, one of the consequences of which was that when Ethiopia was invaded by Italy in 1935 it was too divided and weak to defend itself effectively from external aggression. The post-liberation period was a formative time in the history of Gedeo. During this time the *gäbbar* system was gradually replaced by landlord-tenant relationships. There was significant economic development largely due to the increasing importance of the coffee trade, but also land and tenancy disputes became a dominant feature of this period. Although land disputes were common in many other parts of Ethiopia, tenancy disputes in the south are described in the existing literature as distinctive from those in northern Ethiopia. The existing works mainly discuss tenancy relationships in the south from an ethnic perspective. This factor might have exacerbated the rivalries; however, it was not the main factor. This dissertation argues that competition for available resources was at the heart of the problem. The increased polarisation of landlord-tenant conflict continued to damage agrarian relationships. The inability of the government to deal with the problem made the situation worse and as a result tenants were obliged to find alternative

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CONTESTED LAND: LAND AND TENANCY DISPUTES IN
GEDEO, SOUTHERN ETHIOPIA (1941-1974)

BY

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This dissertation investigates land and tenancy disputes in Gedeo, southern Ethiopia, between 1941 and 1974. Such disputes were a deeply entrenched feature of Ethiopian land tenure systems until the revolution, and despite its importance the subject has not received the attention it deserves. Based on local court archival documents and oral interviews, the dissertation seeks to understand how these conflicts shaped agrarian relationships in Gedeo during this crucial period.

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alternative ways to express their grievances. In February 1960, when the Mechele uprising erupted, the government rushed to intervene with the heavy use of security forces. Nevertheless the tenancy problem did not show sign of improvement until it was resolved finally and fundamentally by revolutionary means in 1974.

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Abbreviations

CSA	Central Statistical Agency
DAAA	Därasa <i>Awraja</i> Administrative Archives
DACCA	Därasa <i>Awraja</i> Civil Court Archives
EC	Ethiopian Calendar
EMA	Ethiopian Mapping Agency
EPRDF	Ethiopian People's Revolutionary Democratic Forces
IES	Institute of Ethiopian Studies
MLRA	Ministry of Land Reform and Administration
SNNPR	Southern Nations, Nationalities, and People's Region

Some conventions

Ethiopian calendar (EC)

The Ethiopian calendar differs from the Gregorian one. The year has twelve equal months (thirty days each) and one short month which is five days long (six days in leap years). It therefore differs from the Gregorian calendar by seven to eight years and the dates have a discrepancy of from anything six to eleven days. Since the Ethiopian New Year starts in September, there is always a disparity when computing its equivalent in Gregorian. For example, 2001 in the Ethiopian calendar is 2008/2009 in the Gregorian.

Ethiopian names

Ethiopians do not use surnames to identify an individual. The first name followed by their father's name is used to distinguish a person. Additional identification can be made by using the grandfather's name.

Transliteration

There is no single standardised system of transliteration of Ethiopian characters.

In this dissertation the system developed by the Institute of Ethiopian Studies (IES) has been used with some modifications.

Vowels

The seven orders of the Ethiopic alphabet are represented as follows

1 st order	bä
2 nd order	bu
3 rd order	bi
4 th order	ba
5 th order	bé
6 th order	be
7 th order	bo

Consonants

The explosive variants are given as follows

q	ቀበሌ	<i>qäbälé</i>
ñ	ነፍጠኛ	<i>näf'äñña</i>
ʿ	ጠንጦ	<i>t'into</i>
č	ጮፌ	<i>č'äfe</i>
p'	ጳውሎስ	<i>p'aulos</i>
s'	ፀሐይ	<i>s'ähai</i>

Glossary

<i>abba</i>	'father'; (e.g. <i>abba-gäda</i> , father of <i>gäda</i>) head of the elected <i>gäda</i> .
<i>Afä-negus</i>	(lit. 'mouth of the king'); highest judge.
<i>aläqa</i>	'head of a church' ; also in land tenure a person who was responsible for paying taxes for land held by group of people, usually siblings.
<i>asir aläqa</i>	(lit. 'head of the ten') ; lowest military title.
<i>as'mä rest</i>	land inherited from one's ancestor's <i>as'm</i> (bone) implies that the land was the inalienable right of the inheritor.
<i>asrat</i>	tithe, land tax.
<i>at'bya dañña</i>	local judge.
<i>ato</i>	a title equivalent to 'Mr'.
<i>awraja</i>	(<i>awraja gizat</i>) an administrative unit below <i>täqalay gizat</i> .
<i>balabat</i>	(lit. 'one who has a father') government officials recruited from the local hereditary chiefs.
<i>balambaras</i>	a traditional title given to low level administrators.
<i>balärest</i>	owner of <i>rest</i> land, landlord.
<i>baläwuläta</i>	lit. 'one who did a favour'; one who served the government in a different capacity, usually applied in the context of land grants for government officials and patriots who had served their country.
<i>bäqolo</i>	maize.
<i>birr</i>	the standard Ethiopian monetary unit.
<i>bula</i>	a juicy substance squeezed out of <i>qoc'o</i> , used to make porridge.
<i>č'iqa shum</i>	(lit. 'authority of the mud'); local head man.
<i>č'isäñña</i>	tenant who accessed land through a sharecropping agreement, also in Gedeo provided additional free labour services to the landlord.
<i>däga</i>	an agro-ecology zone; 3000-4000 metres above sea level.
<i>däjažmach</i>	(lit. 'commander of the gate'); a traditional title given to both military and political appointees of the state.

<i>emät</i>	a title equivalent to 'Mrs'.
<i>endärasé</i>	(lit. 'in my place'); plenipotentiary, parliamentary representative.
<i>ensät</i>	<i>ensete edule</i> , a banana-like tree widely cultivated for food in south and south west Ethiopia, the main staple of the Gedeo. Known also as the "false banana".
<i>equel</i>	a sharecropping tenancy arrangement in which the tenant's obligation was to pay half of the harvest from the land.
<i>erbo</i>	a sharecropping tenancy arrangement in which the tenant's obligation was to pay a quarter of the harvest, but in Gedeo there were extra burdens such as free labour services.
<i>fitawrari</i>	(lit. 'commander of the front') a traditional political and military title.
<i>gäbbar</i>	a tribute-paying peasant either in the form of labour or produce. In the south it implied a major burden.
<i>gäda</i>	Oromo socio-political system based on age grade. The Gedeo <i>gäda</i> which is believed to have been borrowed from the Oromo was weaker and only had a spiritual role.
<i>gésbo</i>	a plant grown in the back garden commonly used in the preparation of <i>t'äla</i> a (traditional Ethiopian beer).
<i>gasha</i>	a varying unit of land measurement, normally approximately 40 hectares.
<i>giražmach</i>	(lit. 'commander of the left flank'); a traditional political and military title given to highest officials.
<i>godäre</i>	taro; widely cultivated for food in south and south west Ethiopia, it has broad peltate leaves and a large starchy edible tuber.
<i>golo</i> (G)	work party.
<i>gossa</i> (G)	clan or tribe.
<i>gult</i>	a tribute-collecting right awarded to important office holders or soldiers; it does not confer access to land however.
<i>hamsa aläqa</i>	(lit. 'commander of the fifty'); military title or rank.
<i>hayicha</i> (G)	village head man; a traditional title of the Gedeo political system.
<i>kätäma</i>	town, or military garrison in the south. These later evolved into urban centres.

<i>kudad (hudad)</i>	land which was cultivated by corvée labour.
<i>läm</i>	fertile, cultivated or developed land.
<i>läm täf</i>	semi-fertile, partly cultivated land.
<i>madäria</i>	land granted provisionally to soldiers and other government officials in lieu of their salary.
<i>mämeré</i>	priest of the Ethiopian orthodox church.
<i>mikitle wäräda</i>	an administrative unit below <i>wäräda</i> .
<i>minzir</i>	a co-owner of <i>rest</i> land who paid taxes through the <i>aläqa</i> .
<i>nač' läbash</i>	(lit. "wearer of white uniform"); local militia.
<i>näfl'äñña</i>	(lit. "gun bearer"); soldiers of the imperial army settled in the south after the incorporation.
<i>negus</i>	king.
<i>outiba (G)</i>	indigenous land tenure system of the Gedeo, an inalienable land right.
<i>qäbälé</i>	the lowest administrative unit.
<i>qälad</i>	a rope or wire used to measure land, but also used as a description of the process of land measurement and distribution.
<i>qäññažmach</i>	(lit. 'commander of the right flank'); a traditional Ethiopian military and political title.
<i>qoč'o</i>	processed <i>ensät</i> which is used to make bread.
<i>qoro</i>	local official below the <i>balabat</i> .
<i>qunna</i>	grain measurement unit which varies greatly from place to place.
<i>ras</i>	(lit. 'head'); a traditional political and military title below the king.
<i>rest</i>	a kinship-based communal land tenure system common in northern Ethiopia. In the south it simply refers to land owned on a permanent basis.
<i>restä gult</i>	hereditary <i>gult</i> right.
<i>sämon</i>	land set aside for the church or held by priests and other ecclesiastical groups in their service of the church.

<i>siso</i>	a sharecropping tenancy agreement in which the tenant agreed to pay one third of the harvest.
<i>t'äbäqa</i>	legal representative or solicitor.
<i>täf</i>	uncultivated or undeveloped land.
<i>t'äqlay gizat</i>	administrative unit, province.
<i>t'éf</i>	<i>Eragrostis tef</i> (latin); a crop indigenous to Ethiopia used to make Ethiopians favourite bread, <i>enjära</i> .
<i>t'into</i> (G)	a share of land given to an individual.
<i>wabi</i>	a person who may be allowed by the court to intervene in land or tenancy litigation upon the invitation of either of the parties, to guarantee the veracity of their claims.
<i>wäkil</i>	agent (see <i>yärest wäkil</i>).
<i>wäräda</i>	an administrative unit below <i>Awraja</i> .
<i>wäyyna-däga</i>	an agro-ecology zone below <i>däga</i> ; 2000-3000 metres above sea level.
<i>wäyzäro</i>	a title equivalent to 'Mrs'. [Similar to <i>emät</i>]
<i>wurs</i>	inheritance.
<i>yäqäläd wäkil</i>	a person who represents a holder of <i>qäläd</i> land.
<i>yärest wäkil</i>	a person who represents a <i>balärest</i> (landlord) and collects taxes and other due from the tenants on his behalf.
<i>yät'eza margäffa</i>	a nominal fee paid by tenants before <i>erbo</i> assessors carried out their task.
<i>zufan chelot</i>	(Crown Court) the summit of the Ethiopian judicial system which was presided over by the Emperor himself.

G = Gedeo



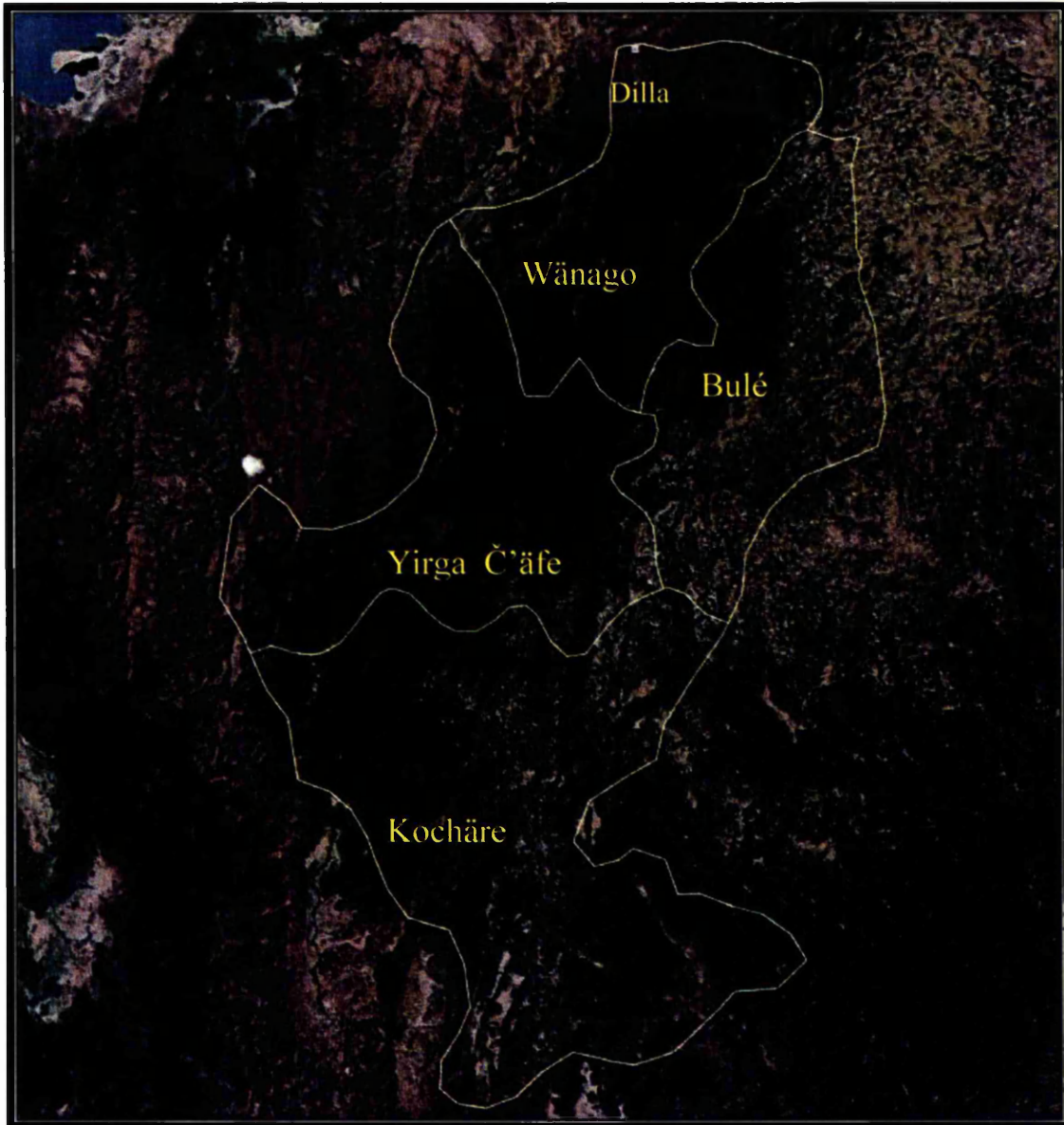
Map 1. Ethiopia, 1974

Source: *Maps of Ethiopia Across Time, "Ethiopia Between 1960-74"*
 //www.angelfire.com/ny/ethiocrown/maps.html [accessed November 5, 2008]



Map 2. Ethiopia since 1991

Source: OCHA regional support office, "Ethiopia" www.humanitarianinfo.org/iawg-nairobi/Maps/Ethiopia20A1.pdf [accessed November 5, 2008].



Map 3. The four Wäräds of Gedeo

Source: Google Earth

Introduction

This dissertation investigates land and tenancy disputes in Gedeo in southern Ethiopia, from 1941 to 1974. The years from 1941 to 1974 represent a crucial period in Ethiopian history, both nationally as well as locally. The year 1941 saw the end of the five year occupation of Ethiopia by Fascist Italy and the restoration of the monarchy, while 1974 saw the outbreak of the Ethiopian Revolution which overthrew Emperor Haile Sellassie (r.1930-1974), one of the longest-ruling monarchs in recent history. The revolution was highly significant for the peasants of Gedeo as it was followed by radical land reform which abolished landlordism and tenancy.¹

Based primarily on local court archival sources and oral interview research, the dissertation seeks to explain the nature of land and tenancy conflicts in this period. Although disputes relating to land and tenancy have not been peculiar to southern Ethiopia and there has also been a long history of land litigation in northern Ethiopia,² Gedeo provides an excellent opportunity to closely examine this largely unexplored theme.

After becoming fully incorporated into the modern Ethiopian empire state at the end of the nineteenth century, Gedeo emerged as one of the most agriculturally prosperous areas of southern Ethiopia. By wisely combining food and cash crop production, Gedeo was not only able to sustain an unprecedented growth of population but also participated successfully both in the internal as well

¹ Bahru Zewde, *A History of Modern Ethiopia, 1855-1991*, 2nd ed. (Oxford: James Currey, 2001), 178; E.J. Keller, *Revolutionary Ethiopia: From Empire to People's Republic* (Bloomington, [Ind.]: Indiana University Press, 1988), 194; R.L. Hess, *Ethiopia: The Modernization of Autocracy* (Ithaca, N.Y.: Cornell U.P., 1970), 51-74.

² Donald Crummey, *Land and Society in the Christian Kingdom of Ethiopia: From the Thirteenth to the Twentieth Century* (Urbana: University of Illinois Press, 2000), 192-194.

as external market through its coffee trade. In this relatively short period of time Gedeo passed through a highly complex and tumultuous phase in its history.³

As a settled agrarian community Gedeo provided a suitable environment, upon which the state could impose its institutions, and it speedily became integrated into the Ethiopian political and economic systems. The incorporation of Gedeo was soon followed by the imposition of the *gäbbar* (tribute-paying peasant)⁴ system, which forced the Gedeo farming households to supply labour and produce for the maintenance of the state and its functionaries, mainly the *näft'ännas* (soldiers of the imperial army) and other clerical and ecclesiastical groups. *Näft'ännä-gäbbar* became the dominant form of agrarian relationship in Gedeo until 1941.

Even in the 1920s the state had already moved a stage further, from tribute dependency to the control of land. By introducing what was known as *qäläd*⁵ (measurement of land) the state distributed land directly to its functionaries, laying the foundation for the emergence of a landlord-tenant form of agrarian relationship, which did not evolve fully until after 1941. This phase was particularly relevant, because the way in which *qäläd* was imposed and implemented was controversial and divisive. When the political and social

³ For the history of Gedeo's incorporation into the Ethiopian Empire see Charles W. McClellan, *State Transformation and National Integration: Gedeo and the Ethiopian Empire, 1895-1935* (Michigan: Michigan State University, 1988), 13-31; see also D. L. Donham, "Old Abyssinia and the New Ethiopian Empire: Themes in Social History", in *The Southern Marches of Imperial Ethiopia: Essays in History & Social Anthropology*, ed. D. L. Donham and Wendy James (Oxford: James Currey, 2002), 3-48.

⁴ *Gäbbar*: the basic definition of this term means "tribute paying peasant." It was adopted from northern Ethiopia; however in the south a *gäbbar* had many more obligations than his equivalent in the north. Chapter two deals with this extensively.

⁵ The term *qäläd* refers to a rope made of leather or wire which was used to measure land for redistribution among state functionaries. However in Gedeo it was also used to mark a distinction between the indigenous tenure systems which existed earlier (such as *outiba*) and the new systems (such as *madäria and sämon*) which were introduced as a result of the imposition of *qäläd*.

implications of this began to be felt, local relationships were severely affected and disputes became a dominant feature. The deteriorating relationship between landlords and tenants made Gedeo the scene of an organised peasant protest, which was uncommon among southern Ethiopian peasants in this period (one exception being the Bale peasant uprising which was fuelled by an external connection).⁶

The way in which landlord-tenant relationships developed in this part of southern Ethiopia from 1941 to 1974 is interesting. Landlord-tenant relationships in the south, including Gedeo, have been depicted in both popular and scholarly works as differing from those in northern Ethiopia.⁷ It is generally believed that in the north of the country landlords and tenants belonged to similar ethnic and social groups, and that this prevented tenancy relationships from becoming polarised. In the south the dichotomy between the two was regarded as being wider. In his seminal work on the *rest* system (a kinship based communal land tenure) in Gojjam, Allan Hoben has shown how tenancy in northern Ethiopia differed from the situation in the south. Hoben demonstrated that tenants in Gojjam did not constitute a particular group or class of landless people, but like other peasants in Gojjam could access *rest* land. Unlike their counterparts in the south they were not subjected to a multitude of demands from their landlords, such as for free labour services and the supply of firewood.⁸

⁶ Gebru Tareke, *Ethiopia: Power and Protest: Peasant Revolts in the Twentieth Century* (Cambridge; Cambridge University Press, 1991), 125-159.

⁷ For contrasting views of north vs. south see Donald L. Donham, *Marxist Modern: An Ethnographic History of the Ethiopian Revolution* (Oxford: James Currey, 1999), 31-35.

⁸ Allan Hoben, *Land Tenure among the Amhara of Ethiopia* (Berkeley: University of California Press, 1973).

It is generally assumed that the type of tenancy which Hoben described was common in most of the *rest* areas of northern Ethiopia.⁹ Peasants entered into tenancy agreements because of the particular circumstances in which they found themselves, as in the case of young men who had to wait until they were provided with *rest* land before they married, or households with extra labour available which wanted to access additional land through tenancy. Understanding why landlord-tenancy relationships in Gedeo evolved in a somewhat different manner from those in northern Ethiopia is important not only in acquiring a more complete picture of the system but also for comparative purposes.

Gedeo offers a key area to test some of the prevailing assumptions regarding how land tenure evolved in southern Ethiopia. The dominant view regarding the southern Ethiopian system of land tenure is that it had evolved to a more private form of landownership in contradistinction to the *rest* system of northern Ethiopia, which is generally believed to be a communal kinship-based system.¹⁰ This has wider implications in terms of property rights, as due to the communal nature of the *rest* system peasants in the north were allowed to access land regardless of their political and economic status within the community. In the south, by contrast, because of the move towards private forms of land ownership many peasants became landless tenants. This view emphasises not only a private form of land tenure but also the ethnic dimension, because it was believed that the people who owned most of the lands in the south were people who had an ethnic

⁹ Crummey, *Land and Society*, 8-12.

¹⁰ For a discussion of this trend see Bahru Zewde, "Economic Origins of the Absolutist State in Ethiopia, 1916-1935," *Journal of Ethiopian Studies* XVII (1984), 1-29; and also Shiferaw Bekele, "The Evolution of Land Tenure in the Imperial Era" in Shiferaw Bekele, ed., *An Economic History of Modern Ethiopia / Vol. I, the Imperial Era, 1941-74* (Dakar: Codesria, 1995), 73-142.

affiliation with the ruling class which was in power in Ethiopia until the 1974 revolution.¹¹

In general the issue of land and tenancy was the dominant discourse among opponents of the government of Haile Sellassie prior to the revolution. University students, intellectuals and other enlightened Ethiopians felt that Ethiopia was a deeply "feudal" society dominated by few individuals who controlled the greater proportion of the country's best land. The only way for the country to progress was therefore by eradication of the monarchy and the landlords.¹² Land reform in particular was given central importance, not only to deal with problems of landlordism and tenancy but also as a vital vehicle for achieving a just society through the equitable distribution of land. Hence "land to the tiller" emerged as the most popular slogan of the anti-monarchical establishment.¹³

The Land Reform ideas were drafted long before Emperor Haile Sellassie was overthrown by the military junta, who called themselves the *Därg*, in September 1974. In March 1975, to the surprise of those who identified themselves as "progressive", the military government announced radical and leftist land reforms which enabled them to consolidate their power in a time of great uncertainty. This move by the military stunned their opponents, who

¹¹Gebru, *Power and Protest*, 67-85; Donham, *Marxist Modern*, 31-35.

¹²For a scholarly debate about feudalism see the following. Donald Crummey, "Abyssinian Feudalism," *Past and Present* 89 (1980), 15-138; Gene Ellis, "The Feudal Paradigm as a Hindrance to Understanding Ethiopia," *The Journal of African History* 14, 2 (1976), 275-295; Contrary to Ellis, Keller argues that Ethiopia was a feudal society until the early twentieth century, Keller, *Revolutionary Ethiopia*, 55-58; Addis Hiwet, *Ethiopia: From Autocracy to Revolution* (London: Review of African Political Economy, 1975), 3-4; René Lefort, *Ethiopia: An Heretical Revolution?* (London: Zed, 1983), 83-129.

¹³Randi Rønning Balsvik, *Haile Sellassie's Students: The Intellectual and Social Background to Revolution, 1952-1977* (East Lansing: Michigan State University, 1985), 150-152.

believed that it was they, as the intellectuals and educated people equipped to lead the country, who should take the lead in introducing radical measures such as this. However, land reform was crucial in maintaining the power of the *Därg*; without such a measure it would probably never have gained the popular support it enjoyed in the early years. Until land reform was announced the revolution was seen largely as an urban affair, but through this measure it was exported easily into the isolated areas of the countryside.¹⁴

The land reform measures brought all land under state control and eliminated the myriad tenures that had been widespread features of the Ethiopian land tenure system before the revolution. The reforms stated that up to ten hectares of land were to be awarded to all peasants who were prepared to develop it through their own and family labour. Peasants would enjoy usufruct rights only on land and tenancy and rural wage labour was made illegal. Land and tenancy litigation, the central theme of this dissertation, was eventually terminated by this radical land reform. This was probably one of the greatest achievements of the 1975 land reform. Even today Gedeo peasants owe a great debt to the land reform and the *Därg* which introduced it.¹⁵

It is generally assumed that the land reform brought about by the revolution benefited the peasants in the south rather than in the north. According to this view, the whole daily life of a southern Ethiopian peasant was one of exploitation and coercion, and it was due to this great inequality, which was

¹⁴ Donham, *Marxist Modern*, 31-32; Christopher S. Clapham, *Transformation and Continuity in Revolutionary Ethiopia* (Cambridge: Cambridge University Press, 1988), 35; Marina Ottaway, "Land Reform in Ethiopia 1974-1977." *The African Studies Review* XX, 3 (1977), 79-90.

¹⁵ Interview with Taddäse Jibicho, Sisota, July 2004.

expressed in ethnic and religious terms, that the revolution was able to gain ground.¹⁶

Gedeo and Southern Ethiopia: historiographical development

The most prominent issue in Ethiopian historiography is the alleged gulf between north and south. Northern Ethiopia, which has been the centre of the Ethiopian state for millennia, has a rich literary culture spanning many centuries. As a result of this Ethiopia's well developed literary tradition has been celebrated as unique among sub-Sahara African countries. Despite their limitations, royal chronicles and church documents have enabled Ethiopian historians to reconstruct a fascinating history, thanks to excellent scholarship supported by a large volume of foreign literature.¹⁷ The ascendancy of political history over other fields of historical enquiry is evident in this context, as many of these works were written by people who held important positions within the power structure. These works have guided the development of modern Ethiopian historiography. Due to the origin of these sources the trend in Ethiopian historiography has been to focus on the themes of high politics, power, kingship, religion, wars, and diplomacy, while northern Ethiopia has been the focal point around which these narratives have been constructed. Until recently it was uncommon to undertake historical study if there were no adequate indigenous written sources or foreign literature. This could

¹⁶ Donham, *Marxist Modern*, 31.

¹⁷ James C. McCann, *People of the Plow: An Agricultural History of Ethiopia, 1800-1990* (Madison, Wis: University of Wisconsin Press, 1995), 8-9; for a good discussion of foreign sources especially of travellers see Svein Ege, *Class, State and Power in Africa: A Case Study of the Kingdom of Shäwa (Ethiopia) About 1840* (Wiesbaden: Harrassowitz, 1996), 9-17.

perhaps be cited as one of the main shortcomings of modern Ethiopian historiography.¹⁸

Nevertheless, Ethiopia's modern historiography has attempted to widen its limited horizon and there has been a commendable improvement both in terms of its breadth as well as depth. Peoples, cultures and geographic areas which received less attention in the past are now increasingly incorporated into Ethiopian studies; an example is the study of the Oromo.¹⁹ Similarly, themes which were overlooked in the past are becoming more attractive and as a result some are now common themes of Ethiopian historiography. This is particularly true in the case of agricultural, environmental and economic history.²⁰ As new fields of enquiry have flourished, new ground has been charted in methodological terms by making use of untapped historical sources such as environmental and intellectual history.²¹ However, before discussing these new trends, I would first like to show that there has been a longstanding interest in understanding economic history in general and land tenure as a subfield within this broad category.

¹⁸ Mohammed Hassen, *The Oromo of Ethiopia: A History 1570-1860* (Trenton, NJ: The Red Sea Press, 1994), 1-3.

¹⁹ Donald Crummey, "Ethiopian Historiography in the Latter Half of the Twentieth Century: A North American Perspective," *Journal of Ethiopian Studies* XXXIV, No 1 (2001), 7-24; see also Bahru Zewde, "A Century of Ethiopian Historiography" *Journal of Ethiopian Studies* XXXIII, No.2 (2000), 1-26.

²⁰ Shiferaw, "The Evolution of Land Tenure", 72-142; James McCann, *Green Land, Brown Land, Black Land: An Environmental History of Africa, 1800-1990* (Oxford: James Currey, 1999), 79-108; See also James McCann, *A Tale of Two Forests: Narratives of Deforestation in Ethiopia, 1840-1996* (Boston, MA: African Studies Center, Boston University, 1998).

²¹ Bahru Zewde, *Pioneers of Change in Ethiopia: The Reformist Intellectuals of the Early Twentieth Century* (Oxford: James Currey, 2002); McCann, *Green Land, Brown Land, Black Land*, 79-108.

Until the 1960s the central focus of Ethiopian studies was the state. This has perhaps been largely motivated by the “the survival of Ethiopia’s independence” in the face of European colonial aggression.²² Hence most of the research effort at the time was directed towards an understanding of the dynamics of the Ethiopian state and how it managed to save the country from colonial bondage. As a result of this focus, Ethiopian historiography has been criticised for its lack of vigour in studying cultures, communities and modes of production which existed outside the dominant groups.²³ This is not to say that there was no interest in general issues such as land tenure, economic history and similar topics. Although the underlying objectives of such studies was to understand the material basis of the state, these works made an immense contribution in preparing the way for the more systematic research undertaken in later years.

Joanna Mantel-Niećko’s main objective was precisely to understand the importance of land as the economic foundation of Ethiopia’s imperial state. She was baffled by the lack of academic endeavour directed towards the understanding of a hugely important area of economic and social history. Mantel-Niećko drew her inspiration from Gäbrä Wäld Engeda Wärq, who was the director of the Ethiopian Land Revenue department and the author of the invaluable work “The System of Land Tenure and Taxation in Ethiopia” (1944). Mantel-Niećko's work, which was published in 1975, is among the few well researched and thoroughly analysed contributions to the highly complex topic of Ethiopian land tenure systems. Like her contemporaries, Mantel-Niećko was unable to expand her

²² Crummey, "Ethiopian Historiography", 7-24.

²³ For a furious attack on Ethiopian historiography see Mohammed, *The Oromo of Ethiopia*, 1-3.

research beyond the land tenure systems of the north as she was restricted by the nature of her sources.²⁴

Prior to that, Richard Pankhurst, whose contribution to Ethiopian studies in general and history in particular is unparalleled, had published his works on the economic history of Ethiopia in two volumes. The first volume (1961) covered the period before 1800, while the second (1968) deals with the period from 1800-1935.²⁵ Pankhurst's works have been criticised harshly for their lack of analytical framework and their loose and descriptive nature. In spite of this, however, they have remained a major work of reference. Pankhurst's *State and Land in Ethiopian History*, published in 1966, reiterated the contemporary view which stressed the importance of land in the political system of Ethiopia.²⁶

In the 1960s more systematic and focused studies began to emerge. Allen Hoben's work on the *rest* land tenure system in northern Ethiopia brought to light the deficiencies in our knowledge about the system. Hoben's work, which was a result of a highly focused study of the *rest* system in one particular area in Gojjam, provides a wealth of information about the tenancy system and land litigation that is of particular relevance to this study.²⁷ Weissleder's PhD dissertation, "The Political Ecology of Amhara Domination" which was completed in 1965 is also very important, as he provides insight into the nature of

²⁴ Joanna Mantel-Niećko, *The Role of Land Tenure in the System of Ethiopian Imperial Government in Modern Times* (Warszawa: Wydawnictwa Uniwersytetu Warszawskiego, 1980), 9-11.

²⁵ Richard Pankhurst, *An Introduction to the Economic History of Ethiopia; from Early Times to 1800* (London: 1961); Richard Pankhurst, *Economic History of Ethiopia, 1800-1935* (Addis Ababa: Haile Selassie I University Press, 1968).

²⁶ Richard Pankhurst, *State and Land in Ethiopian History, Monographs in Ethiopian Land Tenure No. 3* (Addis Ababa: The Institute of Ethiopian Studies and Faculty of Law, Haile Selassie I University in association with Oxford University Press, 1966).

²⁷ Hoben, *Land Tenure*.

tenancy in the central provinces, focusing mainly on north Shāwa.²⁸ Dan Bauer's study of a broadly similar system in a different location in the north was an equally important contribution to the field.²⁹

A major breakthrough was only achieved in the 1990s, however, with the publication of a number of important books. In 1991 Gebru Tareke published his work dealing with three major peasant rebellions in post 1941 Ethiopia. This book is also of particular relevance to this study. In 1960 there was similar uprising by the peasants of Gedeco, which is the focus of chapter five.³⁰ In 1994 Haile Mariam Larebo published the dissertation he had defended at SOAS in 1990. Its main focus was Italian agricultural policy in Ethiopia during their five-year occupation of the country from 1935 to 1941. This work gives insight into a number of ambitious agricultural programmes which the Italians failed to execute. He also provides some valuable information about land confiscated by the Italians in Gedeco.³¹ In 1995 James McCann's influential book *People of the Plow* was published.³² McCann had made his mark a little earlier with the publication of his first book *From Poverty to Famine in Northeast Ethiopia: a Rural History, 1900-1935* in 1987.³³ In this work McCann demonstrated the important role that micro-level history can play in tracing the socio-economic changes which are

²⁸ Wolfgang Weissleder, "The Political Ecology of Amhara Domination" (Ph.D. dissertation, University of Chicago, 1965).

²⁹ Dan Franz Bauer, *Household and Society in Ethiopia* 2nd ed. (East Lansing: African Studies Center, Michigan State University, 1985).

³⁰ Gebru, *Power and Protest*.

³¹ Haile Mariam Larebo, *The Building of an Empire: Italian Land Policy and Practice in Ethiopia, 1935-1941* (Oxford: Clarendon Press, 1994), 81.

³² McCann, *People of the Plow*.

³³ James McCann, *From Poverty to Famine in Northeast Ethiopia: A Rural History, 1900-1935* (Philadelphia: University of Pennsylvania Press, 1987).

instrumental in understanding the general crisis that afflicted many northern Ethiopian peasants. McCann's political economy approach has a methodological relevance to this study, as it emphasises how changes in ecology and demography hugely affect agricultural practices and vice versa.

Since the publication of McCann's books, agricultural history is no longer treated as a mere backdrop to political and social history but has now earned a prominent position within Ethiopian historiography. McCann's focus in the later book was the plough and how its use shaped the Ethiopian landscape. His chapter "The plow in the forest" is of particular interest to this study because it demonstrates the versatility and adaptability of this technology beyond the open fields of northern Ethiopia, which had been its home for thousands of years, and into the *ensät* (a banana-like tree cultivated for food) growing region of the south.³⁴ However in the case of Gedeo the plough supplemented but did not replace the most favoured tool of the Gedeo, the digging axe.³⁵

The most recent addition to this growing field of enquiry is Donald Crummey's *Land and Society in the Christian Kingdom of Ethiopia*.³⁶ Although a social history, Crummey's book focuses on two of the most important institutions of northern Ethiopia, *gult* and *rest*. Throughout the book the quest is to understand the ways in which Ethiopian peasants sustained their rulers. This work, a culmination of Crummey's long career as a distinguished historian of Ethiopia, is of great value in interpreting the highly complex issue of land tenure and property rights in Ethiopian historiography. Crummey's book, which covered the period from the thirteenth to the nineteenth centuries, focuses on northern Ethiopia. The

³⁴ McCann, *People of the Plow*, 147-190.

³⁵ McCann, *People of the Plow*, 47-48.

³⁶ Crummey, *Land and Society*.

work has great analytical depth and is based on the hoard of archival materials which were products of the long Ethiopian literary tradition. The book presents Crummey's masterful interpretation of the findings of other Ethiopian historians and anthropologists such as Merid, Tadesse, and Hoben.³⁷ In the last chapters of the book Crummey provides a general overview of the evolution of the Ethiopian land tenure system in the twentieth century. This is of great importance in identifying where the south in general and Gedeo in particular fits within this broad framework.³⁸

Despite the great advance in our knowledge represented by these works, there remain huge gaps to be addressed, particularly in relation to southern Ethiopia. The above works are of limited assistance in understanding developments in the southern half of the country. The dearth of literature concerning southern Ethiopia, which is not restricted to agricultural history or land tenure, is especially acute for the period before the incorporation. The last decade of the nineteenth century is regarded by historians as an important landmark in the history of many societies in southern Ethiopia. The closing years of the nineteenth century marked the period when most of the southern people were incorporated into what came to be known as the modern Ethiopian Empire State, and this event has been taken as a point of departure in the study of the incorporated areas. However there has been a focus on the centre while the communities in the south have been regarded as peripheral.³⁹ Hence the history of most of the people of the

³⁷ Merid Wolde Aregay, "Land Tenure and Agricultural Productivity, 1500-1850," *Journal of Ethiopian Studies* 17 (1986), 115-129; Tadesse Tamrat, *Church and State in Ethiopia, 1270-1527* (Oxford: Clarendon Press, University of London, 1968., 1972), 98-103.

³⁸ Crummey, *Land and Society*, 226-253.

³⁹ Charles W. McClellan, "The Ethiopian Occupation of Northern Sidamo-Recruitment and Motivation," in *Proceedings of the Fifth International Conference on Ethiopian Studies*, ed. Robert L.Hess (Chicago-USA: 1978), 513; Donham, "Old Abyssinia", 37.

south has rarely been studied or investigated on its own terms but only from the perspective of the centre.⁴⁰ This part of Ethiopia does not fit within the mainstream historiographical tradition of Ethiopia, and little research has been conducted, while the period before the nineteenth century has remained either unknown or subsumed under the histories of bigger communities such as the Oromo and the Sidama.⁴¹

The Southern Marches of Imperial Ethiopia (1985) aimed to address this deficit and to bridge the gap between north and south. The work is pioneering in many ways on account of its multi-disciplinary nature, and was the result of cooperation between historians, anthropologists and sociologists, though sadly none of the authors were Ethiopian.⁴² One of the claims made by this book is that it demonstrates the value of "history from below." Most of the contributions in this book are about communities which are referred by historians as "peripheries" and had not been documented before, and is an attempt to redress the balance. There is an emphasis on the type of relationships the southern communities had had with the centre since their incorporation into the modern Ethiopian empire and on the differences between the core and the periphery. There is little offered concerning other historical ties of the two regions. The introductory chapter, which was written by Donham, is provocative and insightful, and provides a

⁴⁰ Bahru, *A History of Modern Ethiopia*, 60-68; Donham, "Old Abyssinia", 17-24.

⁴¹ Ernesta Cerulli, *Peoples of South-West Ethiopia and Its Borderland, Ethnographic Survey of Africa North-Eastern Africa*; (London: International African Institute, 1956), 118-132; M. F. Perham, *The Government of Ethiopia*, 2nd ed. (London: Faber and Faber, 1969), 315; Mordechai Abir, *Ethiopia: The Era of the Princes: The Challenge of Islam and the Re-Unification of the Christian Empire, 1769-1855* (London: Longmans, 1968), 81.

⁴² Donald L. Donham and Wendy James, *The Southern Marches of Imperial Ethiopia: Essays in History and Social Anthropology* (Oxford: James Currey, 2002).

coherent multidisciplinary background for what might otherwise appear to be an eclectic collection of writings.⁴³

Charles McClellan's article on the Gedeo in particular is of great interest to this study.⁴⁴ This article was based on original research McClellan conducted for his PhD dissertation at MSU (Michigan State University) in 1978. Although McClellan's dissertation was published earlier as a monograph for the African studies series at MSU, the material for this work and many other subsequent articles was drawn largely from the same source. McClellan's works are generally regarded as a major contribution, especially in the highly complex and sensitive area of *naft'ännä-gäbbar* relationships.

As indicated earlier, the pillar of McClellan's work was his PhD dissertation published under the title *State Transformation and National Integration: Gedeo and the Ethiopian Empire, 1895-1935*.⁴⁵ This dissertation set out to address the crucial period of Gedeo history from the incorporation up to the Italian invasion in 1935. McClellan mainly concentrated on the centre-periphery line of enquiry and as a result did not provide as much information about the Gedeo people themselves, and especially their early history. Nevertheless his work remains a major contribution to our understanding of *gäbbar-naft'ännä* relationships in Gedeo and has widely influenced others who wanted to understand the inner workings of these institutions in other parts of Ethiopia where there have been similar historical processes. Unfortunately, McClellan

⁴³Donham, "Old Abyssinia", 3-48.

⁴⁴ Charles W. McClellan, "Coffee in Centre-Periphery Relations: Gedeo in the Early Twentieth Century," in *The Southern Marches of Imperial Ethiopia: Essays in History and Social Anthropology*, ed. D. L. and Wendy James Donham (Oxford: James Currey, 2002), 175-195.

⁴⁵ The dissertation which was submitted to MSU was entitled as "Reaction to Ethiopian Expansionism: The case of Darassa, 1895-1935" (PhD thesis, Michigan State University, 1978).

abandoned his research on Gedeo quite early in his career in favour of reinterpreting studies already undertaken.

The other author who made an important contribution to Gedeo historical studies, as well as to wider issues of Ethiopian history, was Lap'iso G. Delebo. His contribution was significant in that unlike many other Ethiopian authors he wrote in Amharic. Lap'iso did this without the benefit of an academic institutional base. His chapter on the Gedeo peasant uprising was part of larger project, published under the Amharic title of *Yäetyop'ya gäbbar siratna Jimir capitalism 1900-1966* (Ethiopia's *Gäbbar* System and Nascent Capitalism, 1908-1974). Lap'iso used both archival sources and oral informants. He gave credit to the role played by missionaries in enhancing the peasants' consciousness, which encouraged them to uphold their rights. He also argued that access to modern firearms was crucial to the Mechele peasants when they clashed with their landlords in 1960. We will examine both these issues in the last chapter of this dissertation, which focuses on the Mechele peasant uprising.⁴⁶

In addition to the above works, which are directly related in many ways to this project, this dissertation has also benefited a great deal from others, both within and beyond Ethiopian studies, especially from Africa and Asia.⁴⁷ This category includes Svein Ege's down-to-earth approach in his many works about north Shäwa (Ethiopia),⁴⁸ and also James Scott's and Samuel Popkin's studies of peasant rebellion in South East Asia. The contrast between the "moral economy"

⁴⁶ Lap'iso G. Delebo, *Yäetyop'ya gäbbar siratna Jimir capitalism 1900-1966* (Amharic) (Addis Ababa: 1983 E.C.), 174-175.

⁴⁷ Laurel L. Rose, *The Politics of Harmony: Land Dispute Strategies in Swaziland*, *African Studies Series*; (Cambridge: Cambridge U.P., 1992).

⁴⁸ Ege, *Class*; Svein Ege, "Land, Law and Tactics: A Case Study from Ayne, Northern Shawa" (paper presented at the 13th International Conference of Ethiopian Studies, Kyoto, 12-17 December 1997, Kyoto, Japan, 1997), 35-56.

and the “rational peasant” theories is especially instructive in examining the 1960 Gedeo peasant rebellion.⁴⁹

Sources and methodology used in this study

A great deal of the work for this dissertation needed to be done at a local level, not only for the sake of shifting the focus from the centre to the periphery, but more importantly because micro-level studies are the foundation and the essential basis of a thorough investigation. Researching history at a local level is challenging. One challenge relates to the scarcity of sources and their accessibility. Although local sources are not as scarce as often assumed, one has to hunt for them and they are not as readily accessible as the ones we find in university libraries or archival centres. Considerable effort is required to uncover and utilise these sources. Also, the methodology has to be adjusted according to the particular demands posed by local circumstances.

It is vital to establish a relationship of trust with the peasants if reliable and useful results are to be obtained from informants. Any question about land could easily be interpreted as a government ploy to discover the exact holding of each peasant. When I was conducting fieldwork in Gedeo (2004) there was a rumour that the government was planning to issue certificates to the peasants which would show the exact size of their land. The peasants initially associated my work with the government, but they changed their minds when I started to live among them. They then realised that that my work had nothing to do with the government because they have never known a government official to stay in their villages for

⁴⁹ James C. Scott, *The Moral Economy of the Peasant: Rebellion and Subsistence in Southeast Asia* (New Haven: Yale University Press, 1976); Samuel L. Popkin, *The Rational Peasant: The Political Economy of Rural Society in Vietnam* (Berkeley: University of California Press, 1979).

days let alone for weeks. The government officials themselves, who gave me a work permit to conduct my research in Gedeo, viewed me with suspicion in case I was working for the opposition.

To summarise, this study combines the use of conventional methods of historical research with the highly informative method of participant observation borrowed from social anthropology.⁵⁰ Social anthropologists spend time living within the community they have chosen to study, eating the same food and observing all the various activities that a peasant household has to undertake in its daily life. This might sound appropriate only for contemporary studies, but in areas such as Gedeo this approach can be of great benefit to historians too. This is because although changes in the peasants' way of life have occurred over time, there has been also a great deal of continuity. Most importantly this method not only revealed my previously limited understanding of the peasant world, but offered the very basic tools needed to interpret and put into context information gathered from the written sources. For instance, after nearly one month of observing how *ensät* production takes place from planting to harvesting it became clear that an understanding of certain aspects of the peasants' way of life can only be gained through first hand observation. Nothing in the literature fully describes how this extremely labour intensive job is accomplished. Moreover, the way *ensät* agriculture is carried out has not changed significantly between the nineteenth century and today, a continuity which is significant for historians.

Before settling in one village in rural Gedeo (summer 2004) many places were visited, most of them for the second time since conducting the initial

⁵⁰ It was Svein Ege who advised me to live among peasants; as he said it was 'an immensely rewarding way of learning about peasant life.'

fieldwork in 1999-2000.⁵¹ Many informants were interviewed concerning their own history and aspects of Gedeo peasant agriculture, and living in Grissa for three months offered insight into the traditional Gedeo way of life. This village was appealing from a research point of view because, thanks to its distance from neighbouring towns and the difficulty of the uphill journey on foot, unlike other *qäbälés* (the lowest administrative unit) in Wonago it had the characteristics of a remote village.⁵² Grissa still preserved most of its rural features, whereas the majority of villages in Gedeo, especially those bordering towns and those located along the main road from Dilla to Addis Ababa, have increasingly been infiltrated by the urban culture which arrived as a result of the coffee trade. It emerged that Grissa had more to offer than its rural nature. For instance the village still plays a central role in the spiritual life of Gedeo peasants, as a meeting place for the highlanders from the *däga*, (an agro-ecology zone between 3000-4000 meters above sea level) and for the peasants from the lower altitudes, the *wäyna-däga* (an agro-ecology zone between 2000-3000 meters above sea level) when the *abba-gäda* (father of *gäda*) conducts religious observances.⁵³ In addition Grissa stands out agriculturally because of the quality of *ensät* it produces.

The most interesting aspect of Grissa however is that its location is between the downhill areas which adjoin Dilla town and the highlands of Bulé

⁵¹ I had the opportunity to visit many parts of Gedeo before I started my research for this dissertation. This came as result of my job at Dilla College. I was also able to take students on field trips to demonstrate the value of local history and to teach them about historical methodologies in the use of oral information.

⁵² Adugna Kebede, field staff for the Ministry of Agriculture of Wänago *Wäräda* convinced me to do my work in Grissa. Of all the Ministry of Agriculture workers I encountered in various places in Gedeo it was he who had the best relationship with the peasants, who accepted him as a person working for them and not only for the government. It was the trust he established with them which helped me to gain acceptance by them in a short period of time; I owe a great debt to Adugna.

⁵³ Ethiopian Mapping Authority (EMA), *National Atlas of Ethiopia* (Addis Ababa, 1988), 4.

which meant that only a short walk separated the two different agro-ecology zones, Grissa being between the *däga* and the *wäyna-däga*. The view from the Gedeo highlands is spectacular and one can easily see Bule, at the summit of which was the most important military garrison during the early years of the incorporation of the region. It has a commanding position from which most of the territory of Gedeo can be seen and also the lowland all the way to the Lake Abaya area which is inhabited by Guji pastoralists. Staying in the village was also practical, because after visiting various places and talking to peasants during the day, in the evening company was provided by the host, the very knowledgeable Alämayähu, who was able to answer all the questions which had arisen and sometimes added information which he felt would enrich my understanding of Gedeo society and their way of life.

The oral sources used in this dissertation helped in many ways, both by enriching the existing written sources as well as by filling the gaps left by such sources. They are crucial for the study of societies such as the Gedeos where writing did not play a major part in their history, but should not be seen as a substitute for written sources. Oral sources as a distinct type of historical source provide an alternative path to the past, and in the case of the Gedeo the paucity of information means that it is impossible to comprehend the past without the use of such sources.

Conducting oral historical research, however, is no less challenging than dealing with written sources, both from a methodological point of view as well and in terms of the nature of the information itself. Historians need to be as rigorous as possible when dealing with this kind of source and they should be

subjected to the same amount of scrutiny as written accounts.⁵⁴ The information gathered in the process should be verified thoroughly, not only by checking and counter checking against the available written sources, but also against each other. For example, informants tended to romanticize some of their distant past, although the era from the incorporation until the revolution is generally regarded as a time of great tragedy. They are also inclined to glorify what they believe to have been crucial phases in their recent history, for example the 1960 peasant uprising.

On the positive side, informants appear to have been highly reliable in relation to biographical information and family history. There was also a high degree of authenticity of information in relation to changes in agricultural practices, farming methods, labour and access to land. Informants were interviewed on wider issues of Gedeo history, both on a one-to-one basis and in groups. Although elderly people were the main focus of attention, however, in some cases younger informants were also found to be very valuable. Women informants were very rare and it proved to be very difficult to involve them as much as required. The only way to gain access to female informants was through their husbands (or other male relatives) because the men felt that women do not add anything of value to the discussion, hence what was given by themselves should be sufficient. Given the position of women within Gedeo society it may not be surprising that such views were also shared by women informants themselves.

⁵⁴ For a critical approach to oral history in the African context see the following L. White, *Speaking with Vampires: Rumor and History in Colonial Africa* (Berkeley: University of California Press, 2000), 51-53; Charles Van Onselen, "The Reconstruction of a Rural Life from Oral Testimony: Critical Notes on the Methodology Employed in the Study of a Black South African Sharecropper." *The Journal of Peasant Studies* 20, 3 (1993), 494-514; For general methodological and theoretical discussions of oral history see the following: Paul Thompson, *The Voice of the Past: Oral history* (Oxford: Oxford University Press, 2000), 119-172; Grele J. Ronald, "Movement without aim: Methodological and theoretical problems in oral history" Robert Perks & A. Thomson eds., *The Oral History Reader* (London/New York: Routledge, 2002), 38-52.

Archival sources were used extensively in this work. Unlike many other African countries where the chiefs played a principal role in disputes, in the Ethiopian context government courts were the arena for land and tenancy disputes. There was no other legally recognised body which had such prerogatives apart from low level mediation. Hence using court archives for such a study was essential. The main sources of archival materials were the Gedeo Administration Office, the Ministry of Agriculture, the courts at different levels, the Ministry of Finance and the churches.

Experience gained during research in north Shāwa guided the search for sources in Gedeo. Those investigations were somewhat frustrated, as when I carrying out the research for my MA thesis on a similar topic I was informed that all documents, even dating back to the pre-1935 period, had been destroyed during the 1974 revolution and in the 1991 government change.⁵⁵ Gedeo and many other parts of southern Ethiopia were outside the war zone and I had hoped that a considerable quantity of documents would have survived the turmoil. However, it transpired that more than 98 percent of the Gedeo (Dārassa until 1974) *Awraja* (an administrative unit below *täqalay gizat*) archives were incinerated in peace time. According to the archivist the office had been a base for the EPRDF (Ethiopian People Revolutionary Democratic Forces) army and the soldiers had burnt the documents because they felt that they belonged to the defunct government. There was only one folder which survived the destruction, which mainly consisted of a list of landlords who had been involved in the 1960 tenant-landlord conflict in Mechele and related matters. Other ministries' documents had not been destroyed, but only the *Awraja* Court litigation documents were organised in a coherent

⁵⁵ Berhanu Tesfaye, "A Historical Study of Land and Agriculture in Gera Midir, Manz to 1974" (MA Thesis, Addis Ababa University, 1996).

manner. For instance the Ministry of Finance and Ministry of Agriculture still retained a few documents but most of the new employees had no idea where the bulk of the archives were kept. Therefore my effort was focused on the court archives.

The court documents are litigation archives either on land issues or tenancy matters. The majority of the archives were on tenancy matters and this by itself tells the magnitude of the problem. This was the only government office in Gedeo which still kept the pre-1974 files in some degree of order.⁵⁶ Court documents are very valuable sources of information in the detailed study of the history of a particular area. Since most of the cases were between individuals the details they contain are quite illuminating; for far too long researchers in Ethiopia have largely neglected these kinds of sources.⁵⁷

Although they furnish useful information for historians, due to their nature land and tenancy dispute court cases are also complex and challenging for historians. In most cases the documents contain summaries of legal arguments rather than every detail necessary to glean a fuller picture of the issues concerned. In many court cases the plaintiff did not present the charges in a straightforward manner; also disputants had the freedom to present their evidence with different biases which at times made court archives unnecessarily difficult to understand. For example, a number of court cases were initiated as tenancy disputes cases but later changed course and evolved into disputes about land rights or inheritance

⁵⁶ I owe a great debt to the President of Gedeo Zone Court and the archivists who helped me to access the documents without restriction by opening their offices including during weekends.

⁵⁷ There are few exceptions to this which utilised this category of sources extensively. Examples are Tekalign Wolde-Mariam, "A City and Its Hinterlands: The Political Economy of Land Tenure, Agriculture and Food Supply for Addis Ababa, Ethiopia (1887-1974)" (PhD thesis, Boston University, 1995); Tim Carmichael, "Approaching Ethiopian History: Addis Abäba and Local Governance in Harär, C.1900 to 1950" (PhD thesis, Michigan State University, 2001).

matters. This was further complicated by the fact that the courts did not impose any restriction on procedural grounds; rather they simply followed developments as they unfolded. However in later decades, especially after the 60s, there were developments whereby the court insisted that the plaintiffs or the defendants should be more specific about their case, and state its nature, be it land or tenancy. In spite of that the court documents clearly show the evolving nature of government bureaucracy during this period and also from a historical perspective they represent a very vivid transition from a semi-oral/written to a fully fledged written world.

Aim and structure of the dissertation

The aim of this dissertation is to understand the nature of land tenure and tenancy relationships in Gedeo. Rather than describing and analysing these as separate institutions, both were examined from the perspective of disputes. Disputes were not only an overriding feature of both but also provided insight into how these key institutions operated in that specific place and time. In this way a clearer picture could be gained of the inner workings of the society at local level.

As both land and labour are crucial resources for a peasant community such as the Gedeo, any problem associated with these was disputed vigorously. Conflict by nature engages both parties passionately; apart from fighting for resources of great importance, there is also a large socio-psychological element to the struggle. Losing a court case not only had repercussions from an emotional point of view for the individual involved but also affected his/her own standing with the family and community. Consequently, when we closely examine court documents, we see that a great deal of effort was expended in winning cases.

Marshalling all available evidence was the norm. Thus in land and tenancy disputes both parties involved in the dispute reveal the historical family background, using all kinds of evidence to help them to prove their point and ultimately triumph in court. Winning a court case, be it a land issue or a tenancy matter, was not only about evidence, but about evidence supported by the historical context.

The dissertation is organised into five chapters plus an introduction and conclusion. Although this study is mainly focused on land and tenancy disputes in Gedeo between the 1941 and 1974, in order to set the scene as well as to understand the general context the period before this has been briefly discussed. Also, since history does not occur in a vacuum, it is important to have a sense of the place. This is gained by examining the ecology and other physical aspects of the region which have significantly shaped its history. In the first chapter there is a discussion not only of the ecology of Gedeo, which is fundamental to any agricultural history, but also of the early history of the Gedeo people themselves as told from their own viewpoint, including information about social organisation from domestic level upwards.

After Gedeo was incorporated into the modern Ethiopian empire state the imposition of the *gäbbar* institution, and the evolution of what is normally known as a *näft'äñña-gäbbar* relationship were major historical developments. Soon after, with the introduction of *qälad*, Gedeo entered into another phase of history as a kind of dual tenure system evolved. In these formative years the seeds of protracted disputes were sown. These issues are dealt with in chapter two. In chapter three, which is mainly about land disputes, the focus is on court disputes.

These are mainly between individuals, although there were some attempts by the state to recover land “hidden” among various individuals for various reasons.

The main focus of chapter four is the issue of landlord and tenant disputes. As in the preceding chapter, this is based mainly on the examination of court archives. This chapter discusses tenancy issues which were a fundamental problem for most Gedeo people in the *qälad* zone. In addition to examining the evolution of tenancy and tenancy relationships during this period it also explains the circumstances which led to a short-lived uprising in the Mechele area of Gedeo in 1960. In the final chapter the uprising is examined not as a mere incident but as a culmination of the long-standing acrimonious relationship between landlords (*näft'äñña*) and tenants.

Chapter One

Environmental and Historical Background of the Gedeo

The aim of this chapter is to provide information about Gedeo's geographical and historical background. By discussing its patterns of settlement and ecology it shows how Gedeo provided an ideal milieu for the Ethiopian state to successfully implant its institutions and extend its influence. At the turn of the nineteenth century, when Gedeo came under direct Ethiopian administration, its agricultural system was well developed. Gedeo's ecology, which shares much in common with the northern and central Ethiopian cool highlands, became attractive settlements for soldiers from the imperial army who were known as *näft'ännas*.¹

It was not only its agricultural potential which made Gedeo attractive to the Ethiopian administration; equally, its social and political institutions, which were products of the long history of the Gedeo people, made integration into the Ethiopian state straightforward. The dynamic nature of Gedeo history can be demonstrated by the existence of a number of institutions which encompass the economic, social and political life of the community. The Gedeo possessed important institutions such as the *gäda* (age grade system) which had a political as well as a spiritual role in the community. In addition to the *gäda* system, they also had an elaborate and complex system of administration which functioned across their seven clans.² The *abba-gäda* (head of the incumbent *gäda*) served as a

¹ McClellan, *State Transformation*, 13-31; For a general discussion of Ethiopia's expansion into the south see Donham, "Old Abyssinia", 3-48.

² Interview with Kole Soläle, Sugäle, 15 June 2004.

symbol of unity by overriding the deeply fragmented clan politics which characterised the history of the Gedeo before the system's incorporation.³

Previous academic research has focused mainly on the larger southern communities, such as the Oromos, and there has been little attempt to investigate the history of small communities like the Gedeos. This chapter will attempt to understand the history of the Gedeo people from their own viewpoint. Many Gedeos have a deep and corroborative knowledge of their historic past and discuss it with vigour and enthusiasm, regarding themselves as having a common origin and destiny. Equally of note about the Gedeos' understanding of their history is that their distant past was intricately connected with their neighbours, particularly the Oromo and the Sidama.⁴

However, the role of human agents in the development of agriculture is only one part of the story because agriculture has been shaped as much by natural factors as by human actions. In order to understand the distinctive nature of Gedeo agriculture it has to be examined within the given ecological and environmental parameters.⁵ In what kind of physical environment were the Gedeo peasants farming? How are Gedeo peasant farming systems suited to the environment, to the nature of the soil, and to the landscape in general? The Gedeo had a stable

³ When Hinnant first went to Gedeo in the early 1970s to study their *gada* system, he felt that due to the growth of coffee farming and commercialisation the system had changed significantly, and instead he decided to study the Guji *gada* system which he thought was much more intact and had preserved many of its original features. John T. Hinnant, "The Gada System of the Guji of Southern Ethiopia". (PhD thesis, University of Chicago, 1977), i.

⁴ Most Gedeo believe that they are related to their neighbours, particularly the Oromo. Some informants trace a very long genealogy which they have in common with some Oromo clans. Despite this claim, the Gedeo show a strong sense of identity as Gedeos. The Gedeo also have an open society which has had a very amicable relationship with their powerful neighbours, the Oromos. According to them, the recent conflict which took place in the 1990s happened due to the new ethnic boundary drawn up by the present government. Interview with Kole Soläle, Sugäle, 15 June 2004; and Bädessé Rufo, Grissa, Č'äbicha, 9 July 2004.

⁵ John Tosh, 'The Cash-Crop Revolution in Tropical Africa: An Agricultural Reappraisal', *African Affairs*, 79, no. 314 (1980), 80.

agricultural system, and, as a result, the drought and famine which afflicted many peasant communities did not occupy a place in the history of Gedeo. The ecological niche which enabled the Gedeo to develop their particular form of agriculture set them apart from the Guji pastoralists whose economic system was more fragile. Although nature determines what kind of crops can be cultivated as well as what kind of farming methods to employ, the role of human beings in making these decision should also be recognised within this context.⁶

As in any peasant community, an understanding of the Gedeo peasant household is vital in order to appreciate how decisions were made, not only in terms of what to cultivate for domestic consumption and what to grow for the market, but also the delegation of work and how to respond to demands by outside agents, such as the modern state, or the clan chief (before the incorporation).⁷ As Gedeo society entered the twentieth century important changes began to take place which probably stretched the Gedeo household to its limits and required adjustment to new conditions as the state made increasing economic demands. Gedeo was transformed from a small farming community contained within a narrow mountain range to a relatively large area with more potential for agriculture. By doing this, the Gedeo were able to integrate into the domestic as well as the wider international markets.

⁶ For a discussion of relations between ecology and agriculture see the following works: McCann, *People of the Plow*, 5-7; David M. Anderson & Douglas H. Johnson, 'Ecology and Society in Northeast African History' in *The Ecology of Survival: Case Studies from Northeast African History*, ed. Douglas H. Johnson & David M. Anderson (London: Westview, 1988), 1-24; Paul Richards, *Indigenous Agricultural Revolution: Ecology and Food Production in West Africa* (London: Hutchinson, 1985), 10-17.

⁷ For the labour process of African agriculture see Elias C. Mandala, *Work and Control in a Peasant World: A History of the Lower Tchiri Valley in Malawi 1859-1960* (Madison: University of Wisconsin Press, 1990), 3-12.

Early history of the Gedeo

Little is known about the early history of the Gedeo. Other than a few references in some of the literature there has never been a systematic study of the Gedeo before the twentieth century. The study of the Gedeo, like many other small ethnic groups in the south, is either unknown or subsumed under studies of the Sidama; in fact the name Sidama appeared to have been used for a long time to describe the cultures and histories of the diverse communities in this part of southern Ethiopia.⁸

The name Dārassa (the former name of Gedeo) rarely appeared as a distinct name to describe the Gedeo community. As the main focus of enquiry was on the major ethnic groups such the Oromo or to a lesser extent Sidama, the literature attempted to complete the gaps of knowledge about the small ethnic groups by extrapolation rather than in-depth study.⁹ For instance, E. Cerulli (based on Abba Bahrey's account of the history of the Oromo) claimed that the western boundaries of the Kingdom of Bali in the sixteenth century must have extended as far as the River Gällan (which finally enters Lake Abaya west of Gedeo) and beyond. From this assumption she deduced that the kingdom of Bali must have included groups such as the Sidama, Dārassa, Gamo and others.¹⁰

The antiquity of the region could be demonstrated by the presence of a number of remains of ancient times, but unfortunately due to the absence of a coherent study, historians are still unable to integrate the results of the

⁸ Ernesta Cerulli, *Peoples of South-West Ethiopia and Its Borderland, Ethnographic Survey of Africa North-Eastern Africa* (London: International African Institute, 1956), 118.

⁹ J. Spencer Trimingham, *Islam in Ethiopia* (London: Frank Cass, 2008), 179-185; Trimingham says that before the Oromo invasion the whole of the southern part of Ethiopia was inhabited by the Sidama.

¹⁰ Cerulli, *Peoples of South-West*, 118.

archaeological studies that have been conducted in the south into their work. There are a number of places of historic importance; Tutufälla in Gedeo where approximately 400 steles (an upright stone) were found is an example.¹¹

Despite their close historical ties with both the neighbouring Oromos and the Sidama, the Gedeos express a strong sense of identity. The name Gedeo itself is a new invention which was introduced after the 1974 revolution in Ethiopia.¹² The name Dārassa has more historical significance than Gedeo, because according to Gedeo oral information it was derived from the word Dārässo, which was the name of the founding father of all the people of the Gedeo. Although there is some degree of variation in accounts of the early history of the Gedeo, the most commonly accepted version says that Dārässo had seven sons who were born to his two wives.¹³ Their names were Dāräsha, Gorgorsha, Hanoma, Dooba'a (from Abbo) Hembra'a, Logoda and Bäkärro (from Akichu). These names later became the names of the seven clans (*gossa*) of Gedeo (although some informants claimed that there are more than seven clans). Each of these clans was also associated with a defined territory which gradually disappeared due to the changing nature of settlement patterns. The clans were organised into two groups or houses which appear to have corresponded to the mothers who gave birth to the seven sons of Dārässo; the four house (Dāräsha, Gorgorsha, Hanoma, Dooba'a) and the three

¹¹A French archaeological team has been working on this site for a long time, although the results of their research are still not accessible.

¹² The revolutionary government encouraged such changes to help in redressing past oppression. Unfortunately some Gedeos have not been impressed by the change. To them the name Gedeo does not have any meaning other than being the name of a remote geographic place; it does not sufficiently express their historic or cultural identity. But what is not clear and what most of them do not know is that the way in which this particular word was chosen as a name for the community as a whole. Interview with *Hayicha Dänbela Abe*, Andida, 30 April 1999; he related a less well known meaning of Gedeo, which means the people who originated from three directions.

¹³ Interview with Bägäjo Bonja, Č'i č'u, 28 November 1999.

house (Hemba'a, Logoda and Bäkärro).¹⁴ Clan membership was hereditary, and since marriage was outside one's clan, a wife had to come from a different clan, but she would remain member of that clan. Her children belonged to their father's clan, however.¹⁵

The seven clans (*gosa*) of the Gedeo were not always in mutual agreement in many respects, particularly concerning land ownership. This was the main source of tension, especially between Hemba'a and Därässha. Hemba'a's clan was mainly concentrated in the Dama and Michelle areas; Därässha's however was west of Michelle on the highlands towards the core areas of Gedeo territory. They had a history of both conflict and cooperation; during times of outside threats they cooperated for defence purposes. Finally, the two were able to put aside their differences, and as a result, the reconciliation concluded in a traditional ceremony where a number of cattle were slaughtered to seal the agreement.¹⁶

Although the different clans had a chequered history in terms of the reconstruction of their past, they all agree on a common origin and identity. They all claim that they were born from a single father, as explained above, and have a strong sense of identity. Before the Gedeo expanded into their present territory they appeared to have been limited to the highland regions in what is now north eastern Gedeo. From the highlands the Gedeo gradually descended down into the south and south west in search of more land.¹⁷

¹⁴ Interview with Kole Soläle, Sugäle, 15 June 2004; Klaus Wedekind, *Generating narratives: interrelations of knowledge, text variants, and Cushitic focus strategies* (Berlin: Mouton de Gruyter, 1990), 22.

¹⁵ McClellan, *State Transformation*, 29.

¹⁶ Interview with Gote Bädässe, Andida, 28 April 1999.

¹⁷ Berhanu Lameso, 'Alabdu-Sidama Relations: A Historical Review, C. 1850-1974' (MA Thesis, Addis Ababa University, 1993), 28.

As they moved down along the mountains of present day Bulé they began to occupy a defined territory, mainly along clan lines. It was after this that they began to quarrel among themselves on the issue of land as the land they occupied was not equally suitable for agriculture or big enough to accommodate the later high growth of the population. As a result, some of the larger clans needed more space and conflict became inevitable and more frequent in the later years of their history. However, the movement of the Gedeo was gradual and small scale compared with the large scale movement of the Oromo.¹⁸

According to linguistic classification, the Gedeo belong to what is known as the East Highland Cushitic language group. Linguists classified the Gedeo language as one of four others; Hadiyya, Kämbata, Sidama and Burji. These people were all found in south-central Ethiopia along the rift valley running from north to south.¹⁹ The study of linguistics has helped to elucidate their history but has also left a number of questions unanswered. Linguists have not yet clearly established the direction of these peoples' movement; whether they moved from south to north or vice versa. The most viable theory was based on the study of shared features between the five language groups. For instance, the Gedeo shared a number of linguistic features with the Sidama. The Burji, who are a close neighbour of the Gedeo, spoke a language which had more in common with the

¹⁸ Interview with Gobäna Sole, Tumticha, 29 April 1999; For a historical study of population movement in southern Ethiopia see Merid Wolde Aregay, 'Southern Ethiopia and the Christian Kingdom 1508-1708, with Special Reference to the Galla Migrations and Their Consequences' (PhD thesis, University of London, 1971).

¹⁹ Grover Hudson, 'The Highland East Cushitic Family Vine', *Sprache und Geschichte in Afrika* 3 (1981), 97-121.

Sidama. Similarly, Kāmbata shared many linguistic features with the Sidama despite being many kilometres away.²⁰

By studying such features, linguists produced the theory that Sidama must have been the point of dispersal both northwards (Hadiyya and Kāmbata) and southwards (Gedeo and Burji); this tallies well with oral information from the Gedeos. One informant described the movement of the Gedeos from their place of origin to their present settlements as follows:²¹

First they set out from a place called Harssu Hawot'a. They moved on to another place called Haro Wälabo and then they settled at Worqa, then they moved down to Mälgicha. After that, Kara Gudeba was the next destination, then they moved to Shebo Bānti, and then they came to a place called Dälao. At Dälao they set up a *shāngo* (assembly) and agreed on the names of the seven clans, and then dispersed in different directions.

Some of these place names are located on the top of the highlands which are normally regarded as the core areas of the Gedeo people. From the above description as well as from other related references the place which is cited by most Gedeo elders as their place of origin (i.e. Harssu Hawot'a) is probably located outside the present territories of Gedeo. This is also depicted in one of the Gedeos' traditional songs. The *qät'āla* (a sort of thanksgiving) is among the many ceremonies held annually with the presence of the *abba-gāda*:

Harsumaye Hawot'amaye
Mänämāno Ja'loye Dufe²²

²⁰ Grover Hudson, *Highland East Cushitic Dictionary* (Hamburg: Buske, 1989), 3; Wedekind, *Generating Narratives*, 15-37.

²¹ Interview with Kole Soläle, Sugäle, 15 June 2004.

²² Interview with Doye Biftu, Sisota, 24 July, 2004. This is one of the traditional ceremonies that the Gedeo still hold. The celebration was held at Grissa. During the celebration my informant told me that in the previous year they prayed because there was a devastating coffee disease which threatened production. The *abba gāda* was approached to hold prayers and few days after the *qät'āla* took place there was heavy rain. The rain, which came as result of the prayers, washed away the webs that the spiders had woven around the coffee trees. The spider pest was also

We came from Harssu
And we crossed Hawo'a
And we came here

This particular piece of verse clearly depicts the Gedeos' belief that they originated from Harssu Hawo'a and serves as a powerful and constant reminder of their history. This particular festival has a long history, much associated with the *gäda* system of the Gedeo, and the Gedeos attend the ceremony when they encounter farming problems which would result in a poor harvest such as *ensät* disease or a short and irregular rainfall, mainly affecting the coffee harvest. In such circumstances the incumbent *abba-gäda* has a responsibility to organise an assembly of Gedeos in one of the *shängos* (assembly) with the help of the lower officials such as the *hayicha* (village head man) to summon elders from each Gedeo clan to make sacrifices and prayers. Although there are no clear indications as to whether the Gedeo *abba-gäda* had played any political role in the past, after the incorporation his role has undoubtedly been restricted essentially to spiritual matters.²³

Thus, although the Gedeo clans competed with each other over land occupation, they also shared many aspects of life. The seven clans of Gedeo recognised the *abba-gäda* as their spiritual head. From existing sources we understand that the Gedeo appear to have had only one *gäda* system whose membership was open to all seven clans based on the rules of the age-grade

destroyed by the heavy rain, the coffee trees revived, and the peasants managed to harvest their beans. Therefore, the reason that another *qätäla* was held at this time was to thank God for his beneficence in the previous year. Meanwhile, during the ceremony I learned that there was some concern that year as well because the rain was unusually late.

²³ Tsehai Berhane Selassie, 'The Balabat and the Coffee Disease: Politics and Ritual in Darasa', in *Working Papers on Society and History in Imperial Ethiopia: The Southern Periphery From the 1880s to 1974*, ed. D.L. Donham and Wendy James (African Studies Centre, Cambridge: 1980), 202.

system.²⁴ Although the *gäda* system of the Gedeo had a lot of similarities with the Oromo *gäda* system, it is not clear how the Gedeo adopted the system in the first place. Informants claimed that the Gedeo adopted the institution from their neighbour, the Guji Oromo.²⁵ Guidi believed that the *gäda* system of the Gedeo had an important role in the life of the Gedeo community; unfortunately he did not provide details other than describing rituals and symbols.²⁶

A political, military and judicial officialdom existed within the community. The most well known were *roga*, *ja'iqaba*, *ja'laba* and *hayicha*. The *hayicha*, which still survives as an honorary title, no longer has any privileges for the office holder as its function has been curtailed significantly in later years since the Gedeo have been fully integrated into the Ethiopian system of administration. Such an elaborate system of military, political, judiciary as well as spiritual infrastructure had to be supported economically by the rest of the farming population. As most of the officials were required to provide services to the community, others had to carry out their agricultural work. Even now it is common to give some kind of gift

²⁴ Cerulli described in some detail the seven age-grades based on the study of the German anthropologist Jensen who studied the *gäda* system of the Gedeo in the 1930s. The seven grades are 1) Lumasa 2) Raba 3) Luba 4) Juba (Yuba) 5) Kolulu 6) Gudurru and 7) Cowoji. Guidi, an Italian geographer who stayed for about eight months in Gedeo during the Fascist occupation of Ethiopia, claimed that there are only four age-grades and the first two last for eight years while the remaining three last for four. Cerulli, *Peoples of South-West*, 124; see also Asmarom Legesse, *Oromo Democracy: An Indigenous African Political System* (Lawrenceville, N.J.: Red Sea Press, 2001); For the Guji *gäda* system see Hinnant, 'The Gada System of the Guji of Southern Ethiopia', and also Joseph Van de Loo and Kola Bilow, *Guji Oromo Culture in Southern Ethiopia: Religious Capabilities in Rituals and Songs, Collectanea Instituti Anthropos* (Berlin: Deitrich Reimer Verlag, 1991), 15-18; and also G.W.B. Huntingford, *The Galla of Ethiopia the Kingdoms of Kafa and Janjero* (London: International African Institute, 1955), 41-65.

²⁵ Interview with Morkäte Jarso, Andida, 28 April 1999; and Jibicho Gälano, Dama, 30 April 1999. See also Tsehail Berhane Selassie, 'The Balabat and the Coffee Disease: Politics and Ritual in Darasa', 199.

²⁶ Guido Guidi, 'Nel Sidamo Orientale', *Bollettino Della R.Societa Geografica Italiana* IV, no. VII (1939), 372-384.

to the elected *abba-gäda*, which harks back to old practices. However, as there is no evidence to suggest that the Gedeo *gäda* system organised warfare to loot other weaker communities it would have been able to support its members by gifts donated voluntarily by the community.²⁷

Patterns of settlement and ecology

The history of the Gedeo people reveals it to be the product of a long and complex interaction with their neighbours. As the available evidence shows, geography has greatly influenced the way history has unfolded in this part of the region. Gedeo is located at about 370 km south of the capital Addis Ababa and lies on the south east of the Ethiopian Rift Valley which runs north to south, bisecting the country approximately in the middle. A rugged and beautiful country, green throughout the year, it occupies over 5890 sq. km. The density of the population in Gedeo is among the highest in Ethiopia at 420 per sq km (against the national average which is 62.4 per sq km), according to a population census taken in 1984. The people of Gedeo have lived for centuries on the high mountains and hills overlooking Lake Abaya towards the west. The highlands of Gedeo are a very hospitable place because of their cool climate and rise imposingly over the lowlands which border them.²⁸

The highlands, which contain both Sidama and Gedeo, descend in a north-south direction and the Gedeo live in the southernmost section of these highlands. The Sidama not only occupy a similar landscape to the Gedeos but their northern

²⁷ McClellan, *State Transformation*, 28-31.

²⁸ Office of the Population and Housing Census Commission, *Population and Housing Census 1984: Analytical Report on Sidamo* (Addis Ababa: 1989), 35; According to Guidi's estimate the density of Gedeo's population in 1937 was 40 to 45 per sq km. Guidi, 'Nel Sidamo Orientale', 377.

neighbours share ties in cultural, historical and linguistic terms. The Gedeo also share borders with others; the Guji in the south and south west, and the Jämjäm (another branch of the Oromo group) in the east. The Gedeos also claim that like the Sidama they do not simply share a physical space with the Oromos but also share many other things, which are deeply embedded in the long and complex histories of both communities.²⁹

The narrow protruding nature of Gedeo means that it is squeezed between two major Oromo clans; the Jämjäm in the east and the Guji in the south and south west.³⁰ Before the twentieth century most Gedeos settled at the top of the highlands and settlement in large numbers in the lower zones only began after the incorporation and the subsequent imposition of *qälad* in the 1920s.³¹ However, some informants interviewed in the lower zones pointed out that settlements began in these areas well before the incorporation.³² As we shall see later in this and subsequent chapters, the earlier settlers were forced out of their original home in the highlands mainly due to demographic pressure.

²⁹ Interview with Morkäte Jarso, Andida, 28 April 1999; Van de Loo and Bilow, *Guji Oromo Culture in Southern Ethiopia*, 14-18; Donald N. Levine, *Greater Ethiopia: The Evolution of a Multiethnic Society*, 2nd edn. (Chicago: The University of Chicago Press, 2000), 162.

³⁰ Every year between October and December the Jämjäm Oromo have to pass through the Gedeo highlands to obtain a vital mineral known locally as *bole* for their cattle from inside Guji territory which is located between Dilla town and Lake Abaya (they believe that this mineral which is salty in nature is nutritionally important for their livestock). The way the Jamjam travel across Gedeo is very colourful activity. They travel in huge numbers singing and chanting a traditional Oromo song throughout the journey, mainly at night to avoid the day time traffic and the scorching sun, especially in the lowlands. The volume of the caravan increases dramatically when the moon becomes full; visibility is good and travelling is easier. The long caravan mainly consists of horsemen and footmen armed with spears looking like a traditional army marching to a war front. This practice has continued for centuries and Gedeo has been served as the main gateway to accessing this vital resource for the Jämjäm.

³¹ McClellan, 'Coffee in Centre-Periphery Relations', 188-191.

³² Interview with Doye Biftu, Sisota, 24 July 2004 and Kole Soläle, Sugäle, 15 June 2004. Kole traces his genealogy back to Däräso who was believed to be the father of all Gedeos. I interviewed him at Sugele near Wonago and he claimed that they all came from an upland place called Delao and the present settlement at Sugele was quite recent, a phenomenon of the twentieth century.

The threat from the neighbouring communities, especially the Gujis and the Sidamas, combined with the inhospitable nature of the lower zones, had previously discouraged settlement by the Gedeos. Relations with the Sidama along the Lägädara River had also been problematic. The Sidama, who probably had a similar problem of a lack of territory for expansion, clashed with the Gedeo over their attempt to settle across the river. The Gedeo were only able to establish a boundary with the Sidama after the incorporation.³³ The political incorporation of the region meant that conflict between the different ethnic groups, particularly over the issue of land and other resources, gradually diminished as the state began to interfere forcefully in defusing these tensions. Other than resolving ethnic clashes, incorporation also enabled some groups, particularly of the Gedeo, to have more living space by eliminating major threats from their powerful neighbours.³⁴

The green and fertile landscape of Gedeo gives the impression that it has been settled recently, in contrast to the northern Ethiopian landscape. Gedeo huts and villages are not easily visible because they are hidden by tall *ensät* and big trees. As a result of this, an outside observer might gain the impression that Gedeo is an undeveloped and thinly populated region. This is far from the truth and the Gedeo 'forest' is largely shaped by cultivation and has a long and complex history. It demonstrates a well developed system of agriculture which has supported one of the densest populations in Ethiopia. The only flat and open space to be seen is in

³³ Interview with Morkäte Jarso, Andida, 28 April 1999. According to him, until the 1920s both Sidama and Gedeo had different claims regarding the boundary between the two groups; the Sidama claimed that their land extended as far as Chuchu which is inside Gedeo. The Gedeo on the other hand claimed that Beqoqa which is within Sidama territory marked the limit. It was *Däjäžamach* Balcha who finally decided that Legadara would be a common boundary. The peace deal was then made and cattle slaughtered to seal the reconciliation.

³⁴Berhanu, 'Alabdu-Sidama Relations', 15-16.

places like Bulé which is on the top of the plateau but even that terrain is punctuated by irregular features. The altitude of Gedeo is as high as 4000 meters above sea level on top of the plateau near Bulé and in contrast drops low (1580 meters) near Dilla town which is the capital of Gedeo, all within a distance of no more than 60 kilometres.³⁵

The ecology of Gedeo is very suitable for agriculture and particularly the growing of *ensät*. The region could be classified into two major agro-ecological zones, the *däga*, 3000-4000 meters above sea level, and the *wäyna-däga*, 2000-3000 meters above sea level respectively.³⁶ The *däga* agro-ecology zone is found on top of the highland which covers most of what is known as the Bulé *Wäräda* (an administrative unit below the *Awraja*). In this zone, peasants predominantly grow *ensät* although cereal products such as barley are also important. The *wäyna-däga* area on the other hand is the zone below the *däga* and it is here that most of Gedeo's coffee is grown. It is also in this zone that settlement began mainly in the early twentieth century. The concentration of population is much higher here than in the historic settlements in the highlands, which are classified as *däga* according to this inventory. One of the attributes of *ensät* is that it grows easily in both zones; the only difference is that the yield differs from one ecology zone to the other. For instance, the quality as well as the quantity of *ensät* in Grissa, which is a *däga* area, is superior to both that which grows on the plateau and the lower zones, but it requires more time to mature.³⁷

³⁵ EMA, *National Atlas*, 4

³⁶ EMA, *National Atlas*, 4; Temperature in the *däga* zone ranges from 15.1 to 17.5 degrees centigrade, while in *wäyna-däga* the variation is from 17.6 to 20 degrees centigrade.

³⁷ Interview with Doye Biftu, Sisota, 24 July, 2004; and Taddässä Jibicho, Sisota, 7 July, 2004. My informants in the lower zones claimed that the quality of *ensät* from Grissa is much superior and households in the lower zones were buying land there for that reason.



Figure 1. Typical Gedeo landscape, Grissa, August 2004. Photograph taken by the author.



Figure 2. Young ensät crop ready for transplanting, Grissa, August 2004. Photograph taken by the author.



Figure 3. A typical *ensät* farm, Grissa, August 2004. Photograph taken by the author.

The description used by William Shack in relation to the Gurage is just as applicable to the Gedeo. Like the Gurage, the Gedeo are “people of the *ensät* culture”.³⁸ The Gedeo as an agrarian community have been dependant on *ensät* for long time. There are suggestions by archaeologists and historians that *ensät* is among the earliest food crops cultivated in Ethiopia. This is not to say that the Gedeos were among the first people to adopt the cultivation of *ensät*, but rather to show that the Gedeo have a well developed system of agriculture.³⁹ Gedeo agriculture has always been dynamic and changes in farming patterns have frequently occurred. However, *ensät* has been cultivated throughout the long

³⁸ William A. Shack, *The Gurage: A People of the Ensete Culture* (Oxford: Oxford U.P., 1966), 57-67; Also see Dessalegn Rahmato, ‘Resilience and Vulnerability: Ensat Agriculture in Southern Ethiopia’, *Journal of Ethiopian Studies* XXVIII No. 1 (1995), 25.

³⁹ Steven A. Brandt, ‘New Perspectives on the Origins of Food Production in Ethiopia’, in *From Hunters to Farmers: The Causes and Consequences of Food Production in Africa*, ed. J. D. Clark and S. A. Brandt (Berkeley: University of California Press, 1984), 248-252.

history of the Gedeo, and the Gedeo claim that they have been mainly dependent on the cultivation of *ensät* as their staple food for a long time. Unlike other *ensät* cultures, the Gedeo do not mix cultivating *ensät* with rearing livestock, which increases their dependence on it.⁴⁰

The cultivation of *ensät* has been associated with the growth of population in Ethiopia,⁴¹ although it is not clear whether it was chosen as a farming strategy by peasants confronted with an unprecedented growth of population or it occurred by coincidence.⁴² We do know that the Gedeos have cultivated *ensät* for a long time and as well as providing a secure source of food it has also enabled the land of Gedeo to sustain one of the densest populations in the country. However, the issue of density of population has to be treated cautiously because it is misleading.⁴³ For instance, within Gedeo there is a huge variation in terms of population per square kilometre. Regions which were settled later have now become more populated than the old settlements, showing how demographic patterns shift over time with changing economic opportunities.⁴⁴

⁴⁰ Helmer Smeds, 'The Ensete Planting Culture of Eastern Sidamo, Ethiopia' *ACTA GEOGRAPHICA* 13, No 4 (1955), 15-28; For a broader discussion of *ensät* farming see S. A. Brandt, 'The Evolution of Enset Farming' (paper presented at the Ethiopia in broader perspective: papers of the 13th International Conference of Ethiopian Studies, Kyoto, 12-17 December 1997, Kyoto, Japan, 1997), 843-851; S. A. Brandt, 'New Perspectives', 173-190.

⁴¹ D.R. Jones, 'Introduction to Banana, Abaca, and Enset', in *Diseases of Banana, Abaca and Enset*, ed. David Jones (Oxon: CABI Publishing, 2000), 32; According to this author, about 20% of the Ethiopian population (10 million) depend on *ensät* for food.

⁴² Thomas Hakansson, 'Social and Political Aspects of Intensive Agriculture in East Africa: Some Models from Cultural Anthropology', *Azania* XXIV (1989), 12-20.

⁴³ David Grigg, *Population Growth and Agrarian Change: An Historical Perspective*, *Cambridge Geographical Studies* (Cambridge: Cambridge University Press, 1980), 20-28; For a discussion of intensification of crop production see Mats Widgren et al., *Islands of Intensive Agriculture in Eastern Africa: Past & Present*, *Eastern African Studies*. (Oxford: James Currey, 2003), 1-17.

⁴⁴ See chapters three and four for more about this issue. For a general discussion of agricultural change and population pressure see Ester Boserup, *The Conditions of Agricultural Growth: The Economics of Agrarian Change under Population Pressure* (London: Allen & Unwin, 1965), 11-14.

Gedeo receives plentiful rain throughout the year and although records began relatively recently there is sufficient evidence to show that there is a favourable rainfall distribution throughout the region. The two meteorological stations in Gedeo began record keeping during the 1950s; the earliest records are from Dilla and the data gathered shows that in general Gedeo receives the highest amount of rainfall in the region, especially in the higher area. The second station which is located in the coffee growing part of Gedeo, Yirga Č'äfe, which has an elevation of 1840m above sea level, has records which show that the annual average rainfall was 1,970.2 mm for the years 1966-8 and 1970-3. The fact that Dilla received less than Yirga Č'äfe might be due to its lower elevation which is 1,580 meters above sea level; nevertheless it still has one of the highest rainfall figures in the region. Gedeo also has a very good distribution of rain throughout the year. The region receives most of its rainfall in April and May and the rainfall is similar in the months of September and October. Unfortunately, the figure from the two meteorological stations may not reflect the overall pattern of rainfall throughout Gedeo because the two stations are located within the same agro-ecology zone. Dilla and Yirga Č'äfe have been selected to monitor rainfall and other vital data due to their importance as coffee growing areas in Gedeo. ⁴⁵

Despite the abundance of rainfall in Gedeo there are no major soil erosion problems, although most of the Gedeo landscape is characterised by steep slopes, and in some places the land is almost vertical, which makes farming difficult and

⁴⁵ Daniel Gamachu, *Aspects of Climate and Water Budget in Ethiopia* (Addis Ababa: Addis Ababa U.P., 1977), 7; T.J. Kingham, 'Rainfall Records of the Southern Rift Valley, Ethiopia' (Surbiton: Ministry of Overseas Development Land Resources Division, 1975), 265-266.

dangerous.⁴⁶ The Gedeos also do not employ other soil conservation methods such as terracing to protect their soil from erosion by rain or wind. What is apparent is that farms in Gedeo are never left barren without *ensät* or other forms of vegetation, meaning that the soil is not exposed which would result in erosion. In addition, *ensät* leaves also protect the soil, serving as an umbrella to shelter it from hail and heavy rain. By facilitating the absorption of water into the soil it enriches its moisture content.⁴⁷

It was also common to allow mature trees to remain on cultivated farmland.⁴⁸ According to farmers, leaving such trees within their farm was important as some of the big trees, in addition to serving as shades, also have the ability to conserve moisture in the soil, which is advantageous for *ensät* and other plants, especially when rain is in short supply.⁴⁹ The leaves of some of these trees also decompose quite quickly and that serves as a fertiliser for the soil. Above all the Gedeo believe that the key to maintaining soil fertility is that *ensät* helps to improve the soil by conserving moisture and nutrients around the roots.⁵⁰

⁴⁶ Hermann Amborn, 'Agricultural Intensification in the Burji-Konso Cluster of South-Western Ethiopia', *Azania* XXIV (1989), 79-80.

⁴⁷ Interview with Gobäna Lätiti, Grissa, 15 July 20. Allan Hoben, 'The Cultural Construction of Environmental Policy: Paradigms & Politics in Ethiopia' in *The Lie of the Land: Challenging Received Wisdom on the African Environment*, ed. Melissa Leach and Robin Mearns (London: International African Institute in association with James Currey, 1996), 190-191.

⁴⁸ Interview with Gobäna Lätiti, Grissa, 15 July 2004.

⁴⁹ Informants, for example, compare *ensät* with coffee, which only began to be grown in Gedeo in the first half of the twentieth century and has the effect of drying the soil while *ensät* restores moisture to the soil and as result of this the farm land where *ensät* is grown will always remain moist and fertile. Interview with Taddässä Jibicho, Sisota, 7 July, 2004; and Hirba Qorč'é, Grissa, 14 July 2004.

⁵⁰ Interview with Woke Bādo, Grissa, 14 July 2004. Conversely, the peasants are aware of the adverse effects of some plants on soil condition and productivity. For instance, bamboo, which was the most visible forest structure in Gedeo, has gradually disappeared and been replaced by eucalyptus trees. Peasants claim that the leaves of bamboo are adverse for coffee growing; in addition it requires a great deal of water which means it competes with coffee and *ensät* plants. Likewise, although the eucalyptus tree had the advantage of being useful for construction, it is now seen by farmers as an enemy as it needs a large amount of moisture.

Land use in Gedeo is dictated mainly by ecological factors. The soil in Gedeo is generally of very good quality and well suited to the cultivation of *ensät*. Although many peasants survived on a subsistence level, due to the reliability of *ensät* agriculture the Gedeo have never experienced a crisis in food supplies, and as a result informants never recalled times of famine, even in the distant past.⁵¹ However, peasants should not be seen as purely concerned with a risk aversion strategy. The history of agriculture in Gedeo has shown that the land use system has been very dynamic in terms of expanding into a different ecology zones and adopting new crops.⁵² Although the people of Gedeo claim that land scarcity has been one of the characteristic features of their agricultural system, they have nevertheless managed to produce a surplus which has enabled them to engage in trade transactions with their neighbours.⁵³

The predominance of *ensät* in Gedeo agriculture meant that there was little enthusiasm for adopting new technologies such as the plough, which is not suited to *ensät* production. McCann suggested that the Gedeo like the Gurage or other southern and south-western societies might have adopted the plough because the elites preferred cereals such as *t'éf* (a crop indigenous to Ethiopia used to make Ethiopian bread, *enjära*) over their traditional diet of *qoč'o* (processed *ensät* which is used to make bread). Given the limited role the plough has in Gedeo farming practices, this is incorrect. Although the Gedeo did come into direct contact with the technology of the plough after the region was incorporated into

⁵¹ Mesfin Wolde Mariam, *Rural Vulnerability to Famine in Ethiopia, 1958-197* (London: Intermediate Technology Publications, 1986), 150.

⁵² James C. McCann, *Maize and Grace: Africa's Encounter with a New World Crop, 1500-2000* (Cambridge: Harvard University Press, 2005), 86.

⁵³ Interview with Hordofa Gädičo, Wonago, 24 November 1999.

the Ethiopian empire, even today the plough has a very limited usage within Gedeo, the digging axe being the single most important farming tool for the majority of Gedeo households. The main reason is that the plough is not suitable for the cultivation of perennial crops such as *ensät* upon which the Gedeo are still highly dependant. Since *ensät* farms are by nature intensively cultivated, and because *ensät* is harvested in stages, it is impractical to use an ox drawn plough. Also the Gedeo landscape is not ideal for the technology of the plough due to its rugged nature. In addition, adopting the plough would mean that the Gedeo would have to lose whatever forest cover they have which serves as a shelter for their *ensät* and coffee trees. The Gedeo do however use the plough where it is appropriate.⁵⁴



Figure 4. Golo (work party); the digging axe is still the favoured farming tool, Grissa, August 2004. Photograph taken by the author.

⁵⁴ McCann, *People of the Plow*, 45-50.

Domestic and labour organisation in peasant households

As in any peasant community, Gedeo peasant households existed as units of consumption and production within the context of the Gedeo agricultural system. One of the challenges for historians is to find reliable historical sources to allow us to reconstruct the nature of Gedeo peasant households before the advent of the Ethiopian state. However, imprecise they might be, our only sources are family histories narrated by Gedeo elders. From such sources it is possible to understand that Gedeo households played an important role in every aspect of the life of their members. Although they manifested many social changes over the years, households also represent a great deal of continuity in many aspects.⁵⁵

The need to understand what sociologists called ‘the morphology of a household’ is important because within Gedeo households there was a clearly delineated allocation of responsibilities.⁵⁶ It is essential to understand the roles of members of the household, both from the perspective of labour division as well as such areas as property rights and decision making processes. It must also be noted that kinship groups and neighbours provided reciprocal assistance during harvesting and planting seasons.⁵⁷

A typical household in Gedeo was normally formed by a married couple, headed by the husband who also owned most of the perishable as well as non-perishable forms of property that belonged to the household. This included land,

⁵⁵ In the area of agricultural technology, for example, there have been few changes, especially in the production of *ensät*.

⁵⁶ Paul Tiyambe Zeleza, *A Modern Economic History of Africa. Vol.1, the Nineteenth Century* (Dakar: CODESRIA, 1993), 12.

⁵⁷ Dena Freeman, *Initiating Change in Highland Ethiopia: The Causes and Consequences of Cultural Transformation* (Cambridge: Cambridge University Press, 2002), 52-65; for a theoretical discussion of the role of kinship and family structure see Claude Meillassoux, *Maidens, Meal and Money: Capitalism and the Domestic Community, Themes in the Social Sciences* (Cambridge: Cambridge University Press, 1981), 8-32.

as land in general was exclusively owned by men. Although households obviously varied across time as well as within a given time, a peasant household in Gedeo was composed of members of the family who made differing contributions.⁵⁸

Like many other societies, household formation in Gedeo through marriage was either constrained or encouraged depending upon the prevailing political economy. The timing of the formation of a household was determined by a number of factors, but chiefly access to land. Marriage was crucial for Gedeo peasant household formation and survival because the cultivation of *ensät* in particular required the labour of women. Women were the backbone of the Gedeo household economy; they played a number of key roles which enabled the household to function smoothly as a viable economic and social unit. Other than their biological and domestic roles, women played a crucial role in *ensät* production, which was why Gedeo men did not start independent life before marriage. A man never expected to gain access to land through marriage, as we shall see in the next section; conversely, the monopoly of property rights by men meant that women would only be able to gain access to land and its fruits through marriage and their labour.⁵⁹

Informants pointed out that the conditions under which marriage took place varied, not only from one household to another, but also changed over the years according to the prevailing political economy. This means that, for example, land-rich households tended to let their sons marry earlier, while households who were short of land might be forced to delay the marriage of their sons. Although

⁵⁸ Wally Seccombe, *A Millennium of Family Change: Feudalism to Capitalism in Northwestern Europe* (London: Verso, 1992), 83.

⁵⁹For a comparative view of property, inheritance and women see Jack Goody, "Inheritance, Property and Women: Some Comparative Considerations," in *Family and Inheritance: Rural Society in Western Europe, 1200-1800*, ed. Jack Goody, Joan Thirsk, and E. P. Thomson (Cambridge: Cambridge University Press, 1976), 10.

historically access to land played a crucial role in determining the formation of new households, this has been a relatively recent phenomenon in Gedeo history, because, before the Gedeo felt the demographic pressure, in the second half of the nineteenth century access to land was not a limiting factor. In fact, some argue that labour was perhaps more crucial, especially in the early years of the Gedeos' expansion into new territories when households with extra labour resources developed land by claiming it from the forest. In some cases, households with sufficient land but a serious shortage of labour allowed their sons to marry at a young age in order to enable them to import additional labour power to their work force. Such pressures were more intense on households where death or ill health had taken their toll, and hence, to remedy the situation, a young Gedeo boy who was the senior son might be encouraged or pushed into an early marriage to fill the gap left by his deceased father.⁶⁰

Marriage was not allowed within the clan and a wife usually had to come from a different clan. Rival clans also did not allow the exchange of wives due to a past history of animosity.⁶¹ Gedeos normally regarded their daughters as liabilities and some of them even describe them as outsiders. As we shall see in another section, as a result of this, land was always given to sons rather than daughters, as a precautionary measure developed by the Gedeos to prevent land from being accessed by another clan member via marriage. Therefore, a Gedeo man did not expect to access any form of landed property through marriage.⁶²

⁶⁰ Interview with Bäqälä Wäldä-Tsadiq, Shigädo, 6 July, 2004; and Worassa Bushe, Č'i č'u, 30 November 1999.

⁶¹ Interview with Turi Boko, Č'ič'u, 29 April 1999; and Bädécha Leko, Tunticha, 29 April 1999.

⁶² For marriage customs in Christian northern Ethiopia see Ege, *Class*, 55.

Marriage was not only the first and most important step in gaining access to parental land, but it was also the most straightforward route to gaining property rights. A young married couple were not usually given land as soon as they got married. In the first year of their marriage the couple were normally considered to be part of the main household and would continue to work and eat in the parental home, at least for the first six months. During this time they would construct a small hut near the family house which could eventually be the site for their future house. The wife would continue to help his mother in all types of work, especially the harvesting and transportation of *ensät*. She had to carry out all work under her mother-in-law's direction and as the new household took shape she had to juggle her time between both houses. This was one of the reasons why a son was always preferred to a daughter.⁶³

Another feature of the Gedeo marriage system was the prevalence of polygamy. Unlike in Northern Ethiopia, which is mostly Christian and where marriage is restricted to one spouse, in Gedeo polygamy was permitted. Informants pointed out that in the nineteenth century it was common for warriors and clan leaders to marry between eight to fourteen wives. As mentioned elsewhere, unlike other agrarian systems, especially that of the plough culture where the labour of the male is more dominant, female labour power is crucial in *ensät* agriculture. Having two or more wives was not a luxury for men to enjoy, as some informants argued. They claimed that polygamy was a necessity because of the immense challenge posed by the agricultural requirements of a Gedeo

⁶³ Interview with Fäyisa Bado, Mäkonisa, 18 June, 2004.

household.⁶⁴ As a result, polygamy has been a norm, practiced by many peasants, though it has declined significantly in recent years.⁶⁵ According to the views of my informants, the increasing economic difficulties made polygamy unsustainable, especially as access to land became more challenging. Since polygamous men were more likely to have more children than their monogamous counterparts they came under enormous strain when their sons formed a household, because it was the fathers' responsibility to give land at marriage.⁶⁶

The social role of a woman was very crucial in rural Gedeo, as well as her reproductive and agricultural role. The decline of polygamy did not change or improve the status of women as we shall see in due course, especially as *ensät* production required a great deal of labour input from them. Despite their crucial role, the Gedeo, like most societies, displayed a sexual hierarchy and showed a preference for boys. I asked informants why boy children were preferred despite the fact that a boy received family land and thus depleted its size, whereas a girl received no parental wealth even in the form of dowry payments. The typical reason given by informants is that this had been perceived as a preventive measure developed to protect land from being accessed by an outsider. A married son stayed with the family and constructed a house nearby so that the name of the family as well as their land would be preserved and honoured, whereas upon marriage a girl had to move to her husbands' place, and as a result, could not

⁶⁴ Interview with Morkäte Jarsso, Andida, 28 April 1999; Bora Hessa, Grissa, 13 July 2004. Bora justified why he was polygamous by saying that it is even difficult to "get something to eat when your wife has small children."

⁶⁵ Interview with Kole Soläle, Sugäle, 15 June 2004.

⁶⁶ Interview with Arägashe Hojamesa, Grissa, 20 July 2004; Turi Boko, Č'ič'u, 29 April 1999.

provide much needed support for her parents. A married son and his wife on the other hand provided support for his own weak and elderly family.⁶⁷

Divorce was the highly stigmatised outcome of a failed marriage, and women were mostly blamed for it. The most usual reason was the failure to produce a child. Bearing only girls could also be disastrous. For some, the practice of polygamy might come to a barren wife's rescue, as there was a likelihood of gaining a son from the later marriage, but nevertheless informants cited examples of women who were divorced by their husbands because the woman was unable to bear a child.⁶⁸

Informants, both women and men, believed that the division of labour within the household was as old as *ensät* agriculture itself. This shows that the way in which the allocation of roles between the sexes that takes place within a specific farming community is largely shaped by the type of agriculture which that community has adopted. In Gedeo the role of women and men in *ensät* production has its own features, which may not necessarily be the case in other economies. It requires the involvement of both men and women at different stages in its cultivation, being labour intensive and needing constant attention, particularly from women.⁶⁹

Before the twentieth century, Gedeo households mainly depended on *ensät* production, not only as their main source of food, but also to exchange for other products which were difficult to obtain in Gedeo. Other crops such as barley, and

⁶⁷ Barbara Miller made similar observations in India in the 1960s, regarding the transmission of family property and name and economic support for the parents when they grow old or disabled. Barbara D. Miller, *The Endangered Sex: Neglect of Female Children in Rural North India* (Ithaca: Cornell University Press, 1981), 160.

⁶⁸ Interview with Bädessa Rufo, Grissa, Č'äbiča, 9 July 2004.

⁶⁹ Interview with: Etenäše Alämayähu, Grissa, 18 July, 2004; and Täfara Ayiše, Grissa, 14 July 2004.

vegetables such as cabbage, *godäre* (taro) etc. only played a supplementary role.⁷⁰ The main use of labour therefore was in *ensät* cultivation, especially in harvesting and processing for human consumption. One of the distinctive features of *ensät* agriculture in Gedeo is that the agricultural seasons are not as distinct, as is the case in other crop production. *Ensät*, like other crops, can only be planted in one season, but is harvested at any time of the year depending on the food requirements of the household. As a result of this, a farm always has some *ensät* trees which are in the process of reaching maturation.⁷¹ When *ensät* trees were harvested, replacements had to be planted so that the family would not run short of food. Peasants calculated in advance to ensure that there was always a sufficient amount of *ensät* to be harvested, and because of the perennial nature of *ensät*, plans were made six to eight years ahead which is the average time for the *ensät* tree to mature.⁷²

One of the great attributes of *ensät* is its versatility. *Ensät* provided a staple food, materials for shelter, and was used in herbal medicine and ceremonies. The wide and long fronds of the *ensät* tree were used as thatch when they built their huts. It was also used in the wrapping and packaging of *qoč'o*, meat and other products to transport either home or to market. Other than serving as animal fodder, it was also used as an umbrella for humans during heavy rains. The fibre

⁷⁰ Interview with Bädēcha Leko, Tumtiča, 29 April 1999; this informant claimed that barley ceased to be grown because of a shortage of land, and its place was taken by coffee.

⁷¹ Jones, 'Introduction to Banana, Abaca, and Enset', 33-34.

⁷² Interview with Gobäna Sole, Tumticha, 29 April 1999; and Gobäna Lätiti, Grissa, 15 July 2004. Gedeo peasants cultivate different varieties of *ensät* trees. According to informants, among the varieties identified locally, *gänticho* is the most important. This type of *ensät* is valued most by peasants because its *qoč'o* (yield) is much higher than the other varieties. *Astara* is another variety, but it is less common as it is mainly planted for its medicinal value. *Taricho* and *dambicho* are other common varieties which are cultivated widely by many households because they require less labour and time to process than *gänticho*.

which is one of the by-products of *ensät* was used for various purposes, such as in the building of huts. It also had a ceremonial function, especially when the *abba-gäda* conducted his prayers. A long stretch of green *ensät* leaves had to be laid on the ground (like a red carpet) for him when entered the special hut, which was constructed for the occasion.⁷³



Figure 5. Matured ensät tree ready for harvesting, Grissa, August 2004. Photograph taken by the author.

⁷³ Interview with Taddässä Jibicho, Sisota, 7 July, 2004.

Men start the process of *ensät* production by preparing the soil using a digging axe, either by forming a work party (*golo*) or by using labour from the household and close kin.⁷⁴ Historically it was the men's responsibility to add to the stocks of the household's cultivatable land by claiming it from the forest. *Ensät* is propagated vegetatively because the seeds of *ensät* are sterile. Men carry this out by selecting a few well grown *ensät* trees (about three years old) from the farm and cutting the pseudostem about 50cm above the ground.⁷⁵ The remaining part on ground level is divided into four to eight parts and they are covered with grass so that they would receive sufficient moisture and warmth. After a few weeks, hundreds of young *ensät* shoots are produced which are called *funfa* (buds). These suckers are transferred to another nursery and planted up separately to enable them to grow faster.⁷⁶ They have to stay in the nursery until finally being planted on the main farm where they grow to full maturity and are harvested for food.

Thus, the men's job has to be conducted according to the agricultural calendar by following the seasons, whereas the women's task of harvesting takes place at anytime throughout the year. The women's job is also onerous because unlike the Gurage,⁷⁷ who harvest and store the product for a long period of time (by burying the *qoč'o* in a pit), the Gedeo have not developed any kind of storage

⁷⁴ In the subsequent section where I have described *ensät* production in some detail, note that, although, written in the present tense, the process has varied little over centuries from that which I was shown during my research field study.

⁷⁵ Interview with Gote Bädässe, Andida, 28 April 1999.

⁷⁶ Jones, 'Introduction to Banana, Abaca, and Enset', 33.

⁷⁷ For a detailed discussion of *ensät* agriculture among the Gurages, including harvesting and processing it for human consumption see Shack, *The Gurage*, 50-82.

system, and as a result, the Gedeo women spend more time processing *ensät* on their farm than their Gurage counter parts.⁷⁸



Figure 6a.

Photographs (6a-e.) showing how both the roots and trunk of the ensät tree are processed into qoç'o, Grissa, July 2004. Photograph taken by the author.

⁷⁸ Judith Olmstead, 'The Versatile Ensete Plant: Its Use in the Gamu Highland', *Journal of Ethiopian Studies*, XII, No.1 (1974), 149.



Figure 6b.



Figure 6c.



Figure 6d.



Figure 6e.



Figure 7. Transporting *qoç'o* (processed *ensät*) to the market, Sisota, July 2004. Photograph taken by the author.

In short, households in Gedeo have a clear division of labour along gender lines. Gedeo men are only involved in *ensät* agriculture from the propagation stage until it is about three years old and able to withstand weeds. After that, the men might not visit the farm.⁷⁹ Women are also involved in *ensät* cultivation during the propagation season where their role is mainly restricted to transporting the small plants from the nursery to the main farm, usually by carrying them on their backs. Once the *ensät* is planted, the main task for men is weeding and this normally continues during the vulnerable first three years of the tree's growth.⁸⁰

⁷⁹ Interview with Alämayähu Bäqäte, Grissa, 15 July 2004.

⁸⁰ The control of farm pests has also been a task preformed by men. The most devastating enemy of *ensät*, which are very difficult for peasants to control are rodents (*filfäl*). The rodents

Deciding which *ensät* tree should be cut down to process for food, or in some cases exchanging *qoč'o* for household necessities, was mainly the responsibility of the women. The processing of *ensät* for food is a painstaking and highly labour intensive task. It has traditionally always been the exclusive responsibility of women to undertake the harvesting of *ensät*. Since it is taboo for Gedeo men to set foot on the farm while *ensät* is being processed, households might carry out the task by forming a work party. Converting an *ensät* tree into either *qoč'o* or *bula* (a juicy substance squeezed out *qoč'o*), forms which are suitable for human consumption, cannot be done overnight; it requires several weeks of hard work, and women as the domestic managers decide when to start processing the *ensät* by calculating the needs of the household before the family runs out of supplies.⁸¹

The labour intensive nature of *ensät* production has necessitated cohesion and mutual cooperation between married partners.⁸² Men and women have needed to work together, not only to run a common household, but also as production partners. The household's food requirements were the overriding concern when deciding how many *ensät* trees had to be harvested and when it should be done, and the men had to plan for the future and plant sufficient trees. One of the advantages of *ensät* is that it can be harvested throughout the year.⁸³

live underground and attack the *ensät* plant's roots; because of this, peasants sometimes do not discover the problem until some of their *ensät* trees are badly damaged. Controlling rodents is a most difficult and time consuming task as they have to dig deep down either to kill them with spears or suffocate them with smoke. Interview with Dämäro Šäbora, Sisota, 9 July 2004.

⁸¹ Interview with Etenäše Alämayähu, Grissa, July, 2004.

⁸² For theories of the intensification of African agriculture see Mats Widgren, 'Towards a Historical Geography of Intensive Farming in Eastern Africa', in *Islands of Intensive Agriculture in Eastern Africa*, ed. Mats Widgren & John E.G. Sutton (Oxford: James Currey, 2004), 1-18.

⁸³ Interview with Etenäshe Alämayähu, Grissa, 18 July, 2004.

The processing of *ensät* for food involves a number of stages. Most of the work is carried out on the farm before it is transported home for immediate consumption. Firstly, women cut down selected *ensät* trees using machetes. If many women are involved in the process some begin pulverising the root (to turn it into a powder-like substance known locally as *gämämma*) which has been separated from the pseudo-stems. Others remove the fibres from the trunk by decorticating it, and the starchy juice which remains (*qoč'o*) is stored separately from the powder produced from the root (*gämämma*). The *ensät* leaves are used to cover the substances to hasten the fermentation process as the leaves prevent air from circulating in the *qoč'o* and *gämämma*. After two weeks the women return to the farm to mix the two products, *qoč'o* and *gämämma*, together. The *gämämma*'s main role is to speed up the process of fermentation. Then it will be left for some more weeks on the farm, covered tightly with *ensät* leaves, although in the interim women might returned to the farm to check the level of fermentation.⁸⁴

At least twice in the following two weeks, the *qoč'o* and *gämämma* mixture has to be thoroughly remixed by the women, and when doing this they have to move it to another location within the farm and place fresh *ensät* leaves over it. Then, after leaving it for about three weeks they return to the farm in order to prepare the fermented *qoč'o* for transportation, either to home or to market. This is essentially the women's job, and is immensely taxing due to the rugged and inhospitable nature of the Gedeo landscape. Some more prosperous households who could afford a donkey or mule were not able to use them to transport *qoč'o* the entire distance; women needed to carry the *qoč'o* to a

⁸⁴ Interview with Alämayähu Bäqäte, Grissa, 15 July 2004.

convenient location so that it could be loaded onto pack animals for the remainder of the journey.⁸⁵

After arriving home the *qoč'o* has to be processed in several stages before it is ready for human consumption. *Qoč'o* can be prepared in different forms but the most common use in Gedeo is in baking bread. To do this it has to be initially cut to the size required. Then it has to be squeezed by hand so that it loses most of its moisture before it can be used for cooking. Children, especially daughters, are helpful from this stage onwards. Bread prepared from *qoč'o* is the main form of food for the Gedeos, though sometimes *bula*, another by-product of *ensät*, is used to prepare porridge. *Qoč'o* supplemented by dairy and meat products forms a balanced diet.⁸⁶

Gedeo households have never been self sufficient in everything they require for their livelihood. Although food production was their overriding concern and most of their land and labour was dedicated to this effort, they also related to their neighbours in an economic symbiosis. The Gedeos' inability to mix *ensät* farming with animal husbandry due to the scarcity of land meant that dairy products had to be sourced from elsewhere, and the production of surplus *ensät* played a crucial role. The exchange of *qoč'o* for milk and butter from the Guji, and to some extent the Jämjäm, has been one of the ancient forms of transaction which still survives on a limited scale.⁸⁷ The Gedeos' long term dependence on imported dairy products can be demonstrated by the presence of a well developed market system which supplied a variety of products including

⁸⁵ Interview with Alämayähu Bäqäte, Grissa, 15 July 2004.

⁸⁶ Interview with Gobäna Lätiti, Grissa, 15 July 2004.

⁸⁷ Interview with Dädu Dukäle, Č'i č'u, 2 December 1999.

meat. Informants recalled that dried meat used to come to Gedeo markets from as far away as Arusi via Sidama. Although the market place served as a meeting point to facilitate transactions, for instance with the Guji neighbours, the Gedeo described how food transactions also took place at different levels. A Guji or a Jämjäm woman would come to Gedeo with a jar of butter or cheese and in return would take back *qoč'o*. This was especially common during dry seasons where food shortages were high.⁸⁸ In the west, the Gedeo exchanged their *qoč'o* for cloth which came particularly from the south Omo region (Gofa) across Lake Abaya. The Gärbicho in Lake Abaya were very active in this trade.⁸⁹

Although coffee became one of the most important products of Gedeo, this is a relatively recent development which took place after the region was fully incorporated into the Ethiopian political and economic system. It is not clear how coffee was introduced into the region; however, there is no evidence to suggest that the Gedeo cultivated it before the incorporation.⁹⁰ In fact when we examine it from an ecological perspective, there was no opportunity for the Gedeo to cultivate it before the 20th century as their settlement was restricted only to the higher altitude zone (*däga*). Unlike *ensät*, coffee is more sensitive to ecological conditions, and the Gedeo were only able to grow it after the 1920s when a suitable area was opened up for settlement, as a result of what was known as the *qäläd* measurement of land by the government. The lower altitude zone, the *wäyna-däga*, is more suitable for crop diversification than the *däga* (higher

⁸⁸ Interview with Gute Bedessie. He said that the Gedeos had never considered cattle rearing as part of their agriculture. *Ensät* was and still is the single most important crop which the Gedeo relied upon. Meat, milk and butter have always had to come from somewhere. The Gedeo women have to take *worqe* (*qoč'o*) to market to exchange for these items and the Guji and the Jämjäm Oromos have been the main suppliers; the Sidama also had been another sources to a lesser extent.

⁸⁹ Arnold Hodson, 'Southern Abyssinia', *The Geographical Journal*, LIII No. 2 (1919), 68.

⁹⁰ McClellan, 'Coffee in Centre-Periphery Relations', 188-191.

altitude); as a result the Gedeo agricultural system became more dynamic as their settlement was expanded into new areas. The next chapter will show how incorporation and the *qalad* measurement of land laid the foundation for Gedeo to emerge as a principal coffee producer.

The production of surplus was not pursued for the sake of accumulation; rather the main objective as shown above was for exchange and trade. This is in no way undervalues the role wealth played within the community. Wealth was normally measured by the amount of land one owned and the number of *ensät* trees one planted. If the *ensät* trees were tall and fat it meant that the owner was a hardworking and skilful farmer. The number of wives also gave an indication of how wealthy and successful the person was. Informants pointed out that in the Gedeo tradition a person who could afford many wives was one who had developed more land to support them. In later generations however, some men practiced polygamy as a status symbol with little or no regard to their economic status.⁹¹

Outiba: the indigenous land tenure system of the Gedeo

Land has been a central concern in the life of the Gedeo peasant community; unlike some other peasant societies whose economy has a degree of diversification, the Gedeo depend heavily on agriculture. Understanding the indigenous tenure system of the Gedeo is therefore vital because the way land was accessed, controlled and passed on to the next generation has never been consistent. Moreover, the cultivation of long term crops such as *ensät* requires security of

⁹¹ Interview with Kole Soläle, Sugäle, 15 June 2004; Interview with Gote Bädässe, Andida, 28 April 1999.

tenure as such crops take years to mature.⁹² As the land tenure system of the Gedeo has rarely been a subject of investigation, there is very little information about it and that which is available is generalised. The most common descriptive term applied to the indigenous land tenure system of the Gedeo is “communal”, without specifying the rules governing the way land was administered.⁹³

The Gedeos use the term *outiba* to describe land which they occupied before they were incorporated into the Ethiopian empire. This term was not applied to land which was later classified by the government as unsettled and undeveloped forested land. In the 1920s this land (non-*outiba*) was decreed to be government land and subsequently measured and distributed to soldiers and other functionaries in lieu of their salaries (*madäria*). It came to be known as *yäqäläd märet* (meaning land measured and distributed by a rope called *qäläd*). This will be discussed in greater detail in the next chapter. Therefore, land referred to as *outiba* is clearly distinct from land which was occupied by *näft'ännäs* as a result of the distribution of land by *qäläd*. Although the concept of *outiba* is crucial to an understanding of the indigenous tenure system of the Gedeos, it has never been discussed in previous studies.⁹⁴

What is important here is that *outiba*, like any other type of land tenure, had its own principles which had evolved over the years. Factors such as demography, coupled with a shortage of land, had shaped the way land had been

⁹² Hans Ruthenberg, *Farming Systems in the Tropics*, 3rd ed. (Oxford: Clarendon Press, 1980), 259.

⁹³ Charles McClellan in his many studies of the Gedeo discussed their indigenous land tenure system in some detail. However, like many other authors who studied southern Ethiopia, he preferred to apply the term “communal” for the indigenous land tenure system of the Gedeo. He rarely used *outiba* as a system of land tenure which had its own rules and principles. McClellan, *State Transformation*, 25.

⁹⁴ McClellan, 'Coffee in Centre-Periphery Relations', 176.

transferred from generation to generation. However, of prime importance for Gedeos was the fact that *outiba* had provided a sense of security for generations to those entitled (mainly men), even when land was in short supply.⁹⁵

Before examining how individual families and households had been exploiting *outiba* land over the years it is important to examine how land was acquired initially by most Gedeos. Access to farming land before the incorporation existed at two levels, i.e. at a clan level and at a household or individual level. It has been suggested that clan leaders played an important role in land acquisition and distribution to their members and also engaged in the overall management of land.⁹⁶ However, the sketchy nature of available information means that it is difficult to know exactly what role they played and the full extent of their power.⁹⁷ The role of clan leaders appears to have been restricted to negotiating the acquisition of new territories; when the various clans of the Gedeo acquired new territory either from another clan member or from another rival ethnic group, decisions as to how the land was to be distributed were made at a higher level. Clan leaders did not intercede on a domestic level whereby parents passed their landed property down to their offspring following specific rules.⁹⁸

The history of Gedeo has been dominated by the struggle for the available land, both internally as well as externally. The Gedeo managed to retain the highland plateau of Bulé for a long time and then began to expand into the

⁹⁵ Interview with Bägäjo Bonja, Č'i č'u, 28 November 1999.

⁹⁶ Interview with Tägäbo Šota, Sisota, 29 April 1999.

⁹⁷ Interview with *Hayicha* Dänbela Abe, Andida, 30 April 1999; Also see John W. Bruce, 'Do Indigenous Tenure Systems Constrain Agricultural Development?', in *Land in African Agrarian Systems*, ed. Thomas J. and Crummey Bassett, D. (Madison: University of Wisconsin Press, 1993), 35.

⁹⁸ Interview with *Hayicha* Dänbela Abe, Andida, 30 April 1999.

adjoining territories, particularly westwards where there was room. Although we do not know when they started to move out and what other factors drove them, the most obvious reason appears to have been demographic pressure, which pushed the population away from the core areas. The Gedeos' attempt to acquire land in the lower zones, particularly in areas used by Guji herders, was a very slow process and was not a coordinated effort on the part of the clan leaders to occupy new territories, but rather an undertaking by enterprising individuals.⁹⁹

As land in the top highlands become scarce and fertility declined after many years of farming, the Gedeo began to expand into areas where there was the potential for *ensät* farming under less competitive circumstances. These areas, although fertile, were not of interest to their neighbours the Guji because the nature of the landscape was not suitable for cattle grazing, although they came to the area occasionally for them to feed. Most of these areas were claimed by the Gedeos through a slow process of encroachment rather than war.¹⁰⁰

In the north east, along the Laggädara River, the Gedeo battled with the Sidama who were claiming territories across the river, a war waged until the end of the nineteenth century when the incorporation of both groups by the Ethiopian state finally put an end to the struggle for land. Since then, the River Laggädara has been established as the boundary between the Sidama and Gedeo ethnic groups.¹⁰¹ In some places, clan leaders appeared to have played a significant role in relation to the distribution as well as the protection of territories. When a new territory was acquired under the clan leadership, the land was divided among the

⁹⁹ Interview with Kole Soläle, Sugäle, 15 June 2004.

¹⁰⁰ McClellan, *State Transformation*, 75-77.

¹⁰¹ McClellan, *State Transformation*, 75.

clan members. We do not know how this was implemented or whether people who actively participated in the war were given an extra share of land for their services. For instance, one informant told me that the land on which he and his family lives (in a place called Shakwa) was originally given to his grandfather by the clan leaders. According to this informant, the reason for this was that since his grandfather was a well-known warrior he was strategically instated by the clan in order to protect the area from Sidama incursion.¹⁰² What we do know is that since the earliest times, Gedeo has not been a land-abundant society; rather land scarcity and a struggle to gain territory have been a major part of its history.¹⁰³

Over time, access to farm land became increasingly more challenging.¹⁰⁴ Individuals who were either in conflict with their kin from the highlands or who were enterprising and wanted to expand their domain were given approval by their clan leaders to acquire new land wherever possible. For instance, the story of Woke, as described below, provides an insight as to how, through hard work, enterprising individuals were also able to bypass the established system to access land. Doye's grandfather Woke managed to obtain a huge amount of land by clearing the forest and becoming the first settler. He and his other neighbour Dolo, who was a well known hunter, joined forces in order to survive in the difficult and hostile environment. This invited jealousy and animosity from his own kin in his original settlement in the highlands who demanded to have a share of his newly

¹⁰² Interview with Bägäjo Bonja, Č'i č'u, 28 November 1999.

¹⁰³ Interview with Maryam Fäläqä, Shakwa, 23 July 2004.

¹⁰⁴ Thomas J. Bassett, "Introduction: The Land Question and Agricultural Transformation in Sub-Saharan Africa," in *Land in African Agrarian Systems*, ed. Thomas J. Bassett and Donald E. Crumme (Madison, Wisconsin: The University of Wisconsin Press, 1993), 3.

acquired and well developed land, which was much larger and more fertile than their depleted and congested land in the highlands.¹⁰⁵

At an individual household level we can find precise information concerning how land was accessed, controlled and disposed of by individuals. We realise from oral sources that *outiba* was not a simple system, but rather a system which had developed a number of control mechanisms whereby access to land was governed by a set of rules. The most important principle of the Gedeo tenure system is inheritance; that is, every married son was entitled to a share of land whatever the size might be (although not an equal share). According to Gedeo elders “what the father had eaten, his children should taste,”¹⁰⁶ which means that every son was entitled to a share of land from his father’s plot. A newly married son would receive land from his parents as a gift (we can assume daughters are excluded; their main concern was to gain a marriage partner). The land gained from parents as an endowment to start an independent life was crucial for many households because land acquired this way was the main source of their livelihood. This does not mean that there were no other ways to acquire land; rather it shows how inheritance was the most important form of land acquisition for the Gedeos and one which has shown a great deal of continuity.¹⁰⁷

The distribution of land to sons did not take place at a set time, however. After the son married he would be allowed to construct a house near the parental home and then when they felt that it was an appropriate time to allow the young married couple to be independent they would be assigned land with some mature *ensät* plants on it, so that the new household would not run out of food before their

¹⁰⁵ Interview with Doye Biftu, Sisota, 24 July, 2004.

¹⁰⁶ Interview with Jägo Jilo, Grissa, 22 July 2004.

¹⁰⁷ Interview with Bägäjo Bonja, Č’i č’u, 28 November 1999.

main crop was ready. That is why in Gedeo most people were still settled on land which was originally acquired by their grandfathers or great grandfathers and most villages in Gedeo are an outgrowth from a single homestead.¹⁰⁸

The basic principle of inheritance remained the same, even in a polygamous household, although there were some variations in the way inheritance was implemented in practical terms. Normally, Gedeo men assigned *ensät* farms to each wife if they had more than one; this was because women spend more time in the farm than men, and when a son married he was only allowed to inherit land which had been tended by his biological mother. Since the initial land allocation to each wife was not made uniformly it would have an impact on the size of the share each child would receive at marriage. It was common, therefore, for children who were born from the same father but different mothers to inherit land of different sizes. There was also a practice which could be equated to primogeniture whereby one son could receive more land than the others. Informants insisted, however, that this did not always apply, because parents made decisions based on other factors such as loyalty, honesty, responsibility and other similar qualities which a father might feel should be possessed by the son who succeeded him.¹⁰⁹

The land tenure system of the Gedeo was not only concerned about access and control but also about protecting that which had been acquired. The Gedeo practiced what was known as “wife inheritance”, which meant that a brother was entitled to marry his sister-in-law if her husband died. According to informants, this as a long standing tradition had been practiced more in earlier decades than in

¹⁰⁸ Interview with Gote Bädässé, Andida, 28 April 1999.

¹⁰⁹ Interview with Morkäte Jarso, Andida, 28 April 1999; and Bädécha Leko, Tumticha, 29 April 1999.

the present.¹¹⁰ Tracing its historical genesis was very difficult; however, Gedeo elders pointed out that the basic rationale for such a practice was to prevent land being accessed by an outsider; if the widow remarried outside the husband's family, the chance of losing the land to that individual was high. Some also argued that other than protecting land there was an additional factor which upheld this practice as a morally sound undertaking; if a brother died, leaving behind many children, it was in their best interest that their uncle stepped in as a father figure so that both their wellbeing and their possession of the land could be safeguarded.¹¹¹

This is a generalised view of what appears to have been a common practice among Gedeo households over a long period of time. As pointed out earlier, access to land was subjected to various changes, but when some options ceased to be viable, new ones presented themselves depending upon shifts in the political economy. Clearing the forest to acquire new land, which was a common practice in the nineteenth century, was no longer a possibility in the twentieth. However, as will be discussed in the next chapter, new forms of access to land emerged after the 1920s with the emergence of sharecropping tenancy. In short, the above picture does not take into account the possibility of other ways of accessing land for those people who were ambitious, or who had originally received a small share of land due to the small size of their own parents' land.¹¹²

¹¹⁰ Interview with *Hayicha* Dänbela Abe, Andida, 30 April 1999; and Kole Soläle, Sugäle, 15 June 2004.

¹¹¹ Interview with Aläko Wadari, Grissa, 16 July 2004.

¹¹² Donald L. Donham, *Work and Power in Maale, Ethiopia*, 2nd ed. (New York: Columbia U.P., 1994), 70; The practice in Maale according to Donham was that the eldest son received the largest share, and although a similar situation existed in Gedeo, informants pointed out that this should not be assumed to be a universal norm. There had been circumstances whereby younger sons received a larger share due to a decision made by their father. Interview with Hirba Kälecha, Grissa, 14 July 2004; and Hirba Qorč'é, Grissa, 14 July 2004.

Nevertheless, what was evident was that at the turn of the nineteenth century the position of the Gedeo household changed dramatically because of pressure from the state. Although this did not have a direct effect on their land tenure system, the household economy, whose principal existence was mainly the maintenance of its members, came under a huge strain as it struggled to support the state and its functionaries. Now, extra labour and produce had to be generated by households to meet the new demands. As the next chapter will show, incorporation was not wholly negative; it also brought some benefits by bringing to an end the pre-incorporation period of rivalries which dominated the region and had been a particular menace for small communities such as the Gedeos.

Conclusion

Gedeo's well developed agricultural economy was very attractive for the Ethiopian empire which was expanding aggressively in the south in the last decades of the nineteenth century. The ecology as well as the infrastructure of Gedeo provided an essential framework for the Ethiopian state to impose its institutions. Although politically Gedeo was characterised by deep division and fragmentation, the institutions which had been developed by the Gedeos were also a useful means for the Ethiopian government to impose its system of administration. They enabled the collection of tribute for its soldiers and functionaries from the Gedeo farming households in an orderly manner and on a regular basis. As the next chapter will show, the mobilisation of mass labour for the construction and clearing of forests for building settlers' garrison towns (*kätäma* in Amharic) was executed efficiently and smoothly, mainly through these elaborate indigenous institutions.

The Gedeo had weakened themselves by years of internal rivalry, and as a result, when the Ethiopian state arrived in the area no clan had managed to establish ascendancy over the others. Their relationship with their neighbours was equally fraught and territorial disputes dominated external relationships with them. However, ties which connected them to both the Sidama and the Oromo were far more complex than simple territorial disputes. Although the phase following the incorporation was traumatic because of the extra burden imposed upon them through the institution of *gäbbar*, the state also improved security by controlling clan rivalry. Hence, as the next chapter will demonstrate, the period from the incorporation until the Italian invasion was a formative one, which shaped Gedeo's history until 1974.

Chapter Two

From Incorporation to the Italian Occupation: the Political Economy of *Gäbbar* and *Qälad*, Access to Land and Controversies 1890s-1941

The incorporation of Gedeo into the modern Ethiopian empire state was accomplished as part of a grand scheme by Menilek (1889-1913) in his attempt to create a unified empire under his leadership. Menilek, who is also commonly known as the chief architect of the modern Ethiopian empire state, conducted a series of military campaigns in order to bring the diverse peoples and cultures of south, southeast and southwest Ethiopia under his control. Menilek's expansion into those regions was multifaceted; he had economic as well as territorial ambition.¹ After Gedeo was fully incorporated within the Ethiopian administration it passed through various stages, this chapter being concerned with the *gäbbar* and *qälad* phases of development, which shaped the history of the region until the 1974 revolution.²

During the period from the incorporation until the introduction of *qälad* in the 1920s there was a tribute dependency whereby Gedeo peasant households supported the soldiers and other functionaries of the state in all their needs.³ By the 1920s, the system had moved a step beyond this and land began to be allocated directly to the *näft'ännis* and other groups of people who were associated with the government. Before discussing the imposition of *qälad* it is useful to discuss the

¹ For a comprehensive treatment of Shäwa, Ethiopia and Menilek see the following works R.H.Kofi Darkwah, *Shewa, Menilek and the Ethiopian Empire: 1813-1889* (London: Heinemann, 1975) ; Harold G. Marcus, *The Life and Times of Menelik II: Ethiopia, 1844-1913* (Oxford: Clarendon Press, 1975).

²For the history of the creation of the Modern Ethiopia Empire State see Bahru, *A History of Modern Ethiopia*, 60-68; Also see Donham, "Old Abyssinia", 3-50.

³ McClellan, 'Coffee in Centre-Periphery Relations', 184-191.

nature of the *gäbbar* system in Gedeo in some detail in order to understand how it had failed to provide for the state's requirements, and thus why it was deemed necessary to introduce what was known as *qälad* as an additional means of resource extraction and allocation.⁴

The *gäbbar* system is generally viewed in a negative light. Undeniably it was highly exploitative and burdensome for the peasant households upon which it was forcefully imposed.⁵ However, this is an incomplete picture of the system and allows little discussion as to why it was successfully imposed in large areas of the south;⁶ the use of force alone does not explain why the system was able to operate, because without protecting at least some of the interests of the local people the system would have been impossible to maintain.

This chapter will demonstrate that the *gäbbar* system was not as negative as traditionally portrayed.⁷ In fact, as will be shown in subsequent chapters, sharecropping tenancy, which was considered superior to the *gäbbar* system, made Gedeo peasant households even more vulnerable and insecure; whereas despite the burdensome nature of the *gäbbar* system, households were more stable

⁴ Charles W. McClellan, 'Land, Labour, and Coffee: The South's Role in Ethiopian Self-Reliance, 1889-1935', *African Economic History* no. 9 (1980), 70-71; For a more detailed study of the process see McClellan, *State Transformation*, 81-100.

⁵ For a discussion of the conditions of *gäbbar* in the eyes of Ethiopia's pre-war intellectuals see Bahru, *Pioneers of Change*, 124.

⁶ Bahru, *A History of Modern Ethiopia*, 92; For instance, Bahru cited the opinion of a foreign based newspaper, *The Times of London*, which described the system as 'a far worse evil than slavery'; the problem with this kind of view is that we do not know on what basis this particular journalist arrived at that conclusion. Teshale Tibebu, *The Making of Modern Ethiopia 1896-1974* (Lawrenceville, NJ: The Red Sea Press Inc., 1995), 33-36.

⁷ For a traditional view of the *gäbbar* system see John M. Cohen and Dov Weintraub, *Land and Peasants in Imperial Ethiopia: The Social Background to a Revolution* (Assen: Van Gorcum, 1975), 37.

because their right to land was recognised.⁸ As will be shown in this and subsequent chapters, the reason the Gedeos did not rise against the system during the heyday of *gäbbar* was not, as often assumed, due to a lack of access to modern firearms, but rather because it implied an assurance that their rights to their property would continue in the tradition which had been in existence prior to the incorporation.⁹ Thus, despite the exploitative nature of the *gäbbar* system, Gedeo households were not only able to survive but had also managed to transfer their land to their children without interference from any outside power, in accordance with the rules laid out in the *outiba* tenure system. I argue that this pragmatic attitude on the part of the state was the key factor in the success of the system by preventing mass opposition from the local people.

In the 1920s when *qälad* was introduced in Gedeo, the idea was not to replace the *gäbbar* system but rather to increase the exploitative potential of the state and its military and ecclesiastical groups, by extending the system into areas which had not been previously reached. The introduction of *qälad* not only expanded the resource base of the state and the elite but also enabled them to maximise the exploitation of the labour forces by bringing a wide and fertile area into their domain. Nevertheless, as will be demonstrated, the introduction of *qälad* was not a smooth process and there was opposition to its implementation. The

⁸ Guluma Gameda, 'Land, Agriculture and Class Formation in the Gibe Region, South western Ethiopia', in *Land, Literacy and the State in Sudanic Africa*, ed. Donald Crummey (Trenton, NJ: Red Sea Press, 2005), 152.

⁹ McClellan, *State Transformation*, 73; McClellan thought that the main reason the Gedeos did not rise in mass rebellion against the settlers was because of the latter's superiority in firearms.

main opposition however came not from ordinary Gedeos, but from the elite (*balabats*) who were recruited by the state as local administrators.¹⁰

As in the case of the *gäbbar* system, the process of the measurement and distribution of land by *qäläd* has not been investigated adequately. As a result, our understanding of the process is based on generalisations.¹¹ *Qäläd* has been presented as a process whereby land was removed from the local people and then distributed to the *näfi'ännäas* as a *madäria* land in lieu of salaries from the government, to whom they were in service.¹² If the *qäläd* was a process of land seizure, what kind of land was seized and from whom and on what grounds? The basic assumption regarding the imposition of *qäläd* that it was an underhand act, whereby the state engaged in a systematic reallocation of resources to its loyal followers, has never been queried. There has been little effort to establish whether the state confiscated land which was held at the time by local people, or whether land which was not owned by anyone before the introduction of *qäläd* was distributed. Previous research has not ventured away from the dominant and established paradigm and examined exactly what was meant by land alienation.

¹⁰ McClellan, *State Transformation*, 81-100; There is no concrete evidence regarding the opposition to the imposition of *qäläd* from ordinary Gedeos. McClellan suggested that this type of resistance against *qäläd* was minimal and mostly indirect, such as destroying posts intended to delineate boundaries and so on.

¹¹ For example Addis Hiwet describes the process from incorporation to the introduction of *qäläd* as follows "... After the conquest and the effective occupation and incorporation of the south, south-west and south-eastern areas, a classical system of Feudal Serfdom was established. An extensive process of land confiscation and enservment of the indigenous peasants took place". By Feudal Serfdom he meant the *gäbbar* system and *qäläd* is referred to as the process of an extensive confiscation of land from the local people. Addis Hiwet, *Ethiopia*, 31-32.

¹² For a similar process in Jimma see Guluma Gemeda, 'Land, Agriculture and Society in the Gibe Region: South western Ethiopia, C. 1850-1974' (PhD thesis, Michigan State University, 1996), 186- 190.

Firstly, however, it is essential to understand the nature of the *gäbbar* system in Gedeo in some detail.¹³

Incorporation and the imposition of *gäbbar*

Expansion and conquest were not new developments in Ethiopian history; in modern Ethiopian history, Tewodros (1855-68) aspired without success to unify Ethiopia.¹⁴ Yohannis (1872-89) had some successful ventures in this regard; however, Menilek finally achieved what his predecessors, the kings of Shäwa, attempted over a long period of time.¹⁵ Menilek's expansion was made in direct response to both internal and external challenges. Internally there were competing interest groups although the defeat of *Negus* (King) Täklä-Haymanot of Gojjam at the battle of Embabo in January 1882 had removed one of the barriers to Menilek becoming emperor of Ethiopia. This development also gave Menilek uncontested and unlimited economic access to the rich regions of southwest Ethiopia.¹⁶

Finally, the death of Yohannis IV at Mätäma in 1889 while fighting the Mahadists of the Sudan gave Menilek a chance to assert his claim to the Ethiopian throne.¹⁷ The elimination of internal competitors meant that he was able to realise his dream of being crowned King of Kings in Ethiopia as no serious protagonists

¹³ For a detailed discussion of *qälad* and *gäbbar* see Mantel-Niećko, *The Role of Land Tenure*, 93.

¹⁴ Sven Rubenson, *The Survival of Ethiopian Independence, Lund Studies in International History*; (London: Heinemann, 1976), 172-287.

¹⁵ For the history of Shäwan expansion see Ege, *Class*, 191-220; Also see Abir, *Ethiopia: The Era of the Princes*, 144-182; Merid W. Aregay, 'The Early History of Ethiopia's Coffee Trade and the Rise of Shawa', *The Journal of African History* 29, 1 (1988), 19-25.

¹⁶ Bahru, *A History of Modern Ethiopia*, 62.

¹⁷ Zewde Gabre-Sellassie, *Yohannes Iv of Ethiopia: A Political Biography* (Oxford: Clarendon Press, 1975), 238-249; Also see Izabela Anna Orłowska, 'Re-Imagining Empire: Ethiopian Political Culture under Yohannis Iv, 1872-89' (Ph D thesis, University of London 2006, 2006), 212.

remained. However, he had yet to fulfil his other objective which was territorial expansion. The main challenge for him was the growing interest of European powers in Ethiopia and the Horn. Menilek responded to their challenges systematically through a combination of war and diplomacy. He succeeded in curbing both French and British imperialism with skilful diplomacy, often by playing one against the other, whilst he was obliged to use force against the Italians. After he scored a resounding victory against the Italians at Adwa in 1896, it was clear that he was a force to be reckoned with, and despite their distaste, the European powers were obliged to recognise Ethiopia's importance in world politics.¹⁸

His expansion to the south, southeast and southwest was met with varied resistance, and the reactions of the local people depended largely on their own level of development and organisation. In places where there was strong leadership expansion he was met with fierce resistance and the reaction of the Ethiopian forces was equally uncompromising. Superior force was used to break local resistance and in some places violence was the norm. This also determined what followed; in places where resistance had been strong the system imposed later was usually repressive. Two examples in this category were the Kingdoms of Wälayta in the south and Käffa in southwest. The former was finally incorporated in 1894 after a major military campaign launched by Menilek himself. The massacre and devastation of Wälayta set an example to others who might want to offer resistance, and was repeated three years later when Käffa was incorporated.

¹⁸ For a detailed treatment of this period see R. A. Caulk and Bahru Zewde (ed.), *Between the Jaws of Hyenas: A Diplomatic History of Ethiopia, 1876-1896* (Wiesbaden: Harrassowitz, 2002).

It took almost nine months and three major military campaigns to weaken and finally break the resistance of this highly organised ancient kingdom.¹⁹

In contrast to the above, some local leaders felt that offering resistance was costly and pointless and opted to negotiate; in this case Menilek not only refrained from sending in his army but also gave them internal autonomy providing that they fulfilled his obligations. Jimma was a famous example of this approach and its ruler Abba Jiffar enjoyed a great deal of autonomy. As a result, his kingdom thrived as an important trading centre, mainly for slaves and coffee. The case of Gedeo differed from both of these contrasting scenarios. Because of its fragmented political structure it was unable to put up strong resistance, but also the absence of a well organised leadership denied them the ability to negotiate what sort of system might be imposed.²⁰

However, local sources provide two different narrative versions regarding the final incorporation of the Gedeo into the Ethiopian empire.²¹ One version claims that resistance was offered against the Ethiopian forces at the initial stage of the incorporation. However, the invading power was mighty both in firepower and organisation, and therefore the Gedeo were overwhelmed and defeated.²²

The other version is rather different. According to the information provided by one of my informants from a place called Sisota, the incorporation of Gedeo was not only peaceful, unlike in many other cases, but also the Gedeo took

¹⁹ Bahru, *A History of Modern Ethiopia*, 64.

²⁰ For the history of Jimma see Herbert S. Lewis, *Jimma Abba Jifar, an Oromo Monarchy: Ethiopia, 1830-1932* (Lawrenceville, NJ: The Red Sea Press, Inc., 2001). Also see Guluma, 'Land, Agriculture and Society in the Gibe Region', 145.

²¹ McClellan, *State Transformation*, 21-31; McClellan only recognises the forceful conquest of Gedeo. Interview with Doye Biftu, Sisota, 24 July, 2004.

²² Interview with Morkäte Jarsso, Andida, 28 April 1999; Kole Soläle, Sugäle, 15 June 2004.

the initiative. The presence of another powerful force in the area was regarded as potentially useful because the Gedeos were in danger from external incursions. At the time of the incorporation the Gedeo not only had troubles with the neighbouring communities of Gujis and Sidamas but also internal conflict among the seven clans of the Gedeo. This informant claimed that it was his grandfather who first brought the “Amharas” (sometimes the Gedeo use this word to mean Ethiopians) to Sisota. He said that due to the problem of kin rivalry his grandfather was experiencing difficulty in protecting the large tract of land which he had developed himself by clearing the forest before the arrival of Ethiopian forces in the region. He said that since the Ethiopian force had already camped at Shesha (an early garrison town, in what is now called Sidama) the Gedeos were already well aware of their presence before being formally incorporated into the empire.²³

As part of reconnaissance activity the Ethiopian army had been conducting occasional raids against the elusive but more powerful Oromo pastoralists in the lowland below the Gedeo territory. The grandfather of this informant travelled to Shesha, which was a military base for the Ethiopian army, to inform them that the Gedeo were in need of the establishment of law and order. The invitation was well received and a force was sent to stabilise the area. His grandfather was thus not only able to protect his land from being taken over by rivals but also earn himself the position of *goro* (a local authority below the *balabat*) within the government in recognition of his contribution. This is of course only one individual’s account of the process of the incorporation of Gedeo. It does suggest

²³ Interview with Doye Biftu, Sisota, 24 July, 2004. Most of these early garrison towns in the south later evolved into important urban centres. As will be discussed below, the first garrison town for Gedeo was Bulé which is still the capital of Bulé *wäräda*.

however that the conquest of Gedeo was easier to accomplish than, for instance, that of Wälayta, discussed above.²⁴

The conditions within Gedeo were also conducive to domination by the Ethiopian army. At the time of the Ethiopian advance, the Gedeo were loosely organised and without any cohesive unity which would have enabled them to defend themselves from outside attack. They had already been weakened from years of internal division and rivalry, both among the seven clans but also with other neighbouring ethnic groups. This left the Gedeo with little bargaining power in negotiating with the Ethiopian forces regarding the type of structure to be imposed on them. Information is lacking about the initial stages of the incorporation and, as indicated elsewhere, the official sources are silent about Gedeo. What we do know is that the *gäbbar* system which followed the incorporation was very oppressive.²⁵

Däjäzmach (lit. commander of the gate) Lulsägäd was Menilek's general who held responsibility for the incorporation of Gedeo.²⁶ He was the governor of the vast region known as Sidamo. The incorporation of Gedeo was not conducted as a separate undertaking but would have been carried out along with other communities which were later administered by the Sidamo province. The *gäbbar* system was implemented immediately after the Gedeo came under Ethiopian administration. Local leaders such as the *abba-gäda* (highest religious authority of Gedeo) and heads of the various Gedeo clans were contacted and given instructions regarding cooperation with the Ethiopian forces. We do not know

²⁴ Marcus, *The Life and Times of Menelik II*, 190.

²⁵ Haile Miriam, *The Building of an Empire*, 41.

²⁶ McClellan, *State Transformation*, 22.

how long it took for the system to be introduced throughout Gedeo, but by the time Lulsägäd was replaced by *Däjäzmach* Balcha in 1908 it is believed that the *gäbbar* system had already been firmly established.²⁷

The *näft'ännä-gäbbar* relationship in Gedeo

As discussed above, the *näft'ännä-gäbbar*²⁸ system was introduced in Gedeo following the incorporation of the region into the Ethiopian empire in the last decade of the nineteenth century.²⁹ The term “*näft'ännä-gäbbar*” and “*gäbbar*”³⁰ are used interchangeably in most of the secondary works. For the sake of simplicity I will refer to the “*gäbbar*” system from here onwards. In this section an outline of the main features of the *gäbbar* system which played such a pivotal role in the history of the Gedeo will be provided, and by doing so we will attempt to clarify its nature. The analysis will be from the perspective of the peasant households upon which it was imposed. In addition, this will give an opportunity to re-examine and challenge previously held assumptions about the system, most of which resulted from inadequate analysis.

The *gäbbar* system was the political and economic system imposed on Gedeo after it was incorporated into a larger state. It was not only about the collection of tribute (as the term “*gäbbar*” implies, meaning “tribute-paying

²⁷ Tsehai Brhaneselassie, 'The Life and Career of Dajazmac Balca Aba Nafso', *Journal of Ethiopian Studies* IX, no. No. 2 (1971), 180-184; Pankhurst, *State and Land in Ethiopian History*, 143.

²⁸ McClellan, 'Land, Labour, and Coffee'; Charles W. McClellan, 'Perspectives on the Neftenya a-Gabbar System: The Darasa, Ethiopia', *Africa (Rome)* (1978), 426-440.

²⁹ Bahru, *A History of Modern Ethiopia*, 92.

³⁰ See the following works Cohen and Weintraub, *Land and Peasants*, 37; Also see Patrick Gilkes, *The Dying Lion: Feudalism and Modernisation in Ethiopia* (London: Julian Friedmann, 1975); 105-106.

peasant”) but also those granted *gäbbar* rights were expected to discharge certain duties towards the state, mainly security and judicial. The first to gain from the new system as recipients were soldiers of the Imperial army, normally known as *näft'ännas* (literally “rifle men”) who were mostly drawn from the north, but were not necessarily Amharas, coming from various different ethnic groups; Guraghe, Oromo and others. These were the people who were instrumental in incorporating the south firmly into what has come to be known as modern Ethiopia.³¹

The *gäbbar* system enabled the state to administer the newly incorporated areas in a pragmatic way. As a method of tribute collection, the system did not require the Gedeo peasant households to reorganise production or to produce new crops in order to fulfil their obligation, either towards the state or to the grantees (mainly *näft'ännas*), but only demanded what was available from them. This minimised the level of opposition from local people. It also relieved the state of the chore of transporting cash or other forms of payment to its soldiers and officials in the newly expanding areas. A low level of infrastructure was needed, which was advantageous because as the empire stretched physically across a wide geographic space, the challenge of supplying an army would have been great. The *näft'ännas* were freed from the burden of supporting themselves and their families by farming the land and would become professional soldiers.³²

The *gäbbar* system was introduced in Gedeo relatively easily. This can be contrasted with the more problematic issue of *qälad* (land measurement and distribution), the introduction of which was opposed by the local *balabat* (local

³¹ McClellan, *State Transformation*, 37-53; Also see his other work, McClellan, 'The Ethiopian Occupation of Northern Sidamo', 521.

³² Gäbrä-Wäld Engeda-Wärq, 'Ethiopia's Traditional System of Land Tenure and Taxation', *Ethiopia Observer* Vol. V, no. No 4 (1962); 306.

officials who were selected by the state from among the Gedeos) and as well as the peasants. There were a number of reasons for its relative success which will be highlighted in this section.

The *gäbbar* system was implemented successfully because it did not attempt to revise the traditional land ownership rights of the communities as the peasants were allowed to retain their indigenous land tenure systems. Since the system was only about tribute collection and control, communities grudgingly accepted the system as long as it did not interfere with the fundamental issue of land rights. There was no outright opposition to its implementation. This is contrary to the commonly held view about the imposition of the system which claims that force was the main reason behind its success, derived from the assumption that as the south had been incorporated by force, likewise the *gäbbar* system was maintained by the use of force. However, a number of compromises were made both on the part of the peasants and the *balabats*.³³

In order to understand the internal workings of the *gäbbar* system it is firstly essential to identify the groups who were directly involved in the system. The three important groups were the *näft'ännä*, the *balabat* and the ordinary Gedeo peasants or *gäbbars*.³⁴ A harmonious relationship between these three was essential for the system to operate smoothly, and each of these groups had interests as well as obligations within the system. Although the *näft'ännäs* were the most privileged within the *gäbbar* system, followed by local *balabats* and

³³ Addis Hiwet, *Ethiopia*, 31.

³⁴ Tsehai Berhane Selassie, 'The Balabat and the Coffee Disease: Politics and Ritual in Darasa', in *Working Papers on Society and History in Imperial Ethiopia: The Southern Periphery from the 1880s to 1974* ed. D. L. and W. J. Donham (Cambridge: Cambridge, African Studies Centre), 197-202.

goros (local officials below the *balabat*), even the Gedeo peasants who were at the bottom of the hierarchy (i.e. *gäbbars*) had some of their rights protected.

The *näft'ännas* were among the key beneficiaries of the system. They had an obvious interest in making the system more effective because their survival was dependent largely on its existence. The rapid expansion of Menilek's empire meant that the territories which were annexed in the south were far removed from the military's home base, and since the government had neither the resources nor the infrastructure to supply the army with essentials, the army's survival had to depend on resources drawn from local areas. Since the soldiers were not paid salaries by the imperial government for their services, a mechanism had to be developed through which resources were generated locally to support them.³⁵

Thus, the *gäbbar* system provided a means to achieve Menilek's grand goal of empire building. *Gäbbar* as an institution was not at all new in Ethiopia. It had had a long period of existence, probably as old as the land tenure system of the north in the heartland of historic Ethiopia.³⁶ Therefore, as the empire expanded further to the south, southeast and southwest it was not necessary to invent a new system to deal with the situation, but rather to adapt age old institutions which were flexible enough to accommodate these new circumstances. By these means the *näft'ännas* not only managed to support themselves by collecting tributes from the newly incorporated areas but also began to send *asrat* (tithe) tax to the capital, Addis Ababa.³⁷ According to the practice, each *näft'ännä* was allocated a certain

³⁵ For an historical discussion of the association of land grants for military services see Tadesse Tamrat, *Church and State*, 98-103.

³⁶ In his recent study, Crummeay traced the origin of the term *gäbbar* in the reign of Iyasu the Great, Crummeay, *Land and Society*, 225.

³⁷ Gäbrä-Wäld, 'Ethiopia's', 302-339; Mahtämä-Sellassie Wäldä-Mäsqäl, 'The Land System of Ethiopia', *Ethiopia Observer* vol.1, no. No 9 (1957), 295.

number of peasant farming households, and in order for the household to be allocated, it had to possess land and to be able to function as a farm household from which to draw support.

The process of enumeration and classification of households in order to allocate each to a *näft'ännä* was made through the *balabat* and *qoros*. These, as we shall see, were important groups who formed the bridge between the Ethiopian state and the local people. *Gäbbar* was allocated to individual *näft'ännas* depending on their status and merit.³⁸ There is no accurate information about the number of *gäbbars* who were given to each *näft'ännä*. However, McClellan confirmed that the information reported by his informants and field data he collected from Gedeo corroborated the following general formula; “300 *gäbbars* for a *shambal* [commander of the thousand], 100 for a *meto aleka* [commander of the hundred], 50 for a *hamsa aläqa* [commander of the fifty] and fewer for common soldiers.” Usually local variations also occurred, but the reasons for this are not clearly indicated.³⁹ It is also not possible to tell whether the family requirements of the *näft'ännas* were taken into consideration.⁴⁰

We know very little about the nature of Gedeo households during the time of the imposition of the *gäbbar* system. As a result, it is not clear on which criteria each was assigned to a *näft'ännas* or other functionary of the state. There are a few indications that assessments were made individually. McClellan has touched upon this issue and pointed out that some of the poorer were counted as half a *gäbbar*,

³⁸ McClellan, *State Transformation*, 64.

³⁹ McClellan, *State Transformation*, 64-65; See also Marcus, *The Life and Times of Menelik I*, 192; Marcus pointed out that, according to information gathered from an informant who claimed to have been a *näft'ännä* in Sidamo during the governorship of *Däjäzmach* Balcha a private soldier received seven or eight *gäbbars*. Although Gedeo was within Sidamo province it is not clear whether they were from Gedeo or other districts.

⁴⁰ McClellan, *State Transformation*, 65.

and only required to fulfil half of what is required from a full *gäbbar*. However, we know with some degree of certainty that a functioning household with land and sufficient labour was the pre-requisite for the system to work.⁴¹

Whatever the status of the *näft'ännä* within the army, the Gedeo household which was allocated as *gäbbar* was expected to fulfil the needs of the *näft'ännä* and his family. A few civilians and priests were also given *gäbbar* households for their maintenance; however there is no quantitative data which shows how many officials gained this privilege. The proportion of *gäbbars* to *näft'ännä* is also relevant in understanding the impact the system had on individual households. From existing sources we understand that the process of assigning *gäbbars* to *näft'ännäs* (soldiers or civilian functionaries of the government) was based not only on rank but also on merit.⁴² Therefore, the government used the system not only as payment for their services but also to reward those who had made extra contributions. This had important implications for the *gäbbars*, because since there were no clear rules to regulate how many services *balägäbbars* (owner of *gäbbar*) were allowed to request from their respective *gäbbars*, beyond doubt the system was open to abuse.

For reasons of simplicity, tribute collected from *gäbbars* in Gedeo can be categorised into two types; either tribute in kind, mainly produce (*qoc'o*,⁴³ grains, chickens, eggs, or honey) or tribute in the form of labour. Some informants also reported that as part of the *gäbbar's* obligation they were required to accompany

⁴¹ McClellan, 'Coffee in Centre-Periphery Relations', 180.

⁴² Mahtämä-Sellassie Wäldä-Mäsqäl, *Zekrä Nägär* (Addis Ababa: 1962 E.C.), 114.

⁴³ Helmer Smeds, 'The Ensete Planting Culture of Eastern Sidamo, Ethiopia' *ACTA GEOGRAPHICA* 13, No 4 (1955), 23-25.

their master when he was ordered by the government to go to war.⁴⁴ Since there were no rules which governed the mode of relationship between a *näft'äñña* and his *gäbbars* it was assumed generally that the law was in the hands of the superior. The absence of a detailed study about the conditions under which *gäbbars* were exploited makes it very difficult to acquire a general picture. Countrywide, the system was not uniform. There were variations according to regional and other factors but even the way in which the *gäbbars* were exploited varied from individual to individual. In Gedeo for instance, informants pointed out that *balägäbbars* did not all treat their *gäbbars* in the same way; some were kind and considerate but most of them were very harsh and cruel.⁴⁵

Regarding the conditions of *gäbbars* in Gedeo, what we do know is that the system was onerous and undermined their morale. It is worth taking note of the most common obligations which a *gäbbar* was expected to discharge to his superior. An English traveller, Boyes, who passed through southern Ethiopia at the turn of the 19th century, observed the conditions of the *gäbbars* when he visited Balcha in Sidamo.

This country was... governed by the Abyssinians, who seemed to have a very good time, apparently having nothing to do but drink *tej*, while the Natives did all the work - building houses, cultivating the crops, herding the cattle or anything else their masters required. In fact, the Natives were practically in a state of slavery, and I was told that in

⁴⁴ Interview with Wordofa Qumbi, Mechele, 5 December 1999. He said that as a part of fulfilling one of the obligations of a *gäbbar* his father was ordered to follow his master (*näft'äñña*) to the "Gondär Zämächa" (probably the battle of Dabra Tabor). Wordofa was only ten years old at the time when he accompanied his father to the campaign by carrying provisions.

⁴⁵ Interview with T'et'o Gänale, Buč'essa, 5 December 1999; Shät'ät'o Bäriso, Shegädo, 6 July, 2004; and Worera Č'umburo, Shegädo, 6 July, 2004.

addition to providing their lord with food and drink, they were taxed five dollars per head per annum.⁴⁶

Labour services were the most onerous burden for the *gäbbars* in Gedeo. As described by Boyes and others, there were no restrictions concerning the amount and nature of work a *gäbbar* could be asked to carry out for the *näft'ännas*. Households that did not fulfil other requirements, such as the provision of tribute in produce form, were required to make up the deficit by providing manpower. Such households were the poorest and the most vulnerable and they were the ones who were liable to flounder under such pressure. It is also known that tax from a Gedeo household was rarely collected in cash.⁴⁷ This is not surprising owing to the fact that money had a limited role in the overall economy in this period; it was from a practical viewpoint that households were required to pay in kind. There is no evidence however to show that attempts were made to force peasants to pay dues in the form of commodities which were unavailable in their area for ecological reasons, and which they had difficulty obtaining.

The labour services of a Gedeo household, which had become a *gäbbar* of a *näft'ännä*, were not necessarily restricted to the head of the household.⁴⁸ Previous studies referred to women as having a very small role in the *gäbbar* system. For instance, on a number of occasions McClellan refers to work connected with growing and collecting *ensät*, coffee, firewood, transporting produce for marketing, grinding grain and so forth, but he does not note who did

⁴⁶ John Boyes, *My Abyssinian Journey. A Journey through Abyssinia from the Red Sea to Nairobi in 1906 in the Days of Emperor Menelik* (Nairobi: n.d), 33; Quoted also in McClellan, *State Transformation*, 57.

⁴⁷ McClellan, *State Transformation*, 67.

⁴⁸ Interview with Šalo Dube, Šegädo, 6 July, 2004; and Wudo Jibicho, Grissa, 21 July 2004.

what task.⁴⁹ In reality it was the women who carried out most of this work. Hence, the wife of a *gäbbar* and in some cases their children were not excluded from exploitation. Informants pointed out that the women's burden might be more onerous than that of the husband. The wife of a *gäbbar* would participate in most activities, which ranged from domestic to key agricultural tasks.⁵⁰ The most challenging work for the wife of a *gäbbar* was *ensät* processing which requires much painstaking hard work. After processing *ensät* the women might also be required to transport the heavy *qoç'o* on their backs to the towns where most of the *näft'ännä* lived.⁵¹

The *gäbbar* system was successfully imposed on Gedeo thanks mainly to the *balabats* and the *qoros* who were recruited from the local population.⁵² They played an important role by bridging the gap between the state and the local people. Both the *balabats* and the *qoros* also played a crucial role in implementing the system because their knowledge and influence on the community was of great assistance. *Balabat* was not a new concept; its introduction in the south was in keeping with other notions and institutions which were brought to the south through the process of incorporation. However, the creation of such offices was crucial because local knowledge and influence made the process much smoother.⁵³

⁴⁹ McClellan, *State Transformation*, 66-77.

⁵⁰ Interview with Shät'ät'o Bäriso, Shegädo, 6 July, 2004; and Kole Soläle, Sugäle, 15 June 2004.

⁵¹ Interview with Shalo Dube, Shegädo, 6 July, 2004; and Shät'ät'o Bäriso, Shegädo, 6 July, 2004.

⁵² *Balabat* was the highest office given to the Gedeo elite and the first person appointed to this position was Shunde. Below him there were several *qoros* who were selected according to the clan structure of the Gedeo; thus there was one *qoro* for each clan. For a further discussion of these concepts see McClellan, *State Transformation*, 23.

⁵³ See Tsehai, *Balabat*, 198.

Gedeo's first *balabat* was a man called Shunde who appeared to have come from the same clan who held the office of the *abba-gäda* (head of the incumbent *gäda*) for the whole of the seven clans of Gedeo at the time of the incorporation.⁵⁴ Following his appointment to the new office the blessing from the *abba-gäda* earned him the required legitimacy and recognition among his own people in accordance with the Gedeo tradition.⁵⁵ In the initial stages there was no attempt to impose the *gäbbar* system. Tributes were simply gathered collectively using the newly created roles of the *balabat* and *qoros*. The initial stages of Gedeo's annexation were executed from a nearby military base at Shesha in Sidama. After the Gedeo's submission was secured *Däjäžmach* Lulsägäd decided to establish a base inside Gedeo. He chose Bulé because of its topography (on the high peak of the Gedeo highlands) which had an imposing character over the surrounding lowlands. Bulé had great strategic importance in overseeing the surrounding Oromo pastoralists who were more difficult to control than the Gedeo and other settled agrarian communities, and the first task of the newly appointed local officials was to mobilise the Gedeo people to clear the land and establish Bulé as a military base.⁵⁶

The appointees as office holders of a government post were expected to collect tribute from those under their jurisdiction. In return the state allowed them certain rights. They were permitted to retain a third of the tribute collected from the *gäbbars* within their *gult*. As a result, they were also known as *siso-holders*

⁵⁴ McClellan, *State Transformation*, 23.

⁵⁵ Interview with Doye Biftu, Sisota, 24 July, 2004.

⁵⁶ McClellan, *State Transformation*, 23.

(one third).⁵⁷ Although it is not easy to exactly define the role of the *balabat* and the *qoros* within the structure of the newly formed system, their status in the hierarchy was as intermediaries between the *gäbbars* (the Gedeo peasants) at the bottom and the *näft'ännä* and other civilian and religious functionaries of the state at the top.⁵⁸

If the *gäbbar* system was onerous, harsh, and highly exploitative how were Gedeo peasant households able to accommodate it? As shown earlier, the key to the success of the *gäbbar* system lay in its recognition of a household's rights to their land. The indigenous land tenure system of the Gedeo was not affected by the imposition of the *gäbbar* system. Since the *gäbbar* system had nothing to do with land tenure and its main concern was tribute extraction and the control of households, the traditional *outiba* system of the Gedeo continued to operate under the *gäbbar* regime. This indigenous land tenure system of the Gedeo has been overlooked by previous studies, because *gäbbar* was assumed to encompass everything including land.⁵⁹ In fact, the *gäbbar* system did impinge on land issues as it was a system by which the government supported itself and its functionaries by diverting the resources of readily exploitable functioning households. There was no desire on the part of the government or the *näft'ännas* to control land directly at this stage.⁶⁰

Not all households coped well with the burden imposed by the *gäbbar* system. There is evidence which indicates that some *gäbbar* households were

⁵⁷ Addis Hiwot, *Ethiopia*, 30-48; McClellan, *State Transformation*, 60.

⁵⁸ John Markakis, *Ethiopia: Anatomy of a Traditional Polity* (Oxford: Clarendon Press, 1974), 115-116.

⁵⁹ Yeraswork Admassie, *Twenty Years to Nowhere: Property Rights, Land Management and Conservation in Ethiopia* (Lawrenceville, NJ: Red Sea Press, 2000), 100.

⁶⁰ Guluma, 'Land, Agriculture and Class Formation', 152.

forced to flee their homes and property as a result of the heavy handed nature of the *balägäbbar*. McClellan has argued that the exploitative nature of the *näff'ännä-gäbbar* system forced many Gedeo peasants to migrate to the nearby forest zones. He also described how similar processes in the neighbouring areas such as Burji and Boräna caused the disintegration of many households. According to him the Burjis had settled in Moyale in Kenya as a result of such forced migration. This indicates the onerous nature of the system and the fact that some households were unable to assimilate the duties imposed on them as a result of the *gäbbar* system.⁶¹

In the 1920s Balcha decided to introduce *qäläd* in Gedeo with the idea of widening the resource base of the system rather than replacing it altogether.⁶² *Däjäžmach* Balcha, who was the governor of Sidamo (including Gedeo) on three separate occasions (1898-1908, 1910-1914 and 1917-1928), was especially known for his forceful imposition of *qäläd* in the face of opposition. Although Balcha was the chief architect of *qäläd* his successors, *Ras* (lit.head) Biru Wälda Gäbräel (1928-1931) and *Ras* Dästa Dämf'äw (1932-1936), also promoted similar policies in Sidamo in general.⁶³ However, it is important to emphasise that the system differed historically and geographically in that *gäbbar* was introduced in the core settled areas of Gedeo whereas *qäläd* was imposed later in the unsettled and uncultivated parts of Gedeo.

In both cases the objective was to extract resources from the local people. The method differed from a practical point of view. The main focus of the *gäbbar* system was a farming household, which was capable of providing reliably for all

⁶¹ McClellan, *State Transformation*, 74.

⁶² McClellan, 'Coffee in Centre-Periphery Relations', 184.

⁶³ McClellan, *State Transformation*, 82.

the needs of the *balägäbbar*; whereas in the case of *qäläd* the system only allowed the holder to have direct access to land. The owner of *qäläd* land had to arrange labour independently in order to develop it, as a result of which a sharecropping tenancy was evolved. Before discussing the details of how *qäläd* was introduced in Gedeo there are a number of important factors which should be mentioned to place the introduction of *qäläd* in its historical context and show how it was the next logical step for Balcha to take.

The imposition of *qäläd* and opposition to its implementation

The introduction of *qäläd* was a major initiative taken by the state and had a number of consequences for the history of Gedeo. Other than expanding the resource base of the state it was an essential governmental undertaking for a number of reasons. Although the *gäbbar* system had transferred the cost of running an expanding empire onto the peasants, it was neither economically beneficial for the settlers nor a viable source of revenue for the government. Although the *gäbbar* system enabled the state to support a large army at the expense of the local people, it soon failed to satisfy the needs of an increasing empire and a demanding settler population.⁶⁴

The number of settlers in Gedeo had never been static and had increased over the years, particularly at times when one governor was removed and another appointed in his place. There appeared to have been a general tendency among the governors to bring a large number of their followers with them into the new area they were appointed to govern. For instance, when Balcha was transferred from

⁶⁴ Pankhurst, *Economic History of Ethiopia, 1800-1935*, 15; Also see Charles W. McClellan, 'Articulating Economic Modernisation and National Integration at the Periphery: Addis Ababa and Sidamo's Provincial Centers', *African Studies Review* 33, No. 1 (1990), 33.

Sidamo to Harar, he was replaced by *Ras Biru*. Biru, as was customary, brought with him a huge number of his followers from Wollega to Sidamo. As a result some of them finally settled in Gedeo, which, being a settled agrarian community was a favoured destination. Similarly, although Balcha would have taken some of his followers to Harar, nevertheless most remained behind. Thus the burden on the local population increased over time since the settlers had to be provisioned locally.⁶⁵

Even before the coming of additional numbers of *näft'ännās* to the region, the *gäbbar* system had reached its full capacity by the 1920s, and was insufficient to accommodate the growing number of soldiers, followers and their families. Few *gäbbars* could have been reallocated when their previous grantees left the area.⁶⁶ The evidence is slim on this issue, but informants or their descendants who are now in Gedeo indicated that they came into the area as followers of one of the governors earlier appointed to the region. The number of *näft'ännās* who left the area when their governor was transferred from the region however appeared to have been small. This did not ease the demand for more local resources to support the new settlers, especially in the case of Balcha who was returned to Sidamo within a short period. The father of one of my informants came from Wollega to Gedeo in 1928 with *Ras Biru*, who replaced Balcha as governor of Sidamo, and according to this informant his father's intention was to gain *qälad* land and settle in Gedeo. In his own words; "My father, as a *näft'ännā* and follower of *Ras Biru*, came from Wollega in the hope of acquiring *qälad* land, however, by the time we arrived there was nothing left, the land having already been distributed among

⁶⁵ Interview with Bäqälä Wäldä-Tsadiq, Šegädo, 6 July, 2004.

⁶⁶ McClellan, 'Perspectives on the Neftenya-Gabbar System', 438.

Balcha's followers, in particular to the Agämjjas.”⁶⁷ Therefore, the idea of acquiring *qäläd* rights seems to have been abandoned by this time. This statement which was corroborated by many informants demonstrates the fact that it had become increasingly difficult to accommodate latecomers to Gedeo into the system as well as to satisfy the land ownership rights of earlier settlers by distributing the available land⁶⁸.

In the 1920s, the political system achieved stability and Gedeo as a settled agricultural community provided ideal conditions under which it could flourish. Certainly the *gäbbar* system was more entrenched in Gedeo than in other communities whose livelihood was mainly based on animal husbandry, as exemplified by the failed attempt to establish a similar system among the nomadic pastoralists of the Guji Oromos. Although tribute in cattle had been collected, either peacefully with the cooperation of local chiefs or by conducting occasional raids, the pastoral area which is adjacent to Gedeo continued to be difficult to administer for some time until systematic exploitation was instituted.⁶⁹

Tribute appropriation from *gäbbars* had limitations for the *näft'ännias*. Since tribute in the early years of the period was only collected in two forms (i.e. either in labour or produce), such tribute had to be utilised immediately. For instance, the most common form of produce collected from a Gedeo household was *qoč'o*. Food was useful for the *näft'ännias*' own consumption; however, it was difficult to store for future use or to sell or exchange in the market for other goods. In the light of this limitation some *gäbbar* right holders appear to have encouraged

⁶⁷ Interview with Bäqälä Wäldä-Tsadiq, Shigädo, 6 July, 2004.

⁶⁸ Interview with Bäqälä Wäldä S'adiq, Shegädo, 6 July, 2004; Gobäna Lätiti, Grissa, 15 July 2004; and Dogola Dägoma, Č'äbicha, 9 July 2004.

⁶⁹ Berhanu, 'Alabdu-Sidama Relations', 26.

their *gäbbars* to pay in the form of cash, but we do not know how well the Gedeo responded to this, and how widespread this practice was, given the very limited role money had in the overall economy at the time.⁷⁰

As the *näft'ännas* or settlers did not own land at this time, the labour services from their *gäbbar* were normally used for non agricultural purposes. Thus, before the introduction of the *qälad* system, labour services were mainly restricted either to domestic services for the *näft'ännas* such as constructing houses, and fencing, or communal works for the government such as constructing churches, clearing forest for the establishment of *kätäma* (settler towns) and so forth. There was no opportunity for the *gäbbar* holder to use this critical resource (free labour) for productive activity as was the case later when the *qälad* system was introduced.⁷¹

Owning land provided the *näft'ännas* with one of the most important incentives in promoting loyalty to their superior and ultimately to the system. Although we have not studied the background of the *näft'ännas*, especially the ordinary soldiers, most of them appeared to have relinquished their claim to land in their birth place. Owning land for such people was therefore of fundamental importance both from a social as well as economic standpoint.⁷²

Despite his longstanding association with the region, Balcha did not begin the measurement and distribution of land until the third term of his governorship of Sidamo. It is not clear whether the process started before Balcha, but we know from later archival sources as well as people's testimonies that Balcha was the

⁷⁰ McClellan, 'Coffee in Centre-Periphery Relations', 181.

⁷¹ Interview with Fäyisa Bado, Mäkonisa, 18 June, 2004; and Galgalu Wasse, Grissa, 22 July 2004.

⁷² McClellan, *State Transformation*, 48-53.

chief architect of the *qäläd* system in Gedeo.⁷³ Balcha is well remembered as a governor of Sidamo and it was the *qäläd* dispute in particular which made his regime more eventful than others.⁷⁴ One source from the former Gedeo Awraja administration, which contains lists of land owners in this area, claimed that the land was originally given by Balcha between 1905 and 1908.⁷⁵

The government in Addis Ababa ordered the regional governors to carry out the measurement and distribution of land; probably similar orders were made to other parts of the country, with the aim of generating more resources which the capital needed. *Qäläd* was not intended necessarily as a land distributive mechanism but as a tax allocation regime. In the case of Gedeo, the main intention was to distribute resources, particularly land; however, the government did not clarify how such resources would be exploited and channelled to the capital. Unlike under the *gäbbar* system, where an *asrat* (tithe) payment was collected for the state from each *gäbbar* household by local officials, in the case of the *qäläd* system the local people who carried the burden of taxation were alienated from the process.⁷⁶ If the land which was measured was given to the *näft'ännä* and other state functionaries as *madäria* (land granted in lieu of salary) how was the state going to generate the resources it required? In other words, the people who seemed to have benefited from the process were people who already had many privileges and were exempt from paying various taxes to the state; it was unclear how the state was going to benefit.

⁷³ Semé Wäldä Yohannis V. Semé Nägaya, DACCA, 14/61 (Dilla, 1961 E.C.).

⁷⁴ Nationally Balcha was one of the most distinguished heroes of the battle of Adwa.

⁷⁵ DAAA, 60/52 (Dilla, 1952 E.C.).

⁷⁶ Mahtämä-Sellassie, *Zekrä Nägär*, 131.

The land was measured and redistributed either as *madäria* for the *näft'ännas* or other civilians, or *sämon* to award the clergy for their services to the church.⁷⁷ There is also the suggestion that land was made available for sale through the *qälad* system, but this is another area about which we lack detailed information. There were some contentious issues; for instance, some of the *näft'ännas* appear to have been unwilling to receive *qälad* land as *madäria* because it was not suitable for development. In contrast there were apparently people who were interested in buying such land from the government despite the problem of labour supply, but this is difficult to confirm from available archival and oral data. Even later documents do not give an insight as to whether such land was originally bought from the state. However, this does not mean that land sale was unknown in pre 1935 Gedeo; land sales among individuals were very common as can be seen from a number of court records.⁷⁸ However, we do not know whether such lands were originally bought from the government or from other individuals. The available sources do not provide adequate information concerning how the process of land measurement and distribution actually took place. We lack details of how much land was available through the process, who gained what, and what rules were laid down for the distribution and allocation of *madäria* lands.⁷⁹

⁷⁷ Gäbrä-Wäld, "Ethiopia's", 306.

⁷⁸ See chapter three for more details; Asäged Endalä V. Tirunäše Tässäma, DACCA, 17/42 (Dilla, 1942 E.C.).

⁷⁹ McClellan, *State Transformation*, 82.

Which areas were affected by *qälad*?

Theoretically the areas which were affected by the *qälad* system were areas which were designated as undeveloped, uncultivated or unsettled before the incorporation.⁸⁰ This was mainly applied to the downward-sloping area between the highlands of Gedeo and the present Dilla town in Wänago *wäräda*, a long stretch of land bordered on the east by the core areas of Gedeo and by the Gujis on the west.

One of the challenging issues at the time of the implementation of *qälad* was the absence of clearly defined boundaries between the Gedeos and neighbouring ethnic groups. The reason for this is that ethnic boundaries had not been delineated between these groups before the incorporation. The nature of such boundaries before the nineteenth century was very fluid, and this remains the case in contemporary times.⁸¹ A recent attempt to impose a fixed boundary between the Gedeo and the Guji resulted in bloody conflict between the two, despite there being no history of such conflict. Therefore, it is problematic to try to understand the history of these groups within the framework of fixed boundaries because historically the boundaries have been shifting constantly between them, depending on a number of internal as well as external factors. It is important to take this into account when one talks about land alienation, because the process of land alienation was not as straightforward as commonly assumed due to the complex nature of ethnic boundaries. When we refer to the land alienation which took place

⁸⁰ Haile Mariam, *The Building of an Empire*, 41; Gilkes, *The Dying Lion*, 111; Gilkes confused *gäbbar* and *madäria*.

⁸¹ Malcolm Shaw, *Title to Territory in Africa: International Legal Issues* (Oxford: Clarendon Press, 1986), 27-30; Shaw argues that the notion of fixed European-style boundary was not known in Africa before colonialism.

it is difficult to determine to which ethnic group, the Gedeos, the Gujis or the Sidamas, the land had belonged.⁸²

The importance of the introduction of *qälad* was that the *näft'äñña-gäbbar* system was extended further into areas beyond those where it had existed during the early years of the incorporation. It consolidated the system by expanding the areas of effective control, although immediate economic benefit had yet to be realised. In addition, many areas which had not been developed before this time now became habitable and became productive agriculturally. This was not the case until *qälad* was introduced due to the limitations inherent in the *gäbbar* system for which settled farming households were a pre-requisite. Its complete reliance on tribute payment meant that it was by nature confined to settled agrarian communities, which was why it was not introduced with an equal degree of success among itinerant pastoral communities.⁸³

The process of land measurement and distribution had never been smooth; it was hampered by disputes, sabotage and lengthy legal battles which came mainly from the Gedeo *balabat* Č'umburo Shunde, who succeeded his father, Shunde, in 1910. From the outset, the concept of land measurement was resented by the Gedeos. Due to the complex nature of the issue it is difficult to clearly establish the source of contention between the *näft'äñña* and the local opponents, led by Č'umburo. What we do know is that Č'umburo Shunde resisted because he felt that the land which was being measured and distributed was *outiba*, which means it belonged to the Gedeo people. In other words, even if it was forested it should not be regarded as "no man's land". Thus, the *qälad* system became a

⁸²Addis Hiwet, *Ethiopia*, 31-32.

⁸³McClellan, 'Coffee in Centre-Periphery Relations', 184-190; Also see Donham, *Work and Power*, 34-38.

source of controversy between the *näft'ännas* who were led by the governor Balcha and the Gedeo *balabat* Č'umburo who had the backing of his own people but was not in a powerful position to win the battle.⁸⁴

From Balcha's point of view, the land which was the subject of *qälad* measurement was unsettled, uncultivated and lay beyond the traditional boundaries of the Gedeo. Č'umburo Shunde opposed him by arguing that the land formed part of Gedeo territory and as *outiba* land it was no different from the core area and should not be the subject of *qälad* measurement. To the Gedeo people *outiba* land was inalienable because it was handed down to them by their predecessors.⁸⁵ An interesting piece of evidence which was found in a post-war legal land dispute describes the process of land measurement in a vivid manner. The witness for this case was called to testify in court to establish the ownership of the land since the time of *qälad*. The witness explained that:

When the surveyors came to our village to measure land the villagers came out in force, preventing them from doing their job. The villagers explained to them that this was *outiba* land and they should not measure it. The surveyors asked if there were elders in the village who knew about this; the elders were invited and testified on behalf of the villagers, which ended the confrontation and the surveyors returned to where they had come from.⁸⁶

This shows that the process of land measurement and the imposition of *qälad* was not without its problems. The statement also underlines the fact that at least theoretically the distinction between *outiba* and unsettled land had already been made. Therefore, it is possible to assume that when *qälad* was introduced in

⁸⁴ McClellan, *State Transformation*, 81-100.

⁸⁵ W/Gabre'el Mangasha v. Gobana Abe, DACCA, 232/56 (Dilla, 1956 E.C.).

⁸⁶ Gämäda Diko v. Käbädä Wondimu, DACCA, 10/42 (Dilla, 1942 E.C.).

Gedeo the *outiba* areas, which were the original settlements of Gedeo, were not affected. There were insufficient guidelines indicating where the boundary of *outiba* land should be drawn and this confusion caused problems with the local people.

Gedeo informants also claimed that the “Amharas” used tactics to convince them that the land which was measured by *qälad* had belonged to Gujis rather than the Gedeos from the outset. Thus, they managed to persuade a *gäda* official from the Gujis to confirm in writing that the land belonged to the Guji and thus the Gedeo had no rights, a tactic devised by Balcha, according to my informants.⁸⁷

The areas which were not recognised by the government as *outiba* lands were not totally devoid of settlements. McClellan used the term “squatter population” to describe those settlements.⁸⁸ According to the local informants such settlements had already been created much earlier, before the area was incorporated into the Ethiopian state. Sisota Dayo, who still lives on land originally cleared and occupied by his grandfather, said that Woke, his grandfather, had done this in cooperation with his neighbour Dolo some time before the *gäbbar* system was introduced into the area. A similar story was also told by an informant in Säkoricha, where the informant’s great grandfather was reported to

⁸⁷ Some informants claimed that the government did not approve the imposition of *qälad*. A few of these informants also pointed out that Menilek was aware of Balcha’s action and told him to restore the land to the Gedeos. Interview with T’äqäbo Shota, Sisota, 29 April 1999; and Taddässä Jibicho, Sisota, 7 July, 2004.

⁸⁸ McClellan, *State Transformation*, 91; this description does not take into account the way land had been accessed by many Gedeo households and clans since earlier times. As there had never been a fixed Gedeo boundary it is difficult to describe this group of people as “squatters”. Land in Gedeo had been acquired by a multitude of methods, and as shown in chapter one, an enterprising individual could acquire land elsewhere either with or without the sanction of their clan authority.

have been established by the clan leaders to protect the boundary from Sidama incursions.⁸⁹

The ethnic boundary between the Guji and the Gedeo in the west of Gedeo was difficult to delineate. Due to their pastoral way of life the Guji tended to travel in and out of the area, and thus it was difficult to define their territorial limit in relation to their neighbours. Before the incorporation and for a few years after, territorial disputes continued to flare up between Guji and Gedeo, and at some point Balcha was forced to intervene to settle the issue.⁹⁰ This provided Balcha with an excuse to start the process of land measurement and distribution in order to eliminate the contention between the two. Few Gedeo today like to speak about this area as Guji territory, other than a group of informants near Wonago town who admitted that all the fertile land on which they were now settled had belonged to the Oromo of Guji before the incorporation.⁹¹

There are no surviving written documents for the pre-1935 period which indicate direct opposition to the *qäläd* system in Gedeo. Since there was no attempt made to confiscate land which the peasants owned, opposition to the measurement of land by *qäläd* was confined to marginal areas which lay between the core areas and the forest zone, and was not as powerful as it had been later in the 1960s. The land which was now alienated by *qäläd* had been an area of contention between the Guji and the Gedeo for some time before the area came under direct Ethiopian rule. Settling on a permanent basis on this land was unthinkable before this period because of the threat from their powerful neighbour

⁸⁹ Interview with Maryam Fäläqä, Šaqua, 23 July 2004; and Doye Biftu, Sisota, 24 July, 2004.

⁹⁰ Berhanu Lameso, 'Alabdu-Sidama Relations', 27.

⁹¹ Interview with Kole Soläle, Sugäle, 15 June 2004; Butiča Biliqe, Sugale, 15 June 2004; and Arareso T'äro, Sugale, 15 June 2004.

the Guji; however, this did not stop the Gedeos and Sidamas using every opportunity to expand into these areas when the Guji had problems such as draught or famine. However, large scale alienation by the government only happened after *qälad* was introduced into the area; pre-*qälad* settlement of Gedeo in these areas had been gradual and had not affected the pasture lands of the Gujis. After previous attempts to impose the *gäbbar* system had failed, the Gujis had retreated deep into the lowlands and therefore the area was now underutilised by both ethnic groups. Thus, *qälad* was imposed on contested land which did not constitute the core of Gedeo territory.⁹²

Opposition to *qälad* was minimal and mostly indirect and unorganised. The only sustained opposition came from the elite of Gedeo led by the *balabat*, Č'umburo, who had been excluded from both the consultation concerning the new system and its implementation. It is not clear why their services were not required, as being government officials their role was vital to the success of the process of *qälad* measurement. Although there was insufficient reason to launch a sustained legal battle against Balcha and other regional officials, the alienation of the Gedeo from this land was a major source of concern for Č'umburo, fermenting his opposition to the system. The Gedeo peasants themselves had suffered serious land scarcity problems in the core highlands and therefore demographic pressure was the root of their opposition.⁹³

Č'umburo's opposition to the implementation of the *qälad* system was through legal means and he took his extended legal battle to the highest authorities,

⁹² Interview with Wordofa Qumbi, Mič'ile, 5 December 1999; and Turi Boko, Č'ič'u, 29 April 1999. A number of informants claimed that the boundary between Sidama and Gedeo was the Qabado River (which is now well inside Sidama territory) before Balcha decreed that it should be the Lagadara River.

⁹³ See chapter five for the 1960 uprising.

although he achieved little. In fact, although orders from Addis Ababa released him from prison, they did not however save him from being publicly humiliated and even given 40 strokes of the lash by *Ras* Biru who was the governor of Sidamo at the time. His courage and determination was described by one informant as a case of “never mind my back, you can lash my belly as well”.⁹⁴ As *balabat* Č’umburo was expected to have allied himself with the ruling elites to protect his own interests. However, he decided to take a different course of action which earned him popularity and fame among his people and he is regarded as not so much a government official but as their hero.

Although informants claimed (which is difficult to corroborate from the available sources) that the government in Addis Ababa told Balcha that the land should be restored to the Gedeos, nothing changed.⁹⁵ Meanwhile, the Gedeo perpetuated their legal fight against the imposition of the *qälad*. They appealed to Empress Zäwditu, Menilek’s daughter, who ruled 1916-1930. The only positive response to the Gedeo’s long-standing appeal was that a fact-finding mission was sent during Zäwditu’s time with the objective of investigating how *qälad* had been imposed. It is not clear who ordered it and who the investigators were but the committee did not find any anomalies in its implementation. Finally, after a decade and a half’s duration, the battle against the *qälad* system ended unsatisfactorily, to the disappointment of many Gedeos, with the death of the leading opponent, Č’umburo Shunde.⁹⁶

⁹⁴ Interview with Bägäjo Bonja, Č’i č’u, 28 November 1999.

⁹⁵ Interview with Taddässa Jibicho, Sisota, 7 July, 2004; and T’äqäbo Shota, Sisota, 29 April 1999.

⁹⁶ Interview with Morkäte Jarsso, Andida, 28 April 1999.

The downward sloping areas which were measured and distributed to *näft'äññas* and other settlers were suitable for a variety of crops but later became the main coffee growing area of Gedeo. It is difficult to attribute the change of land use to any particular development. McClellan identifies Balcha's short stay as the governor of Harar as an important period in which he came to the conclusion that Sidamo's best interest lay in promoting coffee as a cash crop. He also pointed out how individual *näft'äññas* or northern settlers encouraged the Gedeo farmers to clear the forest for coffee plantations. McClellan added another dimension to his account of the transition to coffee production; the dwindling of wildlife in the region due to unregulated hunting practices by northerners, combined with the relative fall of revenues for the central government, created the need to subsidise the shortfall by introducing coffee as an alternative source of income.⁹⁷

The settlers who had land use rights on the *qälad* lands had the authority to choose what to plant and could find their own sources of labour. This is the main distinction between the *qälad* and the *gäbbar* system which has not been explored in depth by previous studies.⁹⁸ It was also assumed that the settlers who came to Gedeo in the early years of the incorporation had already been granted the services of *gäbbars*, so when they later received *qälad* lands they had the human resources to develop them. Since the *gäbbars* continued to give them food and other products they were in a better position to develop their new land acquired through the *qälad* system. However, in later years, after all *gäbbars* had been allocated to

⁹⁷ McClellan, 'Coffee in Centre-Periphery Relations', 175-195.

⁹⁸ McClellan, *State Transformation*, 48-53.

the *näft'ännas*, there was a shortage of labour sources for those who received only *qälad* land.

Starting the production process on *qälad* land was time-consuming, mainly owing to the nature of Gedeo agriculture which required the *qälad* owner to wait for years to reap any benefit from his crops. McClellan has pointed out that *näft'ännas* preferred to be granted *gäbbar* rather than *qälad* land. Some were even forced to abandon their *qälad* due to lack of labour, and were forced to wait until *gäbbar* land was available. Access to free labour was no problem for those who already had *gäbbar* rights as well as *qälad* land. As some of the evidence shows, the *gäbbar* holders transported their *gäbbars* from distant places to work on their plot in another locality. In one post-war court document, a witness was called to give evidence concerning a land dispute between two individuals. The witness, who was called to establish the ownership rights of the plaintiff, confirmed that he knew that the land was owned and cultivated by the plaintiff using his *gäbbars*, including those from a distant place called Gälälicho.⁹⁹

This was perhaps an early example of the beginning of the practice of using the labour of *gäbbars* for direct agricultural purposes, rather than for domestic work. Using the labour of the *gäbbars* on farms, which were mainly located at some distance from their homes, was an extra burden for the peasants which in most cases would impinge on their own personal agricultural obligations. As one informant reported, his parents used to travel to Fesha Gänät, roughly 50kms from their home in Grissa, to work on the *qälad* of a *näft'ännä*. They had to carry provisions which would enable them to survive for weeks until they had finished the task assigned to them. Sometimes women were obliged to accompany

⁹⁹ Wote Ejo V. Fäläqä Yizbät', DACCA, 133/44 (Dilla, 1944 E.C.).

men and the wives would also help with food preparation and some of the agricultural work. If the work required more labour, *gäbbars* from other areas could also be ordered to come and work. The big *näft'ääñas* had a representative *yägäbbar aläqa* (head of *gäbbars*) who would organise the nature and duration of the *gäbbars'* labour.¹⁰⁰

Although a tenancy relationship appears to have started before the war, it began to evolve in a dynamic way in the post-war period, as we shall see in subsequent chapters. In the early years, conditions appear to have been less harsh than normally assumed; the inability of the settlers to attract sharecroppers to farm the newly acquired *qälad* land was a testimony to this fact. The *gäbbar* system was a relatively superior one for the Gedeo peasants, despite overcrowding in the core areas and the relatively poor yields which resulted from over cultivation. They were more secure than peasants in the *qälad* lands where tenants lived under a constant threat from their landlords who had the power to evict them.

In 1935 when Ethiopia was invaded by Fascist Italy, *näft'ääña-gäbbar* was still the dominant form of agrarian relationship in Gedeo. As will be discussed in the following section, the legacies of both *gäbbar* and *qälad* were to be felt more as invasion was looming. The way the southern people viewed the Italian incursion and the part they played in both the conflict and in the resistance movement was largely shaped by these historical developments.

¹⁰⁰ Interview with Alako Wadari, Grissa, 16 July 2004.

The impact of the Italian invasion on Gedeo 1935-41

The period following the battle of Adwa in 1896 until 1935 was generally peaceful. Menilek had achieved what he set out to accomplish and Ethiopia, at least in her modern history, had become a unified empire under one leader. The European powers which surrounded Ethiopia, namely Britain, France and Italy, had recognised Ethiopia as an independent state. However, internally there was a great deal of uncertainty surrounding Menilek's succession to the throne. At this time, due to ill health, Menilek was inactive in Ethiopian politics and in fact virtually absent from it between 1909 and 1913 when his death was made public. Successive rulers failed to bring any stability to the central authority.¹⁰¹ Finally, *Ras Täfäri Mäkonnen* emerged from the long internal power struggle which had dominated the internal political scene of Ethiopia for over two decades.¹⁰² In 1930, Täfäri finally realised his longstanding dream of being crowned Emperor Haile Sellassie of Ethiopia; however, only five years later his country had fallen prey to an invading foreign power.

Ethiopia's long history of defending itself against external aggression came to an end with the Fascist invasion of the country in 1935. Ethiopia was

¹⁰¹ The power struggle started with T'aytu who was Menilek's wife. She was an extraordinary woman who shaped Ethiopian policy during Menilek's time in many ways. She was famous for a number of events in Ethiopian history, in particular her sharp and critical stance against the Wuchale treaty which was the source of the major controversy between Ethiopia and Italy which finally precipitated the historic battle of Adwa in 1896. However, the inactivity of Menilek left her with little influence, and as a result, when she lost her bid to control the government, directly or indirectly, she withdrew altogether in 1910. Iyasu, who was Menilek's grandson and designated heir to the throne, came to power in 1911. However, his controversial reign was ended abruptly and tragically in an orchestrated coup in 1916. He was succeeded by Zäwditu, Menilek's daughter, who became empress of Ethiopia until 1930. Täfäri was made designated heir to the throne and when Zäwditu died in 1930 he finally became emperor of Ethiopia. For more details see Bahru, *A History of Modern Ethiopia*, 111-136.

¹⁰² Täfäri, as a great-grandson of *Negus* (King) Sahle-Sellassie of Shäwa (r. 1813-1847), Menilek's grandfather, had uncontested lineage to the Ethiopian throne. His father, *Ras Mäkonnen*, was a leading politician and one of the right hands of Emperor Menilek. Harold G. Marcus, *Haile Sellassie I: The Formative Years, 1892-1936* (Lawrenceville, N.J.: Red Sea Press, 1995), 3.

forced to accept that it was confronting an immensely well organised and well armed European army which was prepared to spare no expense in its quest to conquer and rule, but also to avenge its Italy's previous humiliation at Adwa in 1896.¹⁰³ It was a major humiliation for a country which had prided itself on being the only independent black nation unconquered by European powers. However, in 1935 the situation both internally as well as externally was different to that which prevailed in the 1890s. Not only was Ethiopia unprepared on a military level, but also local relationships were extremely fragmented which made defence against a major foreign aggressor more difficult.¹⁰⁴

The officials in Gedeo, who had been entrusted with the task of mobilising the people in the defence of the country, were confronted with this grim fact only after the Fascist invasion of Ethiopia had become a reality. The local community had already been divided because of the *gäbbar* system and even more deeply as a result of the unpopular *qälad* imposition. The introduction of *qälad* had been more divisive because most Gedeos were excluded from the process and as a result they felt increasingly alienated and lost any interest in the preservation and protection of the state and their country. This placed the local officials in the difficult position of attempting to mobilise a disaffected section of the community to fight a major war.

Due to inequalities in land distribution there was also a degree of dissatisfaction within the *näfl'äñña* group. As the chief architect of the process of *qälad* measurement, Balcha had not only given the best land to his own loyal troops (the *Barued Bet*, also known as Blacha's loyal regiment), who were mainly

¹⁰³ Caulk, 'Between the Jaws of Hyenas', 483-564; Rubenson, *The Survival of Ethiopian Independence*, 399-406.

¹⁰⁴ Bahru, *A History of Modern Ethiopia*, 159-160.

recruited from his birth place Agämja, but also the larger share of the land which was made available in the process went to this group. The local resource allocation process was a very delicate matter and became divisive. Officials failed to anticipate the wider and long term repercussions on the community, which only became apparent when the great crisis occurred.¹⁰⁵

The Fascist invading force capitalised successfully on the lack of internal unity among the population. The Italians also attacked the traditional Ethiopian institutions and especially directed their propaganda against Ethiopian agricultural systems. They felt that through important reforms under their rule they could achieve their long-standing dream of empire building. According to Fascist rhetoric the traditional Ethiopian agriculture system was a barrier to modern development, and therefore once they controlled the country they would create economic reforms by introducing stringent measures. In particular they targeted the *gäbbar* system in the south as a major issue. They felt that *gäbbar* was an outmoded institution designed by the Abyssinians to dominate and exploit the southern people, and argued that abolishing it was a priority. The Italians were prepared to exploit any internal divisions inside Ethiopia, which they thought might assist them to advance their own interests by weakening opposition, and thus more emphasis was given to ethnic and religious divisions.¹⁰⁶

Ras Dästa Damt'äw (1932-1936),¹⁰⁷ who was the governor of the vast region of Sidamo at the time, was in charge of mobilising the people in the south against the advancing Italian army. *Ras Dästa*, who was very close to Emperor

¹⁰⁵ Interview with Bäqälä Wäldä-Tsadiq, Shegädo, 6 July, 2004.

¹⁰⁶ Haile Mariam Larebo, *The Building of an Empire*, 28-81.

¹⁰⁷ McClellan, *State Transformation*, 82.

Haile Sellassie, was also married to his daughter, Princess Tānaññä Wārǧ Haile Sellassie. As a governor of Sidamo he is remembered for increasing the coffee trade by improving the infrastructure of Sidamo. In addition, he was also known for amassing a substantial amount of *gult* (tribute collecting rights) rights in Sidamo, some of which were located in Gedeo. On his way to the southern front via Gedeo, *Ras* Dästa passed an order that all able bodied men should gather at an important market place called Č'uč'u in Gedeo, which is located on the outskirts of Dilla town. According to informants, the call was very well received and *näfl'äññas*, *gäbbars* and tenants massed from all corners of Gedeo (although as Č'uč'u was an important market place the huge turnout might not have been surprising). *Ras* Dästa made the passionate plea that, as their country was being invaded by an enemy, all those who were physically capable were responsible for defending it and he asked them to follow his lead towards the southern front.¹⁰⁸

The *näfl'äññas* as soldiers had little choice other than marching to the war front, and so the majority went to Dollo to fight the Italians, under their commander *Ras* Dästa Damt'äw.¹⁰⁹ It is also assumed that some of the important *näfl'äññas* went to the front accompanied by their armed retainers, but it is not clear whether the peasants cooperated out of fear of later punishment or of their own accord, having accepted the call of their governor. However, as one informant admitted, the Gedeo did not receive the mobilisation order with enthusiasm, because they did not have reason to go to war. As a result, although some Gedeos went to Dollo (the southern front) to fight the Italians with their

¹⁰⁸ Interview with Fäyisa Bado, Mäkonisa, 18 June, 2004; and Bägäjo Bonja, Č'i č'u, 28 November 1999.

¹⁰⁹ Alberto Sbacchi, *Legacy of Bitterness: Ethiopia and Fascist Italy, 1935-1941* (Lawrenceville, N.J.: Red Sea Press, 1997), 173-176.

landlord, the majority of the Gedeos remained at home. This reality contradicts the national myth; when the country celebrates its past anti-Fascist struggle and observes liberation days, the national rhetoric boasts that all Ethiopians, regardless of ethnic and religious differences, took up arms against the Italians.¹¹⁰



Figure 8. A Gedeo patriot who fought the Italians in the southern front (1935-41) The symbol on his earring shows that he was a patriot. Grissa, August 2004. Photograph taken by the author.

After the Italians succeeded in invading the country they exploited ethnic differences to consolidate their position, and according to Gedeo informants, this worked effectively for most of the five-year period of their occupation. Other than presenting themselves as champions of the southern people against what they

¹¹⁰ Interview with Fäyisa Bado, Mäkonisa, 18 June, 2004.

termed Abyssinian or Amhara domination, the Italians began to take practical measures which won them great support from the local people. Their attack on the existing agricultural system was the most obvious and popular one. The Italians declared that the Gedeo peasants were no longer required to fulfil any of their obligations to the *näff'ännas* which had been imposed upon them since the incorporation.¹¹¹

In addition, the Italians also used land to reward loyalty and punish enemies. An obvious target was land which belonged to members of the royal family and other important local officials. Although details are lacking, Haile Larebo has quoted a figure from an Italian source which claims that approximately 49,655 hectares of land had been confiscated in Gedeo alone which later became a state domain. No other details are available concerning the specific location of the land or its subsequent use, whether it was re-distributed to their loyal followers or used for the commercial farms which the Italians tried to run.¹¹²

There are also examples of the Italians' involvement with individual land matters with the intention of vengeance against people who went to the war fronts by accepting the government's call. As an informant in Shegädo relates, his father went to Dollo during the invasion to fight the Italians alongside *Ras* Däseta, because his father had one *gasha* of *madäria* land (a unit of land measurement, about 40 hectares) in a place called Däqo (in Gedeo). He would have risked losing his land if he had chosen not to fight. Unfortunately, his father died in

¹¹¹ Interview with Kole Soläle, Sugäle, 15 June 2004; Fäyisa Bado, Mäkonissa, 18 June, 2004; and Bäqälä Wäldä S'adiq, Shegädo, 6 July, 2004.

¹¹² Haile Mariam Larebo, *The Building of an Empire*, 81; Also see Alberto Sbacchi, *Ethiopia under Mussolini: Fascism and the Colonial Experience* (London: Zed, 1985), 104; Sbacchi stated that the Italians confiscated *Ras* Dasta Dantau's land in Sidamo, but did not specify the exact location.

battle when he was only fifteen years old. The death of his father meant that he had to carry the responsibility for leading the household, which also meant that his mother wished him to marry at his young age. When the Italians discovered that his father had been a *näff'äñña* and had died fighting them they took revenge by confiscating all the family's land. Subsequently, his mother decided to postpone her son's marriage and fight the case legally. After they confiscated the land the local Italian officials sold it to a Gedeo man called Bädecha Wudo as a reward for loyalty.¹¹³

Reduced to a state of landlessness, his mother then appealed against the decision; having lost all appeals at a local level she had to go to Nazret (90 km east of Addis Ababa and about 390 Kms north of Dilla) where the higher officials resided at the time. She and her son (my informant) had to stay one and half years in Nazret until they eventually won the appeal. When they came back to Gedeo they were informed that if she wanted to take her land back she had to reimburse Bädecha Wudo for the money he had paid to the Italians when he first bought the land from them. She paid accordingly and the land was restored to her.¹¹⁴

However, the Italian policy towards many ordinary Gedeos was in general favourable for most of the five-year period of their occupation.¹¹⁵ The Gedeos felt that by abolishing the *gäbbar* system the Italians had restored their rights on their land and recognised the fruits of their labour. The Italians had also shown a strong interest in coffee production and had encouraged the peasants to continue to

¹¹³ Interview with Bäqälä Wäldä-Tsadiq, Shigädo, 6 July, 2004.

¹¹⁴ Interview with Bäqälä Wäldä-Tsadiq, Shigädo, 6 July, 2004.

¹¹⁵ For example, Donham says that despite the forced labour policy regime which the Italians followed in Maale, southern Ethiopia, the Maales felt that the Italians were their liberators. Donham, *Work and Power*, 44.

cultivate it on the land previously occupied by the *näft'äññas*. The attitude of the Gedeos towards the Italians was generally positive and in fact contemporary Gedeo informants refer to the period as a time of “freedom”. However, this smooth relationship with the Gedeo people began to tarnish as the cost of empire building soared.¹¹⁶

The grand ambition of Fascist Italy to turn Ethiopia into an agricultural success was soon frustrated due to ill-conceived and poorly executed projects.¹¹⁷ In Gedeo for instance, the Italians had established a cotton farm in the hot lowlands between Lake Abaya and Dilla town. The main challenge for the Italians was a lack of agricultural labourers who were willing to work in this inhospitable area. Labour was also needed for other projects such as road construction. In the early period of the projects the Italians introduced wages to attract more labourers, but the dangerous nature of the work deterred many people. It was especially difficult for them to attract people to work in the cotton plantations which were inside territory used by the Guji as an important grazing ground for their cattle.

The Guji herdsmen were mostly mobile and reluctant to perform settled agricultural work. Thus, the Italians relied on the Gedeo peasants for the work in the cotton farms, but that became unsustainable, as most Gedeos were unwilling to work there, especially during the peak season where the threat from malaria infestation was very high. The Italians then resorted to a forced labour regime whereby most Gedeo were ordered to work on the cotton farms in rotas. One informant in the Mäkonissa area said that initially when ordered by the Italians to work in the cotton farms they were told they would only stay for five days, but in

¹¹⁶ Interview with Kole Soläle, Sugäle, 15 June 2004; and Arareso T'äro, Sugale, 15 June 2004.

¹¹⁷ For a very good discussion of the failure of Italian plans see Haile Mariam, *The Building of an Empire*.

most cases they were forced to stay longer until a replacement arrived from another area.¹¹⁸ Thus, people were stranded for days without having sufficient provisions to survive. The forced labour regime not only failed to solve the shortage of labour but also soured the positive relationship that the Italians had previously enjoyed with the Gedeos.¹¹⁹

When Italy's five-year occupation ended abruptly in 1941, their legacy was interpreted differently. From the governmental point of view, humiliation under Fascism meant that modernising the country was given greater priority. As a result, Haile Sellassie accelerated a programme of reforms which had been started in pre-war times. The radical reforms in agriculture and their impact will be examined in the next chapter. Paradoxically, from the point of the local Gedeo people, the demise of Italian rule was seen as an end to the "years of freedom". From this view point, liberation meant the return of the *näft'ääñña* and the resumption of an unhappy pre-war situation. Some informants claim that after the war the *näft'ääññas* felt more self-important because it was they who had dispatched the enemy. Those Gedeos who had opted not to fight were obliged to maintain a low profile.¹²⁰

¹¹⁸ Interview with Fäyisa Bado, Mäkonisa, 18 June, 2004.

¹¹⁹ Interview with Šao Robe, Qome, 30 June 2004; and Oudo Bäqäte, Grissa, 15 July 2004.

¹²⁰ Interview with Fäyisa Bado, Mäkonissa, 18 June, 2004.

Conclusion

The *gäbbar* system was largely successful in enabling the expanding empire to generate the resources which were needed for its consolidation. The system was crucial economically for the *näft'ännas* because it enabled them to have free access to resources such as labour and produce. Socially, owning *gäbbars* was important for the status of the *näft'ännas*. The *balabat*, who had some level of authority traditionally, were able to gain more power and economic benefits from the *gäbbar* system thanks to the *gult* granting mechanism. However, the peasants of Gedeo who were made *gäbbars* lost a number of their rights. Coercion, exploitation and degradation were prevalent and there were only rare chances to escape from this highly exploitative system. In spite of the onerous nature of the *gäbbar* system, its recognition of their indigenous rights to the *outiba* land enabled them to survive and hand down their landed property to their offspring.

The imposition of *qälad* was a major development in Gedeo during this period. It not only consolidated the *näft'ännä-gäbbar* system but also expanded the area of state domination. The Gedeo did not like the imposition of *qälad* from two perspectives; firstly they felt that it denied them their traditional right to expand into virgin territory. Secondly, they were excluded from having any share in the resource allocation process. *Qälad* also increased the exploitative nature of the system through sharecropping tenancies which became more prevalent in the post-war period. Nevertheless, ordinary Gedeos did not realise its impact at the time and opposition to it was restricted to the elite of Gedeo. The main consequence of *qälad* imposition was perhaps in further deepening the local divisions which had started as a result of the *gäbbar* system. This lack of cohesion

manifested itself more conspicuously when the country was invaded by Fascist Italy in 1935.

The post-liberation period was the most dynamic period of the twentieth century. Various developments took place during this crucial time in Gedeo's history. During this period the *näft'ääña-gäbbar* form of relationship gradually declined, to be replaced by that of landlord-tenant. As the period was relatively peaceful compared with previously there were significant developments in agriculture, commerce, urbanisation and so on.¹²¹ The post-liberation period appears superficially to be a time of peace, but paradoxically the phenomenon of constant litigation concerning land rights and tenancy matters deeply eroded rural production relationships until the 1974 revolution. The following two chapters focus on land and tenancy disputes after 1941.

¹²¹ For the evolution of towns in Sidamo since the incorporation see Richard Pankhurst, *History of Ethiopian Towns from the Mid-Nineteenth Century to 1935, Äthiopische Forschungen*; (Stuttgart: Franz Steiner Verlag Wiesbaden, 1985), 196-198.

Chapter Three

Land Disputes and Litigation, 1941-1974

1941 marked the end of the five-year occupation of Ethiopia by Fascist Italy and the restoration of Emperor Haile Sellassie to the throne. One of the legacies of the invasion was that it increased the government's quest for change. Haile Sellassie envisaged the creation of a highly centralised state through major bureaucratic reforms, and although the country was weakened due to the effects of the war, the aftermath of the conflict was however a favourable time for new initiatives.¹ The people who were regarded as bulwarks against progress before the war had either died during its duration, or had experienced an erosion of their traditional power base, and hence the stage was set for reform.² Haile Sellassie was quick to use this opportunity and he initiated many changes across a number of areas, prioritising agriculture.³ Such measures, regarding land and taxation, had a direct effect on the Gedeo rural community.⁴

One major change was that *madäria* (i.e. land granted to soldiers and other state officials in lieu of their salary) land holders were allowed to convert their conditional right into the *rest* form of ownership.⁵ This was a step taken by the

¹ John M. Cohen and Peter H. Koehn, *Ethiopian Provincial and Municipal Government: Imperial Patterns and Postrevolutionary Changes*, ed. Harold G. Marcus (East Lansing, Michigan African Studies Center, 1980), 8-9.

² Crummey, *Land and Society*, 237-240.

³For a discussion of the land reform laws of the post-liberation period see Aster Akalu, *The Process of Land Nationalization in Ethiopia: Land Nationalization and the Peasants*(Lund: CWK Gleerup, 1982), 38-46.

⁴ For the 1941 Proclamation see Gäbrä-Wäld, "Ethiopia's", 325; Harjinder Singh, *Agricultural Problems in Ethiopia* (Delhi: Gian Publishing House, 1987), 76-81; See also Eshetu Chole, "Towards a History of the Fiscal Policy of the Pre-Revolutionary Ethiopian State: 1941-74," *Journal of Ethiopian Law* XVII (1984), 88-104.

government in an effort to dismantle the old practice of land grants for government office holders under the assumption that the country could easily be modernised by creating a professional class who could run the bureaucracy more efficiently than previously. The first measure was therefore to cease the practice of rewarding holders of government office by the gift of a piece of land. Nevertheless a sizeable number of people in Gedeo already owned such land before 1941, so the changes failed to bring about any major redistribution of resources within the community. There was no change of ownership of land, and previous land rights were made more secure.⁶ When an individual was granted the right to change his *madäria* land to *rest* the latter became a more secure form of property which no longer required the recipient to provide services to the government in return for enjoying the benefit of land possession. As well as being permanent, *rest* lands unlike *madäria* lands were easily transferable in a variety of ways to a third person such as by selling or inheritance. However, it is not clear whether productivity was increased by the introduction of a more secure form of land ownership.

It has frequently been assumed that such changes were a major step towards a private form of land ownership.⁷ However, when we actually examine the nature of the edict it was not specifically designed to promote a "private" form of land ownership, either directly or indirectly. Therefore any change in relation to

⁵ See Mantel-Niečko, *The Role of Land Tenure*, 98; see also Mahtämä-Sellassie, "Land Tenure and Taxation", 285; See also Michael Ståhl, "Ethiopia: Political Contradictions in Agricultural Development" (Doctoral thesis, Uppsala University, 1974), 49.

⁶ Tekalign, "A City and Its Hinterlands", 239.

⁷ See Shiferaw, "The Evolution of Land Tenure", 110; Bahru, *A History of Modern Ethiopia*, 191; and Bahru, "Economic Origins of the Absolutist State", 12; There was no particular development as far as Gedeo was concerned which made the land tenure system private. On the other hand Teklaign (see above) described the land tenure systems of post-war period as the move towards the Amhara form of land tenure. This might have been the case in his area, but the situation in Gedo was different due to the presence of a multi-layered tenure system.

land tenure is hard to attribute exclusively to measures taken by the government. In fact the sources do not show a fundamental change in the system in comparison to the pre-war period.⁸ This can easily be demonstrated by looking at the terminology used frequently by disputants both before and after the war, the most common of which being *madäria*, *sämon*, *rest*, and *outiba*.

One of the distinguishing features of this period was the proliferation of court disputes, which were mainly concerned with land and tenancy issues (see chapter four), and there appears to have been a parallel between Gedeo and other parts of Ethiopia in this regard. The court cases examined in this chapter show that land ownership rights were highly precarious. The main threat to security was not the government, but individuals who were increasingly obliged to engage against each other in fierce competition for the available resources. Land disputes in general were of two types, interpersonal and government versus individuals. The great majority of cases were disputes between individuals; although the government might also have initiated legal action its motives were not however identical to those of individual disputants.

The right of individuals to land ownership was not always revoked, either by powerful individuals or the state, as normally assumed. As the archives show, land was not simply taken away from a person on dubious grounds or by the order of a certain powerful authority. Contrary to assumptions the state did not always use its power arbitrarily to reward some and to punish others.⁹ As the last section indicates even people who were alleged to have occupied government land without proper legal rights were not condemned to lose the land outright without a

⁸ According to Cohen and Weintraub 65% of the Ethiopian population owned private land. They admitted that their data was poor and did not explain how they arrived at this figure however. John M. Cohen and Weintraub, *Land and Peasants*, 34.

⁹ Gämäda Diko V. Käbädä Wondimu, DACCA, 10/42 (Dilla, 1942 E.C.).

“due process of law”; they had to be charged formally at court and the prosecuting government body had to support its allegation with evidence.

One of the most notable features of the state after the war was its ability to extract more resources than in previous times.¹⁰ This was achieved in many ways; the most effective one was by classifying land according to its fertility and imposing taxes accordingly.¹¹ Before this period tax had not been properly assessed or collected but centralisation now enabled the state to channel more revenue directly into the treasury by removing power from local officials. Ironically, although this solved many problems for the state it also created a number of others which as we shall see later became a source of dispute in a number of land issues, and several people took advantage of loopholes in the system to register their names as land owners.¹²

This chapter will explore in some detail the nature of land disputes in Gedeo after the war. By using court documents and presenting examples of some of the disputes it will show not only the nature of the land tenure system in Gedeo but also how access to land was a highly contentious issue. As access to land became more difficult over time people used various strategies to obtain this vital resource. Land disputes were common among many peasant communities across the country; however, this study of one particular part of Ethiopia highlights their complex nature and the need to understand the issue at a micro level.

⁸ Markakis, *Ethiopia*, 118.

¹¹ According to Gäbrä-Wäld the size of a *qäläd* was about 66 to 75 square metres. But this was not a standard unit applied throughout Ethiopia. See Gäbrä-Wäld, 303.

¹² Peter Schwab, *Decision-Making in Ethiopia: A Study of the Political Process* (London: C. Hurst, 1972), 146; Schwab cited a case in Gedeo where land assessment was very difficult because of the power of landlords.

Land tenure after the war; change and continuity

The dynamic nature of the land tenure system in Gedeo continued after the war by embracing both change and continuity. Dualism (*outiba* and *qäläd*)¹³ continued to be the most important feature of Gedeo land tenure in this period, as it had been prior to 1941. For the majority of Gedeos the means of accessing land did not show major changes compared with the pre-war situation, but rather the process intensified after the war as more people needed land. As a result, most Gedeos still resided in the core areas where land was held as *outiba* under terms laid down by tradition. The *gäbbar* system continued to decline and the measures taken by the state after the war brought about its final demise, but the pace was much slower than normally assumed. Also, despite changes made to the *gäbbar* system the Gedeo still continued to access land in the core areas in accordance with the principles of *outiba*, although this had become increasingly challenging after the war due to demographic pressure.¹⁴

In 1942 and 1944 when the government announced tax reforms its intention was to generate more revenue and channel it directly into its treasury. By removing local intermediaries in the tax collection processes the government hoped to boost its income. Meanwhile the measures were also intended to benefit the *gabbars* who resided in the core areas of Gedeo where peasants continued to fulfil many obligations to their *gult* right holders, such as tribute and other labour

¹³*Qäläd* is not a type of land tenure system; I used this term here in a similar way to the Gedeos. They apply this term when they refer the land outside of the core areas or *outiba* areas of Gedeo, see chapter two for more details. These two land dispute cases for instance show the difference between the two land tenure systems which coexisted in Gedeo during this period; *Gänale Tetu v. Jilo Gunayo*, DACCA, 381/53 (Dilla, 1953 E.C.); and *Balambarass Abäbä Gondäre v. Shoda Bäresso*, DACCA, 635/45 (Dilla, 1945 E.C.)

¹⁴ Population pressure was not a new phenomenon, but many Gedeo informants believed that settlement in the lower zone intensified after the war. See chapters one and two for more details. Interview with Bora Héssa, Grissa, 13 July 2004; and Worera Č'umburo, Shegädo, 6 July, 2004.

obligations, which were legacies of the pre-war period. Nevertheless there was no guarantee that peasants benefited from such measures, because even after the proclamation of the amended tax reform in 1966, its full implementation was doubtful as there were many reports that old practices appeared to have been continued in some form until the revolution.¹⁵

However, important changes had taken place in the *qälad* areas where most of the land had been occupied as *madäria* land by the *näft'ännas* (including other state functionaries) since the 1920s.¹⁶ Among the measures taken by the government after the war was that it now allowed *madäria* landholders to convert part, and later most, of their *madäria* into *rest*.¹⁷ Most *madäria* landholders were soldiers who had fought the liberation war against Italy, and the government used the opportunity to reward them for their contribution during these difficult times. *Mädäria* land holders who were associated with the army were no longer obliged to provide their services as was the case before the war. This was because the government had already created a professional national army which was financed directly by the state treasury.¹⁸ Thus the traditional practice of attaching services to land ownership gradually dwindled as a result of this measure. Also, when they were given a chance of converting part of their *mädäria* into *rest*, their rights to that land became more secure. As *rest* holders they were no longer exempted from

¹⁵See the following works regarding the impact of these reforms; Crummey, *Land and Society*, 240-205; and Gilkes, *The Dying Lion*, 69; The 1966 Amended Tax Reform was especially important for many Gedeo *gabbars* because they were only required to pay taxes directly to the state treasury.

¹⁶ McClellan, *State Transformation*, 81.

¹⁷ Askale Abaye V. Assäfa Gässässä, DACCA, 128/34 (Dilla, 1934 E.C.).

¹⁸ M. F. Perham, *The Government of Ethiopia*, 2nd ed. (London: Faber and Faber, 1969), 354.

tax, and like any other land owner they were liable to pay all dues to the state.¹⁹ Since *rest* was the most secure form of property (in contrast with *madäria* land) in Gedeo the measure was very successful from the point of view of both the government and the *madäria* land holders.²⁰

The conversion of *madäria* land into *rest* was not always straightforward however.²¹ The case of Adnäw Märgia demonstrates the complexity of the process and the disparity between governmental promises and reality. When Adnäw initiated the process of conversion he first applied to the Sidamo *T'äqalay Gizat* (Regional Administration) to allow him to change from *madäria* to *rest* according to the edict introduced by the government.²² Adnäw was able to convert part of his *madäria* land in 1945 E.C (1952/3), but at this time he was only able to convert one third of his *gasha* of land. After a second edict he applied to convert the remaining *madäria* land into *rest*.²³ Adnäw was required to provide detailed information about the land and its location, and the individuals who had land bordering on his own. In addition he was asked if there were others who had a vested interest or who opposed the conversion into *rest*. He initially obtained a letter from a man called Gudicho Shobo, the *balabat* where the land was located.

This letter contained the history of the land in question. The *balabat* Gudicho Shobo said in this letter that the land was originally given to Adnäw Märgia's father *Giražmach* (lit. commander of the left flank) Märgia as *mädäria*

¹⁹ Schwab, *Decision-Making in Ethiopia*, 66-67.

²⁰ Mahtämä Sellassie Wäldä Mäsqäl, "Land Tenure and Taxation", 295-301.

²¹ There are also some land dispute cases where litigation was initiated due to the illegal sale of *madäria* land. *Dämäna Dämssie v. Gole Halchoye*, DACCA, 130/41 (Dilla, 1949 E.C.).

²² For a discussion of post-war government land grant proclamations see Tekalign, "A City and Its Hinterlands", 239-245.

²³ Askäle Abaye v. Assäfa Gässässä, DACCA, 128/34 (Dilla, 1934 E.C.).

land during the time of *Däjäzmach* Balcha. He was awarded one *gasha* of *madäria* land because of his membership in the *Barud Bet* regiment, a famous regiment which was loyal to Balcha and had fought the Italians.²⁴ In later years the land was passed on to Adnäw; he also became a member of the militia (*nač' läbasha*) although it was not clear that whether he was allowed to retain the *madäria* land of his father because of his own military post.²⁵

Adnäw was also required to provide a statement from the tenants who actually worked on the land. The head tenant as their spokesman stated that the land which Adnäw wanted to convert to *rest* was farmed by a group of tenants. He further said;

.....this land has been *mädäria* land belonging to Adnäw's father since 1928 E.C. [1935/36] After the Italians left the land was transferred to *Ato* (a title equivalent to Mr) Adnäw, to whom I have paid *erbo* (quarter) for the last four years. As a result I will not claim this land as my *rest*. In the previous years after *qälada* was introduced the land was given as *mädäria* land. I would like to confirm that I have not bequeathed this land to anybody else as my *rest* and I will not dispute with *Ato* Adnäw on this land as my *rest*.²⁶

The above statement was instrumental not only in avoiding possible future disputes, but also in providing historical insight, to show how *madäria* land evolved into *rest* land. The legal process of the conversion of *madäria* land into *rest* was very stringent as the above case shows.²⁷ Unusually the land was not passed from father to son directly, but through the involvement of an authority which authorised the transfer of the land to Adnäw; unfortunately there is no more

²⁴ McClellan, *State Transformation*, 39.

²⁵ Adnäw Märgia V. T'ilahun Worqu, DACCA, 21/62 (Dilla, 1962 E.C.).

²⁶ Adnäw Märgia V. T'ilahun Worqu, DACCA, 21/62 (Dilla, 1962 E.C.).

²⁷ Dämäna Dämssie V. Gole Halchoye, DACCA, 130/41 (Dilla, 1949 E.C.).

information available to enable us to learn on what grounds the land was allowed to be held by him.²⁸ In fact other evidence shows that most of the lands which were originally given as *mädäria* land did remain in the hands of their family which raises the question of whether there was any really important difference between *mädäria* and *rest* rights.²⁹

The above example demonstrates how implementing governmental changes required energy, resources and time. As mentioned earlier, this period was dominated by land and tenancy issues, and courts played a central role.³⁰ However before dealing directly with land dispute issues it is important to consider the nature of the courts so that we can understand how they conducted their work, particularly in the sensitive areas of land and tenancy.

The role of courts in land disputes

One of the distinguishing features of the post-liberation period in Gedeo was the proliferation of land disputes. Government courts were the arena for land disputes of various kinds but despite the important role courts played during the period, our current level of knowledge is very meagre. The history of the Ethiopian legal

²⁸ Schwab, *Decision-Making in Ethiopia*, 66.

²⁹ Wäldä Sellassie Wäldä Sänbät V. Kābādā Mola, DACCA, 338/53(Dilla, 1953 E.C.) This case came to court because of the failure of an agreement signed between the plaintiff and the defendant regarding the sharing of *madäria* land. When the agreement was initially signed the defendant agreed to share his one *gasha madäria* land with the plaintiff and in return the plaintiff agreed to fulfil some obligations towards the government on behalf of the defendant. When the plaintiff (Wäldä Sellassie) failed to discharge his obligations the defendant (Kābādā) took the land away, and Wäldä Sellasse retaliated by taking legal action against Kābādā. Although the court finally decided in favour of Kābādā it did not question the way in which the *madäria* land had been passed on to another individual (in this case to Wäldä Sellassie) without the approval the government, although such lands were not intended to be passed on to a third person.

³⁰ In contrast in Swaziland, for example, government courts do not deal with land dispute matters, it is mainly the chiefs and the council (the *libandla*) who have the jurisdiction to hear land matters; see Laurel L. Rose, *The Politics of Harmony: Land Dispute Strategies in Swaziland, African Studies Series* ; (Cambridge (Britain); New York: Cambridge U.P., 1992), 37.

system has not been the subject of major historical enquiry and as a result we know very little about how courts dealt with complex issues such as land disputes, either from a procedural point of view or from other legal perspectives.³¹

In the government's bid to modernise the country through centralisation and the bureaucratisation of its various departments legal reforms were given a pivotal role.³² However the codification process of Ethiopian Civil Law did not take place until nearly two decades after liberation³³ and it was only in 1960 that the Civil Code of Ethiopia appears to have been formally adopted.³⁴ Despite the inclusion of Ethiopian customary laws and practices the backbone of the 1960 civil code of Ethiopia was European Romano-Germanic family law.³⁵ Even after becoming formally operational its application seems to have been delayed and hampered by a number of factors, especially the lack of properly trained personnel who could interpret the law as required.³⁶ In addition the government had problems with finance and administration. It is also claimed that the newly

³¹ Aberra Jembere, *An Introduction to the Legal History of Ethiopia, 1434-1974* (Münster; London: Lit Verlag, 2000), 1.

³² Paul H. Brietzke, *Law, Development, and the Ethiopian Revolution* (Lewisburg/London: Bucknell U.P. Associated University Presses, 1982), 67.

³³ Markakis pointed out that the codification of law began with the drafting of a criminal law system in the 1930s, Markakis, *Ethiopia*, 296; regarding the codification of private law see Reinhard Zimmermann, *Roman Law, Contemporary Law, European Law: The Civilian Tradition Today* (Oxford: Oxford University Press, 2001), 14-18; See also Peter Stein, *Roman Law in European History* (New York: Cambridge University Press, 1999); 110-113.

³⁴ Kenneth R. Redden, *The Legal System of Ethiopia* (Virginia: The Michie Co., 1968), 49; Mahmood Mamdani, *Citizen and Subject: Contemporary Africa and the Legacy of Late Colonialism* (Princeton: Princeton University Press, 1996), 111-137; Mamdani believes that the customary law of Ethiopia was replaced with modern civil code only after the 1974 Revolution.

³⁵ Aberra, *The Legal History of Ethiopia*, 10-16.

³⁶ Redden said that in 1963 there were only 19 university- trained lawyers in the whole of Ethiopia. However all 19 lawyers occupied an important position in the government. According to him the problem was somewhat mitigated as "Ethiopians are litigious by nature, the remaining hundreds of thousands of practicing advocates, prosecutors and judges, who serviced a population in excess of 20 million, had little if any formal legal education." Redden, *The Legal System of Ethiopia*, 191.

adopted law was not implemented fully because it was too complex to serve the needs of ordinary Ethiopians as it was adopted from a highly developed legal system.³⁷

The archives show little evidence that the new legal system was used in land and tenancy disputes in places like Gedeo.³⁸ However, it is very difficult to establish why it was not used by the judges in lower courts and whether it was because of lack of expertise or for financial and administrative reasons. A careful study of the land dispute documents reveals that there was in fact no specific body of law to which the Ethiopian courts adhered. This is unsurprising in view of the fact that courts were poorly organised and staffed by untrained personnel who had no knowledge of legal matters beyond basic literacy or at most a church education.³⁹

Although the courts dealt with all kinds of disputes, dispute about land has always been at the forefront of their task. This is not because people were unable to resolve their problems privately through traditional mediation, as they have always done, but due to the highly sensitive nature of land issues, courts were given the power by the government to deal with them. People also felt that when issues of crucial importance arose between them the government courts were the ultimate battle ground. This does not mean that the role of traditional mediation

³⁷ Paul H. Brietzke, "Private Law in Ethiopia," *Journal of Ethiopian Law*, 18, No. 2 (1974), 149-167; Aberra felt that the reason why the Civil Code was not implemented was because of problems associated with lack of resources, whereas P. Brietzke felt that it was too sophisticated to serve the needs of ordinary Ethiopians. See also Aberra, *The Legal History of Ethiopia*, 10-13.

³⁸ In a very few land dispute cases disputants did cite the relevant code from the book, but when they presented their case or offered their defence they did not interpret and apply the law accordingly. Gänale Tetu V. Jiilo Gunayo, DACCA, 381/53 (Dilla, 1953 E.C.).

³⁹ Comparing Ethiopian law with the West Brietzke claims that "... customary Ethiopian processes place a greater emphasis upon correct procedures and the persuasive presentation of facts rather than complex interpretation of substantive rules, upon a quick, flexible, and local conciliation or arbitration which restores social harmony rather than the implementation of abstract concepts of justice..." Brietzke, *Law*, 32.

was completely taken over by modern courts or made illegal by the law, but the crucial importance of land meant that the courts passed the final verdict.⁴⁰

One of the obvious reasons why land ownership was a highly contentious area was that it was in short supply.⁴¹ Evidence shows that land became increasingly scarce especially after 1941 and as a result the desire to gain land intensified. The reason for this is that the post-war period was a time of stability where agriculture, commerce and trade expanded and towns and market centres flourished in Gedeo. This was particularly encouraged by the development of coffee as a cash crop (it has become Gedeo's most important product) and the construction of a motorway which connected Gedeo to the international market via Addis Ababa, the capital. The population also increased remarkably during this period.

Most of the evidence which shows that population growth was substantial during our period is qualitative in nature. Informants claimed that their parents had come from the core areas in the highlands in search of land because accessing *outiba* land was becoming increasingly difficult. Some informants who were among the first generation of settlers said that land shortage was the main driving force for them to move into the lower zone. This confirms the findings of the few available quantitative sources which show a similar trend. The Italian geographer, Guidi, who spent about seven months in Gedeo in 1937, estimated the Gedeo population to be about 40-45,000. Although the figure looks small he was surprised by the high density of the settlements. The 1984 census put the figure at

⁴⁰ Afäworq Mängistu v. Tiro Jäbo, DACCA, 105/53 (Dilla, 1953 E.C.).

⁴¹ Dessalegn Rahmato, *Agrarian Reform in Ethiopia* (Trenton, N.J.: Red Sea Press, 1985), 19; He said that insecurity of tenure was the main cause of disputes, and he drew his conclusion from the perspective of the northern Ethiopian land tenure system.

453,099 and showed the density of Gedeo's population to be among the highest in Ethiopia.⁴²

These factors all impacted upon the competition for the available land.⁴³ As access to land in the core areas became restricted the land in the *qäläd* areas began to absorb the newcomers who were also lured by the prospect of better land; this was one of the reasons why land in the *qäläd* area was much more contentious than in the *outiba* area.⁴⁴

Scarcity is cited as a major reason for land to be intensely contested, and it is certainly likely to have been the driving force behind most of the disputes. However it may not give us a complete explanation as to why land litigation was so endemic among Ethiopian society at large.⁴⁵ The question here should be seen in a much broader setting which requires us to place the issue within the larger framework of property rights.⁴⁶ The lack of a clear and unambiguous definition and delineation of property meant that there was always an opportunity for dispute. It was not surprising therefore that disputes arose in some parts of Gedeo more than others, especially from the *qäläd* areas rather than the *outiba*. The Gedeos never fully accepted the way *qäläd* land was partitioned and distributed solely to

⁴² Interview with Worera Č'umburo, Shegädo, 6 July, 2004; Shalo Dube, Shegädo, 6 July, 2004; and Shät'ät'o Bäriso, Shegädo, 6 July, 2004. Guidi, "Nel Sidamo Orientale", 377; Office of the Population and Housing Census Commission, *Population and Housing Census 1984*, 35.

⁴³ For a similar argument see Sara Berry, *Chiefs Know Their Boundaries : Essays on Property, Power and the Past in Asante, 1896-1996* (Oxford: James Currey, 2000), xix-xxi.

⁴⁴ McClellan, "Coffee in Centre-Periphery Relations", 194.

⁴⁵ According to Cohen and Weintraub "The lack of adequate measurements, the chaos of the present registration system, and the general combativeness of northern and southern peasants over claims and boundaries, create much insecurity and litigation." Cohen and Weintraub, *Land and Peasants*, 57.

⁴⁶ For a discussion of property rights and issues with security of rights see David L. Weimer, "The Political Economy of Property Rights," in *The Political Economy of Property Rights: Institutional Change and Credibility in the Reform of Centrally Planned Economies*, ed. David L. Weimer (Cambridge: Cambridge University, 1997), 1-19.

näfl'äññas. This was reflected indirectly in many land disputes and more directly in the 1960 conflict at Michele which resulted in the death of many peasants and the destruction of much property.⁴⁷

The fact that in the pre-1941 period lands were acquired or transferred under loose or ill-defined agreements left openings for opportunistic would-be owners to start litigation as the competition for land intensified. Hence disputes over land became a very important feature of this period, as a means to gain access to this increasingly important resource. Although it is difficult to present statistics in support of this contention it is clear that land litigation increased significantly in later years, from the late 1950s until the end of our period.⁴⁸

The way courts were structured and operated within the Ethiopian context is also worthy of consideration. A hierarchical structure existed from the highest court in Addis Ababa presided over by the Emperor, down to the local level; the *at'bya dañña* (local judge) court was at the bottom of the hierarchy. The view of the government was that citizens would be better served by accessing courts at a village level.⁴⁹ However, due to a system of appeal and counter appeal a simple case which started at the bottom of the hierarchy might eventually be heard in the highest court. This was advantageous in instances of injustice or dissatisfaction with the outcome of lower courts, but gradually became problematic especially for people who had limited resources, because by using the appeal system cases were perpetuated for years before they were resolved. This was also compounded by the

⁴⁷ See chapter five for a detailed discussion of the uprising.

⁴⁸ Dessalegn, *Agrarian Reform in Ethiopia*, 19.

⁴⁹ Aberra, *The Legal History of Ethiopia*, 219-241.

government's limited ability to enforce the courts' decisions; thus individuals were unable to break out of an endless cycle of dispute and litigation.⁵⁰

The plaintiff was usually required by the court to estimate the size of the land in question and its equivalent in money (e.g. 1 *gasha* = 5,000 *birr*, the standard Ethiopian monetary unit). This was in order to help determine at which level of court the case should first be heard.⁵¹ On initiating a land dispute some plaintiffs intentionally overestimated the size and value of the land to make it an expensive and difficult process for the defendants, as it would incur major expenses to travel for every hearing, notwithstanding the payment of the expenses of several witnesses. In most cases defendants simply gave their response to the main issue but at times, especially if they were economically fortunate and had acquired professional help or representation, they might argue about procedural issues or the estimate of the land's value and claim that it should be higher or lower.⁵²

Supporting evidence was the key to winning court battles.⁵³ However the production of evidence in itself did not mean that a satisfactory conclusion was reached in court disputes; how such evidence was interpreted also mattered. The most common types of evidence which were presented to the court were

⁵⁰ There were abundant stories of land litigation whereby families "inherited" unconcluded court cases. People had been locked into a cycle of litigation for generations; most of these cases were only resolved by the revolution and subsequent land reform.

⁵¹ For the court structure of Ethiopia in both the pre -and post-liberation period see Aberra, *The Legal History of Ethiopia*, 219-241.

⁵² This is among the few cases where procedural knowledge was used to win a dispute. *Mintäsnot Kåbåde v. Dana Shärtu*, DACCA, 61/63 (Dilla, 1963 E.C.).

⁵³ Heinrich Scholler, *The Special Court of Ethiopia, 1920-1935, Äthiopistische Forschungen* (Stuttgart: F. Steiner Verlag Wiesbaden, 1985), 89-90; According to Scholler the issue of proof, which is built into the traditional law of Ethiopia, is very important.

1. Tax receipts, particularly land assessment receipts. Land assessment receipts were given high importance because government officials usually assessed land fertility at intervals of some years by classifying the land according to different levels of fertility [*läm* (fertile), *läm-t'äf* (semi-fertile) and *t'äf* (uncultivated)].⁵⁴ This was considered to be the most reliable information for use in court. The main function of this assessment was for taxation purposes; however it contained other important information about the land, i.e. its location, the name of local governors, the tenure type, the size and fertility, the name of people who owned adjoining land etc. From the available court archives it is possible to tell that land assessment had taken place in 1942 E.C. (1950), 1945 E.C. (1953) and 1955 E.C. (1963). As well as the fertility level of the land the person who owned or owns the land was registered according to the tenure system on that land. In the case of land which was considered to be *rest* land the person who was responsible in paying taxes was registered as the *aläqa* (chief or head) and others (usually brothers) as *minzir* (followers). However courts did not always accept land assessment receipts at face value, because as was revealed in some disputes, people were discovered to be illegally registered as the *minzir* of a piece of land.⁵⁵ There were instances where such registration was challenged by opponents and as a result the court nullified their registration as fraudulent. The registration of land tax in line with the northern Shäwan type of system (*aläqa* and *minzir*) was interpreted by some researchers as a move towards the Amhara form of

⁵⁴ Gäbrä-Wäld, "Ethiopia's", 302-339.

⁵⁵ For a historical explanation of these terms see Mantel-Niećko, *The Role of Land Tenure*, 105.

land tenure.⁵⁶ From the government's viewpoint it had practical importance in terms of reducing the burden of tax collection by giving some responsibility to the *aläqa*.⁵⁷

2. The second most common kind of evidence was that of personal witnesses. These were people who knew about the land, or who were present when the land was sold. If it was an inheritance and the relevant document was lost, people who were present at the time served as witnesses. In some cases a written document was not in itself be considered to be credible unless reinforced by eye witnesses' accounts.
3. Any other written document, such as sale agreements, wills, and so forth.

As noted earlier, land disputes cases could be grouped into two major divisions, interpersonal and government vs. individuals. Although the cases in which the government was involved were not numerous, they are however significant. By becoming involved in disputes the state attempted to use the legal system it had erected not only to protect its own interests and the interest of others but also as a demonstration that it was not above the law. Since the bulk of the archival material falls in the first category i.e. interpersonal land disputes, this chapter will be mainly devoted to this group of cases.

Interpersonal land disputes

At what point did individual disputants decide to take legal action to resolve their differences? Taking a case to court was a last resort when other forms of conflict resolution had failed. Most legal documents do not show what efforts were made

⁵⁶ Tekalign, "A City and Its Hinterlands", 239.

⁵⁷ According to Gäbrä-Wäld this system was abolished by Emperor Haile Selassie. See Gäbrä-Wäld, "Ethiopia's", 311.

preceding the presentation of the case to a government court. Attempting to settle disputes privately through mediation or in other traditional ways was not seen as a precondition for disputants before entering into a court battle, but such a step could be taken by the individuals involved at any time including during the court proceedings, and courts imposed no restrictions in this regard.⁵⁸

The interpersonal land disputes which came before the courts were widely varied. Archival documents reveal the kind of land dispute cases that government courts dealt with and the way in which the disputants presented their arguments to the courts, as well as how the courts weighed evidence and reached their verdict. However their varied and complex nature also means that they pose methodological problems such as how they should be approached in order to extract the most useful information for historical reconstruction. When a plaintiff lodged a case the courts usually registered it according to the issue he/she presented. However, interpersonal land disputes appeared in court under very general and vague titles. For example all inheritance cases were given a similar title, and if the dispute was about *erbo* the document would be labelled accordingly. This was a misleading approach because there are a number of court cases which originated as an *erbo* dispute and later evolved into a land dispute.⁵⁹ As a result of this it is difficult to establish even the basic issue behind any dispute; thorough investigation is needed to discover whether the issue was a land or tenancy dispute.

Interpersonal land disputes which came before the courts in Gedeo could be grouped broadly into the following categories

⁵⁸Afäworq Mängistu V. Tiro Jäbo DACCA, 105/53 (Dilla, 1953 E.C.).

⁵⁹ Worq Yit'äru Dubale v. Dinga Bushe, DACCA, 307/50 (Dilla, 1950 E.C.).

1. Land sale
2. Inheritance (*wurs*)
3. Other varied issues, but were grouped under the general title of land dispute.

1. Land sale

Land sale was one of the most common methods of land transfer between individuals in Gedeo both before and after 1941.⁶⁰ We do not know whether there was a marked difference in terms of the volume of transactions for the two periods. However based on the impression of informants as well as information from the archives we can safely assume that it was widely practiced after 1941.⁶¹ The improved economic situation and demographic pressure meant that accessing land by various means intensified. We have only limited information about land sale during the pre-war period, but court archives used for this study indicate that land sale was practiced on a limited scale. However we cannot identify the factors which motivated individuals to become involved in such transactions. McClellan claimed that due to the introduction of *qäläd*, land became available and as a result *Däjjzacmach* Balcha, the regional governor of Sidamo, sold land to individuals; however McClellan does not provide evidence in support of this.⁶² The local archives only referred to land acquisition during Balchas' time as a gift to soldiers and other functionaries of the government in the form of *madäria* and *sämon* lands; there is no mention of any purchase from the state. In contrast the few archives of the post-war period show that land sale was common. These

⁶⁰ For a history of land sale in Ethiopia see Crumme, *Land and Society*, 182-187.

⁶¹ Asäged Endalä V. Tirunäše Tässäma, DACCA, 17/42 (Dilla, 1942 E.C.); Interview with Bädessé Rufo, Grissa, Č'äbicha, 9 July 2004; and Gobäna Lätiti, Grissa, 15 July 2004.

⁶² McClellan, *State Transformation*, 90.

sources referred to land sale during the pre-war period as well but only mentioned individual transactions, and therefore in this section we shall focus on disputes which arose in connection with such transfers.⁶³

Land dispute documents do not give much information about the individuals involved in the transaction and therefore it is difficult to identify whether a particular group or class of people were actively pursuing the accumulation of land by purchase. Land transfer appeared to take place among individuals regardless of their social, political and economic position within the community. In addition, although court dispute cases provide some background history about the land, there is very little information regarding the details of the transactions. Some of the case studies which will be examined shortly show that the selling of land was not a smooth process and the transaction rarely seemed to have happened by following simple market principles such as supply and demand.⁶⁴ Contention appeared to have been an intrinsic part of any land sale; however, it is not easy to establish the reason why there was a high degree of correlation between lands which were transferred by sale and the eruption of legal disputes.⁶⁵

Conflict could start from the early phases of the transaction, although as can be seen from the case studies given below disputes tended to take place at two different stages, either at the time of the initial transfer or many years after the transfer had taken place. In both cases the challenge usually came from close family members. The main objective of contention during the initial stages was to

⁶³ Asäged Endalä V. Tirunäše Tässäma, DACCA, 17/42 (Dilla, 1942 E.C.).

⁶⁴ Adäm Habib v. T'äqäbo Bela, DACCA, 742/57 (Dilla, 1957 E.C.).

⁶⁵ Fäyessa Araresso v. Bonja Dukäle, DACCA, 25/61 (Dilla, 1961 E.C.). This dispute started in court before the land was even transferred to the buyer.

block the sale of land to a person outside the family. It seems that family members made a persistent attempt to avoid the placing of land outside their own control. In the two cases presented below disputes took place at a later stage, many years after these lands were transferred by sale to the new owners.⁶⁶

The first case, which illustrates many of the above points, was initiated at court in 1942 E.C (1949) between the plaintiff Asäged Endalä and the defendant, a woman named *Emät* (Mrs) Tirunäsh Tässäma. The land which was the subject of this dispute was initially transferred by sale from the previous owner in 1921 E.C. (1929). This land appeared to have been a subject of dispute for a long period of time until the case came to the Därassa (now Gedeo) *Awraja* court. In this latest dispute the plaintiff first presented a short history of the land in question and how the land had been transferred from his father to himself and his other brothers. This case was initiated as a simple land dispute but the details provided both by the defendant and the plaintiff and also by witnesses' statements illustrate other issues around the subject of land tenure.⁶⁷

The plaintiff, Asäged Endalä (son of the first buyer) initiated a legal action on September 20th 1949, at the *Awraja* Court in Dilla against the defendant named *Emät* Tirunäsh Tässäma over half a *gasha* of land (one *gasha* is approximately 40 hectares), claiming that the estimated value of the land was equivalent to 300 *birr*. He stated his case as follows;

My father *Balambaras* (a traditional title given to low level administrators) Endalä Wondimagñahu bought one *gasha* of land from a woman called *Wäyzäro* (a title equivalent to Mrs) Balynesh Sede in a place called Bonde *qäbälé* in 1921 E.C.

⁶⁶ Mintäsnot Käbäde v. Dana Shärtu, DACCA, 61/63 (Dilla, 1963 E.C.).

⁶⁷ Asäged Endalä V. Tirunäše Tässäma, DACCA, 17/42 (Dilla, 1942 E.C.).

(1929) The price of this *gasha* of land was 450 Mari Theresa taller (Austrian currency).⁶⁸ Later my father allowed *Ato Bahru*, who was also responsible for the sale, to use the land. Then later my father took over the land himself and had been paying all taxes until the Italian occupation. Before his death in 1935 E.C [1943] my father divided the land among the five sons and since he favoured me I was given half a *gasha* and the other half was divided among my four brothers. Now in my absence for some unknown reason the defendant accused my brother at *Jämjäm Awraja* Court and took over the land. I am now presenting my case to this court to consider the issue before the land is completely transferred to the defendant.⁶⁹

The above statement by the plaintiff not only concerns the relevant land dispute but also illustrates a number of points about land tenure in pre- and post-war Gedeo. It shows that there had been a great deal of continuity over decades. As the plaintiff claimed, the land was passed to him from his father and as a favoured son he was given half of the *gasha* while the rest of his brothers distributed the remaining half *gasha* among themselves. This kind of inheritance of land passed down from father to son or sons was very common practice. It appears however that the decision to favour one son over the other was peculiar to the plaintiff's father rather than a rule established by the indigenous tenure systems. Informants also pointed out that sometimes fathers would give an extra share of land to a son whom they believed was more responsible and caring, which shows that there were varied practices of land distribution.⁷⁰

Returning to the main issue of this particular dispute, it is evident that the case was the continuation of a long standing battle. The reason the case came to

⁶⁸ This had been a common currency in Ethiopia until it was fully replaced by Ethiopian *birr* which is the official currency.

⁶⁹ *Asāged Endalā V. Tirunāše Tässāma*, DACCA, 17/42 (Dilla, 1942 E.C.).

⁷⁰ Interview with *Bägājo Bonja*, Č'i č'u, 28 November 1999; *Badecha Leko*, Tunticha, 29 April 1999; and *Gobāna Sole*, Tunticha, 29 April 1999.

Dilla, from Jämjäm, a neighbouring *Awraja*, was because of a new arrangement in the administrative structure which took place in the early 1940s; since the land now fell within the jurisdiction of Dārassa (Gedeo) it had to be heard in that *Awraja*.

The statement by the plaintiff fails to tell the full story concerning the loss of his land to the defendant. According to him his inability to defend the case personally at the previous hearing had caused this to happen.⁷¹ Although his brother on that occasion had appeared in court, his inability to provide an effective defence meant that the court decided the land should be awarded to the defendant. Although he did not provide details he felt that his brother had deliberately intended to inflict damage upon him by sabotaging the case. It is clear from the plaintiff's statement that he and his brother were not on good terms, possibly because the plaintiff's original share of land was larger than his other brothers. The defendant's main argument was that the decision made at the previous court, at Jämjäm, should be respected as final and binding, and she felt that the case should not start afresh. This argument was not accepted by the court, and the case proceeded with the hearing of evidence.

It was the usual practice for both the plaintiff and the defendant to present evidence of their right to a particular piece of land. Usually the court required both sides to present evidence either as verbal statements or written documents. (It was rare to present a written document of any kind concerning land transactions which took place before the war, however.)⁷² Usually, therefore, the evidence of

⁷¹The plaintiff did not make it clear why he was unable to defend the case in person in the previous court hearing. It appears however that his absence was deliberate as his strategy was to spoil his brother's chance of winning the case.

⁷² In another court case the court turned down the appeal of a defendant because the defendant asked the plaintiff to present a written agreement which showed that he had bought the land from

witnesses was verbal and consisted of statements from people who were familiar with the region who had participated in that particular transaction, or were personally present when the land sale took place.⁷³ In this case the plaintiff presented four witnesses, one of whom had known the history of the land since the time of *Däjjazmach* Balcha. Although most of the witnesses testified in a similar manner, one gave additional historical details which had not been mentioned by the plaintiff or the defendant and which make the story more interesting. According to his statement;

I know both the plaintiff and the defendant and I also know the land about which there is a dispute. This land first belonged to *Emät Bälaynāsh* and a man called *Ato Kabtyimär* looked after it. *Ato Bahru*, who married the daughter of *Emät Bälaynāsh*, borrowed money from *Balambaras Endalä* and I was a guarantor for that. Then later he could not pay back the money he had borrowed from the defendant's father, and I was imprisoned. Therefore he sold the land to *Balambaras Endalä* to bail me out. I was also present when he sold the land to *Balambaras Endalä*. From that day until now the land was in the hands of the plaintiff's father and their sons. Since I also have land which borders on this land I am familiar with the issue.⁷⁴

The defendant also claimed that the way the father of the plaintiff *Balambaras Endalä* acquired the land in the first place was inappropriate and therefore she wanted witnesses to be heard. From the above testimony the land was sold outside the family to the father of the plaintiff because of pressure of debt, in contradiction of established practice.⁷⁵

him. The court considered this to be an unfair manoeuvre on the defendant's part as he had asked this question intentionally knowing that all documents belonging to the pre-war period had been burned during the Italian occupation. *Ešāte Minwalkulät V. Č'aka Nāme*, DACCA, 325/41 (Dilla, 1942 E.C.).

⁷³ *Ashagre Täklä Märyam v. Šhäbo Dukäle*, DACCA, 145/52 (Dilla, 1952 E.C.).

⁷⁴ *Asāged Endalä V. Tirunāše Tässāma*, DACCA, 17/42 (Dilla, 1942 E.C.).

⁷⁵ *Eshāte Minwalkulät v. Č'aka Nāme*, DACCA, 325/41 (Dilla, 1942 E.C.).

As can be judged from the above discussion land sale was a fraught area. Transferring land by sale was not a straightforward process from the point of view of either sellers or buyers. When considering selling land to anyone interested sellers were expected to give priority to family members. When preparing to purchase land buyers had to ensure that the seller took all the necessary steps to avoid future disputes before engaging in the transaction; protecting what they had acquired at a later date would not only be complex but also could cost them dearly both financially as well as in terms of time. As the above case has shown the land was bought by the father of the plaintiff, *Balambaras* Endalā, after the previous landowner had financial problems. Hence the attempt by one member of the family of the sellers to render the sale illegal did not succeed. Unfortunately the written account is so brief that we cannot establish exactly why it failed. However we know that the buyers remained in control of the land and it was confirmed by statements of the witnesses that the land had been in their possession for an uninterrupted period of time.

A superficial understanding of the transfer of land by sale gives the impression that it was a well established and efficient medium of property transfer. However, as the following case shows, acquiring land by purchase remained problematic.

In a similar land dispute case the land in question was initially offered for sale to an outsider. This potential sale was blocked by one of the members of the seller's family, who unlike in the example above succeeded in interrupting the transaction and bought the land themselves. We do not know what actual legal basis was used to stop sales to outsiders but nevertheless the practice was common

as we can see both from this and the previous case. However what is not clear is whether the sellers would be financially disadvantaged by selling their land to a family member or kin as opposed to an outside person. This seems likely; the available sources do not provide detailed information, but close inspection of individual cases suggests that vendors gained financially when they sold their land to non family members and kin.

In the following case the main aim of the plaintiff was to regain control of land which had been sold by his mother many years ago. The dispute was between Eshäte Minwalkulät and three defendants.⁷⁶ When the plaintiff initiated the case he stated that the dispute was about *erbo*, a common trigger for land disputes in Gedeo during this period, and he accused the defendants as his tenants who of failing to pay the land rent due to him. The real motive of the plaintiff was not apparent until later during the course of the dispute. When the defendants appeared in court they responded to the charge by saying that they had no knowledge of the plaintiff as their landlord and asked the court to pass the case to their *wabi*,⁷⁷ to whom they had been paying rent. Hence a man called Wäyässä Däbäla appeared in court by invitation from the accused tenants. Now the case evolved from an *erbo* dispute to a land ownership conflict between the plaintiff and the *wabi*.⁷⁸

In the middle of the dispute another person entered the game, a second *wabi*, Kassaye Zämikaele, who according to the defendants owned the land jointly

⁷⁶ Eshäte Minwalkulät v. Č'aka Nāme, DACCA, 325/41 (Dilla, 1942 E.C.).

⁷⁷ A person who may be allowed by the court to intervene in land or tenancy dispute upon the invitation of either of the parties. See chapter four for more discussion about the involvement of *wabis*.

⁷⁸ Wälätä Gäbräel v. Tero Adayo, DACCA, 31/50 (Dilla, 1950 E.C.).

with Wäyässä Däbäla. Now the truth began to emerge. The land which the plaintiff Eshäte claimed to be his initially belonged to his mother, but later was bought by the two defendants. After Kassaye and Wäyässä confirmed their purchase of the land, these two further added that their wives were sisters of the plaintiff's mother. Thus by buying the land from Eshäte's mother it had remained within the family.

The plaintiff argued that his mother had not actually sold to the two *wabis* and hence contested the sale. When he was challenged as to how the defendants were able to use the land as their own property, he claimed that she gave them the land on a *wäläd-aged* (lease) basis. The court asked both sides to present their evidence. When the defendants were unable to produce a written agreement about the sale, the plaintiff, Eshäte, demanded that without such evidence the sale should not be recognised by the court as legitimate. The court considered this to be an unfair manoeuvre on the part of Eshäte because he had made this stipulation knowing that all documents belonging to the pre-war period had been destroyed by fire during the Italian occupation. Under these circumstances the court felt that personal witnesses would be sufficient to decide the case, and nine of them testified. However none of the statements of the witnesses supported Eshäte and therefore he lost his attempt to win back land which his mother had sold legally many years ago.⁷⁹

This case illustrates two major points about land dispute in Gedeo. One is that a dispute could be initiated on many grounds; it demonstrates clearly that initiating a land dispute on spurious grounds was not difficult at all. This case was not unusual in that the apparent cause of dispute (*erbo* non-payment) was initially

⁷⁹ Eshäte Minwalkulät v. Č'aka Näme, DACCA, 325/41 (Dilla, 1942 E.C.).

used to mask the real dispute which centred around Eshāte's attempts to regain land his mother had actually sold. The defendants, who had bought the land legally, were forced to endure a lengthy and expensive court battle without sufficient reason. Even though the court decided in their favour by reaffirming their rights to the land once they had produced evidence, this case illustrates the high degree of insecurity associated with land ownership rights. Both the plaintiff's evidence and his argument were weak, but in spite of that he was able to engage his opponents in a lengthy court dispute. The other important point is the centrality of evidence to the outcome of court battles. As can be seen from this case the dispute was not won by procedural knowledge, but by the defendants' use of strong verbal evidence in their favour.⁸⁰

As we have seen in these two examples people who acquired land by purchase did not find it easy to protect their property from challenges from other contenders.⁸¹ This suggests that land sale, although a common practice, might not necessarily have been the preferred option when the individual wanted to meet other social and economic obligations. Although the system continued, transferring land through sale became increasingly less important compared to other modes of transfer as we will see in the next section. In the meantime there was a gradual regulation of the procedures of transfer, and particular attention was given to the provision of written sales agreements, which would provide greater security for buyers. Despite such clarification, disputes about land continued to dominate court proceedings and people were able to find a multiplicity of excuses for initiating a case, with the overall aim of blocking land transfer.

⁸⁰ Tamānā Dārsāhe v. Zānābāch Fulase, DACCA, 42/62 (Dilla, 1962 E.C.).

⁸¹ Tafāssā Mākūria v. Adula Worba, DACCA, 12/61 (Dilla, 1960 E.C.).

In fact one case which came to court many decades after the sales transaction took place shows that written sales agreements, which were given central importance in land disputes, began to be challenged retrospectively by claiming that the agreement had been the result of fraudulent activity on the part of the defendants. The case below illustrates how a well-written sales agreement might not be sufficient to protect one's ownership rights, and how an individual might have a difficult task to ensure that the land was their legitimate property. The following case was the most protracted of all the cases I examined because the dispute reached the *Zufan Chelot* (Crown Court) at Addis Ababa, which was the pinnacle of Ethiopia's court system, normally presided over by Emperor Haile Sellassie himself or other leading judges.⁸²

The case was initiated by a woman named *Emät Wärqnäshe Wäldä Mikael*, who accused the tenants who were cultivating the land of non-payment of *erbo*, although the case proved to be infinitely more complex. The accused tenants did not reply to the main charges, they simply passed the case to the people they themselves identified as the owners of the land, through what was known as the *wabi* system.⁸³ Two women appeared at court as *wabis* for the tenants, *Emät Fäläqäch Säboqa* and *Emät Elnäshe Gäbrä Sellassie*. The relationship between the two landladies was not stated in the case file; however, they claimed that they were joint owners of the land. According to the defendants they had bought the

⁸² Aberra, *The Legal History of Ethiopia*, 219-228 ; Dässaläñe Korojo V. Borqo Ginje, DACCA, 285/54 (Dilla, 285/54).

⁸³ There will be further discussion about the *wabi* system in the next chapter in relation to tenancy disputes, because it featured widely in relation to such disputes. Täfära Endalä v. Huqa Shongola, DACCA, 228/56 (Dilla, 1956 E.C.).

land from the father of the plaintiff, a transaction which had taken place twenty years before this case came to court.⁸⁴

The two women argued that the plaintiff was aware of the sale especially as there had been previous contention about this which had resulted in a mediation effort which was settled in their favour. Despite this the plaintiff remained dissatisfied and thus started a fresh court dispute. The defendants claimed that the mediation effort was concluded by the signing of a binding agreement in the presence of her brother which they had both signed and which recognised that the land belonged to the defendants. They claimed that the reason why her brother had not appeared himself in court was because he knew that the land belonged to them and had been acquired legally. When they produced written evidence the plaintiff then changed her strategy and argued that such evidence was not genuine and wished to challenge them on these grounds. As a result of this counter-claim by the plaintiff the dispute centred around the process of verifying the authenticity of the evidence, and a lengthy court battle ensued.⁸⁵

As she refused to accept the authenticity of the written evidence presented by the defendants the plaintiff asked the court to send it to technical examiners. This manoeuvre seemed to have worked very well in terms of prolonging the case, and since there was no facility to handle the examination in Gedeo or in the bigger towns such as Yirga Aläm or Awassa, the court had to send it to Addis Ababa. However, when the results arrived the examination was found to be inconclusive which suited the plaintiff. The court then felt that the case should be settled by

⁸⁴ Worqnäshe W/Mikael v. Fäläqäch Säboqa and Elfenäashe G/Sellassie, DACCA, 102/55 (Dilla, 1955 E.C.).

⁸⁵ Worqnäshe W/Mikael v. Fäläqäch Säboqa and Elfenäashe G/Sellassie, DACCA, 102/55 (Dilla, 1955 E.C.).

hearing the accounts of personal witnesses, as a result of which the ownership right of the defendants was finally confirmed. Unfortunately despite overwhelming evidence the plaintiff had been able to prolong the case far longer than was warranted by appealing to the higher courts. In fact when she made her first appeal to the regional court, the court felt that since the technical report was inclusive the land should be awarded to the plaintiff. That was however short lived because the case was again overturned by the counter appeal made by the defendants, which resulted in the witnesses' verbal evidence being heard.⁸⁶

Thus the Court of Appeal at Addis Ababa overturned the decision of the High Court of Sidamo and ruled that the decision of the *Awraja* Court at Dilla in favour of the defendants should stand. The plaintiff remained unsatisfied and therefore she decided to appeal to the *Zufan Chelot*.⁸⁷ Here the case was initially reviewed by a group of judges to determine whether there were sufficient grounds for a further appeal to take place. A committee of three judges who reviewed the case wrote a letter to the plaintiff stating that the first decision made by the *Awraja* Court and later confirmed by the Court of Appeal at Addis Ababa was after all appropriate; therefore the case would not be taken further.⁸⁸

This case is significant from a number of points. Regarding the transactions made in earlier times, it was very difficult for the owners to support their claims to the land because documents were either destroyed during the war, or the transaction had been made verbally, and because of the length of time

⁸⁶ Worqnäshe W/Mikael v. Fäläqäch Säboqa and Elfenäashe G/Sellassie, DACCA, 102/55 (Dilla, 1955 E.C.).

⁸⁷ Redden, *The Legal System of Ethiopia*, 43.

⁸⁸ Worqnäshe W/Mikael v. Fäläqäch Säboqa and Elfenäashe G/Sellassie, DACCA, 102/55 (Dilla, 1955 E.C.).

which had elapsed it was problematic to find witnesses who were present at the time. We know also that there was no government authority which was responsible for recording land transactions and which could provide authoritative evidence so that such disputes could easily be averted or settled. Land property rights could be subjected to contention at any time irrespective of how the land had been acquired. Owners frequently had to pass through a gruelling legal process to confirm that the land belonged to them. Initiating a case was not after all difficult; in the above case for example it was enough for the plaintiff to say that the documents were not genuine to justify considerably prolonging the legal battle. Although the plaintiff lost the case the punishment was far less significant than the trouble she had caused the defendants, in view of the effort and the expense involved. Courts normally awarded compensation to victorious litigants but most of the time the amount was nominal, for example the plaintiff in this case only had to pay 15 *birr* per head in compensation to the defendants. It is not clear how the amount was calculated, but nevertheless the winners seemed to have been satisfied with the bigger prize, which was the land, and did not query the amount offered.

Hardly surprisingly land acquisition through purchase did not show signs of increasing, even in the later decades when it was generally believed that the economic environment was more secure. This does not mean that land transfer between individuals was totally abandoned. On the contrary it seemed to have been intensified; however, land sale seems to have given way to other modes of transfer as we shall see in due course. The court system appeared to be encouraging rather than discouraging disputes, especially when we consider the

endless appeals and counter appeals which were used as a delaying tactics in all types of cases whatever their magnitude.

In such an insecure environment it is doubtful whether individuals engaged in such transactions casually without taking extra precautions or opting for another safer method of property transfer, as will be discussed shortly. Meanwhile since the buying and selling of land could not totally be avoided some individuals took additional precautions by legalizing their transactions in court. Therefore a dual approach began to be used to counter the problem; the first was that the person who intended to sell their land officially invited any potential claimants to state their case in court, before the sale was finalised. The second method was for both buyers and sellers to go to court with the intention of seeking confirmation of a transaction already made so that future disputes could be avoided.

The first point mentioned above can be illustrated by the following case whereby the buyer and seller agreed to go to court and officially invite any individual who might object to the transfer to stake their own claim. This case was presented in court as an inheritance case but in fact a study of the documents revealed it to be a land sale.⁸⁹ The owner of the land was Alämayähu W/Mäsqäl. Alämayähu stated that his intention was to either sell or bequeath the land to any person he wished, but before he did that he wanted to make sure that no one stood in his way.

I Alämayähu W/Mäsqäl possess land in Därassa *Awraja gizat*, within the *Balabatınät* of *Balambaras* Assäfa Chumburo, and the *Č'iqa Shumenät* (local head man) of Bädëcha Oudo, at a

⁸⁹ The overlapping nature of land sale and inheritance will be discussed in the next section; the example here is used as a land sale agreement rather than an inheritance one. It is also possible to view this particular case from an inheritance point of view, but the main point made here is that due to the proliferation of disputes buyers urged vendors to go to court to legalise the transaction so that future conflict could be averted.

place called Däqo. My seven other siblings and I inherited this land from my mother *Emät Ge'e W/Tsadiq*, but now I want to **bequeath or sell** [emphasis my own] my own share of land including all plants on it to any person I wish. Before I signed this agreement I asked them to state at Gedeo Court if they opposed the sale or had an interest in buying it themselves. But none expressed interest.⁹⁰

The person who wished to acquire land also appeared in court, and he was identified as *Ato Bäqälä Sintayähu*. The transaction had not yet taken place and therefore it was with the intention of forestalling those who were likely to cause disruption of the sale that this case came to court. In the final judgement it was stated that *Ato Alämayähu* retained the right to bequeath or sell the land, all his siblings having been sent notice to appear in court if they objected, but none having appeared.⁹¹ Thus in this case the transfer could only take place after the court had clarified the matter.

In a slightly different scenario court rulings were used to prevent future disputes from occurring even after the transaction had taken place.⁹² When the parties in a land sale sought to legalise the transaction in court they would also demand that the court invite anyone who had an interest in the land or opposed the transfer. In one such case which was presented to the Gedeo *Awraja* Court in T'iqmet 21, 1949E.C. (October 31, 1956) the two sides applied jointly and asked the court to recognise and legalise the transaction. As shown clearly in the agreement the land was first bought by *Ato Taddässä Alecham* for *birr* 700. He decided to share the land with a man called *Ato Zäwdie Habtä Gyorgis*, who was required to pay half of the price. *Ato Taddässä* stated that "I sold half of my *at'smä*

⁹⁰ Taddässä Alčam V. Zäwde Habtä Wold, DACCA, 103/49 (Dilla, 1949 E.C.).

⁹¹ Alämayähu Wäldä Mäsqäl and Bäqälä Sintayähu, DACCA, 634/45 (Dilla, 1945 E.C.).

⁹² Fäyesa Arariso V. Bonja Dukäle, DACCA, 25/61 (Dilla, 1961 E.C.).

rest, to *Ato Zäwdie*, so that we could use the land together.” The term *at’smä rest* was common terminology in the core *rest* areas of northern Ethiopia such as Mänz. The words *at’smä rest* (literally “bone of my ancestors”) implied that the land had been inherited from forefathers. In fact he had bought the land himself from someone else, and it was not an *at’smä rest*, but he probably used this term to indicate that the land was his indisputable property. It was specifically stated that if at some future date one partner wanted to sell their share they should give priority to the other man rather than to an outsider, and all financial obligations such as tax were to be met together. Thus legalisation was used to clarify matters and avoid future litigation.⁹³

2. Inheritance

Inheritance was probably the oldest and the most widely used mode of land transfer which also continued to be practiced in the period under discussion.⁹⁴ From the court dispute documents we can see how inheritance was used in two different contexts. The first one was the most straightforward type where parents bequeathed their property, mainly land, to their offspring, as illustrated in the first case discussed above. We have seen that the land about which Asäged Endalä was disputing was inherited from his father and as he pointed out he managed to receive a larger share than the rest of his brothers. The principles of inheritance and how their land was to be divided among their children depended largely on the personal decision of the parents. Asäged said that as a favoured son he was allowed to receive a bigger share of the land. While confirming that this practice

⁹³ Taddässä Alčam V. Zäwde Habtä Wold, DACCA, 103/49 (Dilla, 1949 E.C.).

⁹⁴ Crummev, *Land and Society*, 189-190; Dage Bunshe v. Debo Busho, DACCA, 392/53 (Dilla, 1953 E.C.).

was common, informants also pointed out that equal sharing as well as disinheriting (though rare) of offspring were also practiced.⁹⁵

The other type of "inheritance" which was found in greater abundance in land dispute documents was the one which was used as a convenient means of transferring land to non-family members.⁹⁶ "Inheritance" in this situation differed from the traditional concept as it meant an alternative form of sale and was not dependent upon the death of the previous landowner. In theory such transfer of land should not be different from land sale; however, an increasing number of people used inheritance as a preferred alternative to transfer of land by sale and this method became more common than other modes of land transfer during this period.⁹⁷ At least with this method possible competition for the ownership of the land in question was limited to the current owner's family members.⁹⁸ The greater insecurity which was associated with land sale encouraged people to resort to this type of land transfer.⁹⁹

However, even in inheritance cases disputes could arise. The most straightforward inheritance-related disputes happened when disagreements arose among inheritors or when they interpreted the will left by their parents differently and subjectively. One case which can illustrate the point regarding disagreement about a will was the case of Lägässä Säboqa (plaintiff) and Bädane Sheto (tenant

⁹⁵ Asäged Endalä V. Tirunäše Tässäma, DACCA, 17/42 (Dilla, 1942 E.C.); Interview with Bursa Dänbobe, Bula, 3 December 1999; and Bädécha Leko, Tunticha, 29 April 1999.

⁹⁶ Eshäte Minwalkulät v. Č'aka Nāme, DACCA, 325/41 (Dilla, 1942 E.C.).

⁹⁷ Bäqlä Oda v. Dāngo Dalo, DACCA, 52/62 (Dilla, 1962 E.C.).

⁹⁸ Interview with Bursa Dänbobe, Bula, 3 December 1999.

⁹⁹ Goody, "Inheritance, Property and Women", 1-9; for example Jack Goody discusses inheritance as a mode of property transfer only between family members as was practiced in Europe 1200-1800.

and defendant).¹⁰⁰ This case originated at the *Wäräda* Court as an *erbo* dispute between a landlord and a tenant and moved to the *Awraja* Court at Dilla as an appeal. However, as gradually emerged, the case was a result of sibling rivalry rather than a dispute about *erbo* rent. The tenant, who was accused for no apparent reason and had been paying *erbo* in full, summoned the plaintiff's brother as his *wabi*. Lägässä's brother appeared in court as the tenant's *wabi* and it became clear that Lägässä's real motive was to use the cover of a spurious *erbo* dispute to try to take the land from his brother.

When asked by the court what evidence he had he presented a copy of their father's will which stated clearly how the land was to be divided among his children. The issue was not an *erbo* dispute as the plaintiff had initially claimed. Rather it was a disagreement based on the way the will was interpreted by the two brothers and there was nothing relevant to the tenant in this dispute. The main argument of the plaintiff was that the land should be his and the tenant should pay rent to him rather than his brother.¹⁰¹ He argued that the will left by their father clearly indicated that. When both sides disagreed over the content of the will, the court ordered that it should be read out in court in the presence of the other inheritors, and in addition the two copies of the will which had been kept by the two independent individuals, *Emät Wärqināsh Dānbālo* and a cleric, *Mamere Asāgedē*.¹⁰² The crucial evidence in the above case was the will left by their father and all copies including the one which the *wabi* brought to court showed that there

¹⁰⁰ Lägässä Säboqa v. Bādane Shito, DACCA, 28/59 (Dilla, 1959 E.C.).

¹⁰¹ Lägässä Säboqa v. Bādane Shito, DACCA, 28/59 (Dilla, 1959 E.C.); there was also similar argument in the dispute between *Wärq Agāññāhu Wāldā-Yās V. Gobāna Robe*, DACCA, 57/59 (Dilla, 1959 E.C.).

¹⁰² Lägässä Säboqa v. Bādane Shito, DACCA, 28/59 (Dilla, 1959 E.C.).

were no contradictions. Additional supporting testimonies were also heard from the two neutral persons who had safeguarded copies of the will. The court ruled that it did not discover any anomalies in the way the will had been implemented, and therefore the case was dismissed and the *wabi* freed. Significantly, copies of the will had been lodged with different people, a precaution which was a testimony to the fact that disputes were frequent, even among siblings, and therefore their father sensibly took the precaution of lodging copies of the will among various individuals.

As indicated above, acquiring land in the name of inheritance rather than purchase became more popular, and in fact when we study the available sources especially in the 1960s and early 70s, immediately before the land reform, land sales appear to have been eclipsed by inheritance, which offered a higher level of security. When both parties agreed to transfer land by inheritance they also agreed, as in the case of land sale, how much money should be paid for the land. This was the value of the land if it were to be sold on the open market. Since their relationship was only based on the need to engage in the transaction it is safe to assume that the land might not fetch a better price than if it was transferred by a straightforward sale. As the agreements show, individuals who acquired land either by purchase or inheritance were both concerned about making their land more secure once it had been transferred to their possession.¹⁰³ Therefore the first precaution was to make the inheritance agreement as watertight as possible; this was done by including in the agreement a heavy penalty to be imposed on the landowner if it was challenged at any time in the future.¹⁰⁴ This means that if the

¹⁰³ Wälätä Yohannis W/Maryam V. Negatwa Dästa, DACCA, 97/56 (Dilla, 1956 E.C.).

¹⁰⁴ Mäläsä Läma v. Däyamo Yama, DACCA, 68/51 (Dilla, 1951 E.C.).

bequeather broke the agreement or if anyone challenged the inheritor of the land after the land was transferred, it was the responsibility of the legator or first owner to deal with such problems. This aptly illustrates how concerned individuals were about land security.

The example below elaborates the above points. A person called *Ato Mäläsa Läma* made an agreement with four individuals, who were brothers, to inherit their land after an agreed amount of money had been paid. Let us examine the content of the agreement;

Rest inheritance agreement

Bequeathers (*awrashoch*): 1. *Ato Mamo Yame*, 2. *Ato Däyamo Yame*, 3. *Ato Lalimo Yame* and 4. *Ato Kana Yame*

Inheritor (*warash*): *Ato Mäläsa Läma*

.... The *rest* land which is found in...[details of location]... which was handed down to us from our grandfathers and fathers, we now bequeath to the person mentioned above, including the crops on it. For this we have received 330 *birr* which is sufficient for our pensions. If we are found to be breaking this agreement we will be penalised by paying 500 *birr* to the government and we will also compensate the inheritor for his loss. We made this agreement not with weak consciences or under any other influence such as alcohol. We give *Ato Bäqälä Gäbrä-Mädhen* as our guarantor...¹⁰⁵

As this agreement shows the transfer was made under the name of inheritance and for that *Ato Mäläsa* had paid 330 *birr* to the four brothers which had been agreed to be the value of their land and the crops on it.¹⁰⁶ From this agreement we can surmise that the three individuals who bequeathed the land to the inheritor were probably approaching retirement because it was stated that the money was sufficient to cover their pensions. The amount of money to be paid to

¹⁰⁵ *Mäläsä Läma v. Däyamo Yame*, DACCA, 68/51 (Dilla, 1951 E.C.).

¹⁰⁶ *Mogäs Abäbä V. Mäsäläch Abära*, DACCA, 4/56, (Dilla, 1956E.C.).

the government as a penalty if they broke the agreement was 500 *birr*, more than the value of the land and the crops at the time of the transfer. This clearly shows that security was a major concern and as a result, the inheritor *Ato Mäläsa* seemed to have gained everything which he wanted from this agreement. What is surprising is that no reprisals were mentioned against him if similar transgression took place on his part i.e. if he himself broke the agreement for whatever reason. The agreement was one sided and this raises questions concerning who had the upper hand in this kind of land transfer; the landowners or individual buyers with money? Was the agreement made without them understanding the responsibilities and risks entailed? In addition to the heavy financial penalty if they reneged on their agreement they provided a personal guarantor in the form of *Ato Bäqälä Gäbrä-Mädhen*. There were also witnesses who were present when the two sides exchanged the inheritance. Later the agreement was endorsed by the local court where the land was located.¹⁰⁷

Despite such precautions, trouble started a few months after the transfer was completed involving one of the four brothers, *Ato Däyoma Yama*. From the charges brought by *Ato Mäläsa Läma*, who was now the legal owner of the land, *Däyoma* had illegally harvested coffee from land which was no longer his, thus breaking the above agreement which he had signed with his other brothers. Since the first dispute between the two was seen by the local court we do not have the details of the story, but we learn that the *Wäräd* court found *Ato Däyoma* guilty and fined him 200 *birr* to be paid to *Ato Mäläsa* in compensation. However the dispute did not end there because *Mäläsa* again claimed that in 1959 E.C. (1966/7) *Däyoma* had committed a similar offense which led to a further court hearing.

¹⁰⁷ *Mäläsä Läma v. Däyamo Yame*, DACCA, 68/51 (Dilla, 1951 E.C.).

Although this case was abandoned when both agreed to finalise the matter through mediation, it however shows that disputes could not be avoided completely despite having a well written agreement. Nevertheless the agreement served the interests of *Ato Mäläsa* well because he won the first battle easily by using it as evidence. Why *Däyoma* initiated a second dispute is not clear. In his defence he wrote to the court denying the very existence of an agreement and claiming that the court should not take the agreement into account without hearing personal witnesses. It seems that *Däyoma* was trying to fight a losing battle, and in fact at one point he said that he was threatened by *Mäläsa* to force him to sign the agreement. He felt that his ignorance had led to him signing such an unfair agreement.¹⁰⁸

A well-written agreement was given utmost importance in many land transfer agreements especially during the last two decades of our period. Nevertheless as court disputes could not be avoided with any degree of certainty on the basis of good agreements alone, buyers or people who wanted to acquire land in a variety of ways increasingly looked for extra protection. Litigation was complex by nature, costly and could continue for an indefinite period of time. This can be illustrated by one case which originated in court as an inheritance dispute.¹⁰⁹ Dispute erupted soon after the inheritance agreement was concluded, while the parties were in the process of legalising the inheritance agreement in court. The main reason for using this court case as an example is that both parties agreed to the inclusion of an additional clause, which was not included in many

¹⁰⁸ *Mäläsä Läma v. Däyamo Yame*, DACCA, 68/51 (Dilla, 1951 E.C.).

¹⁰⁹ *Šägaye Täfära and Waqo Dänbe V. Alämu Tora and Kifle Boru*, DACCA, 43/59, (Dilla, 1959 E.C.).

other agreements, such as the one discussed above.¹¹⁰ It related to potential disputes which might well arise in the future and stated who should take responsibility for dealing with such disputes if they occurred and what penalty should be paid were this task not to be fulfilled. It shows a high degree of apprehension on the part of the inheritors because disputes were extremely likely to start at some stage after transfer. Hence they hoped that by addressing their concerns clearly and unambiguously in the written agreements they would gain protection from one of the major problems for landowners who acquired land in this way. This is how it read;

I Gänale owned land within the Goro *Mikitle Wäräda* (an administrative unit below *wäräda*), the *Balabatnat* of *Balambars* Oudo Bäre, and within my *aläqinat*, in a place called Munit *qäbälé*. The land is bordered by [details of people who owned land on all sides]... I have bequeathed this land which has coffee and *ensät* trees to *Ato Kifle Boru*, and I received 500 *birr* for that.

If any one comes to claim this land as theirs I will defend and repel them, and if not I will replace it with similar land from my own found nearby [emphasis my own]. The agreement shall be enforced as of today.¹¹¹

Although this agreement has not been quoted in full it however contains all the usual details which agreements of such nature were required to contain. The children who could potentially claim this land were named and an additional statement was added to help dispel the worry of the heir *Ato Kifle Boru*. They stated that the agreement was read out for them in the presence of witnesses and that they would not in future raise any issue in relation to the transfer of the land. The penalty was again high; Gänale agreed to pay 500 *birr* to the government and

¹¹⁰ Alämayähu W/Mäsqäl V. Bäqälä Sintayähu, DACCA, 634/45 (Dilla, 1945 E.C.).

¹¹¹ Šägaye Täfära and Waqo Dänbe V. Alämu Tora and Kifle Boru, DACCA, 43/59, (Dilla, 1959 E.C.).

200 *birr* to *Ato Kifle* if clauses of the agreement were broken at some future time.¹¹²

We will conclude this section by highlighting important points concerning land sale and inheritance as modes of land transfer between individuals. Although inheritance as a method of land transfer did not provide complete protection against disputes, it eclipsed land sale as a preferred option. Inheritance was advantageous compared to sale in two ways, both of which benefited the new owner rather than the person who transferred their land in exchange for money. The first was that the landowners had more control over who was potentially likely to stake a rival claim on their land. Hence when an individual who was not a family member wanted to acquire land by inheritance they could ask the landowner to list all potential claimants and preferably could demand that all of them to be present when the agreement was signed. By including those potential claimants in the agreement they felt that it was possible to gain better protection for their land.¹¹³

Secondly inheritance was more efficient than land sale; when parties concluded an inheritance agreement the procedures were simpler and usually straightforward as demonstrated by the examples above. This is clearer if we compare it with land sale, because in the case of sale transactions, if one wanted to make sure that the land was safeguarded from any future claim by family members and kin groups, the sellers and buyer had to make their intention manifest, preferably by giving priority to anyone within the family or kin group who might be interested in buying the land. This shows that acquiring land by sale

¹¹² *Šägaye Täfära and Waqo Dänbe V. Alämu Tora and Kifle Boru*, DACCA, 43/59, (Dilla, 1959 E.C.).

¹¹³ *Chaicho Titera v. Bura Gale*, DACCA, 540/56 (Dilla, 1956 E.C.).

was not only a lengthy process but was also an intrinsically insecure arrangement which discouraged an increasing number of people from acquiring land by purchase. However in order to have a broader understanding of the contentious nature of land rights in Gedeo it is important to see beyond that which has been discussed above. As levels of land insecurity increased land owners were forced to rely more heavily on the courts in their struggle to establish control over their own land. As the following section shows, contention about land was boundless and no land was immune from this phenomenon.

3. Other causes of land disputes

Disputes about land could come to court in diverse ways; in the above discussion we considered disputes in relation to land transfer. Below we will see examples of how contention about land could start without the land changing hands. A variety of factors could trigger litigation over land issues and it is not practical to address them all.¹¹⁴ Nevertheless by discussing some concrete examples it is possible to illustrate how land ownership was a highly precarious phenomenon.¹¹⁵ Disputes shaped the life of the community as much as other aspects of day-to-day existence and give some insight into how the community functioned in all walks of life. This might also lead us to raise questions about the various institutions which underpinned society for a long period of time.

As we move further towards the last phase of our historic period the strategies of disputants became sophisticated. The heavy reliance of courts on evidence, particularly written, was exploited by individuals who acquired

¹¹⁴ Wote Ejo v. Fäläqä Yizbät'e, DACCA, 133/44 (Dilla, 1944 E.C.).

¹¹⁵ *Mämeré Asged W/ Takele v. Zawde W/ Aragaye*, DACCA, 232/54 (Dilla, 1954 E.C.).

documents such as tax receipts on a fraudulent basis; this can clearly be detected from the archives especially of the later period. Opportunistic conspiracy with government officials was rife. For example when officials came to the area to carry out land measurement, mainly for taxation purposes, people who were occupying land on a tenancy or contract basis managed to get their names registered as landowners and later used such documents as crucial evidence in land dispute cases.

As seen from various examples the main cause of insecurity did not come from the government but rather was a result of contention among fellow individuals.¹¹⁶ In fact as more examples in the next section show, it was individuals who intensified the competition for this scarce resource rather than the state. The sources demonstrated unambiguously that some individuals had the desire as well as the time and resources to use every possible avenue available to take over another's land.¹¹⁷

The example given below particularly focuses on three major points concerning land disputes in Gedeo. Firstly, it demonstrates how easily crucial evidence such as tax receipts or land assessment receipts were acquired. Secondly it shows how some sectors of the population, particularly women, were vulnerable to such kinds of attacks; and thirdly how the intensification of competition for access to land led to the breakdown of trust and personal relationships.

In this example one of the main protagonists in the dispute, Haläke Bäresso, had been a tenant for a long period of time before he claimed the land as his own private property. In fact because of his good relationship with the

¹¹⁶ Teshale, *The Making of Modern Ethiopia*, 33-37.

¹¹⁷ *Jusso Kudo v. Shanto Woke*, DACCA, 2/42 (Dilla, 1942 E.C.).

landlords this tenant had been given special status as the leader of the other tenants who farmed the land. Due to this special relationship with the landowner he was even entrusted with the collection of rent from the other tenants and given the task of dealing with problems which might arise in relation to the land. Nothing happened until the death of the main landlord, but after he died and the land was transferred to two women the situation began to deteriorate and problems surfaced between this head of the tenants and the women who had inherited the land.

Being unable to control the head tenant, the women felt that taking the case to court was their best option; the plaintiff of this case was Aya Dube. She represented both herself and her sick mother Duku Aboye. She accused the head tenant, Haläke Bäresso, and eight other male defendants of failing to pay the *erbo* owed on two *gashas* (one *gasha* = 40 hectares) of land. Her father had shared the two *gasha* of land as *balärest* (landlord) with her uncle until his death in 1945 E.C. (1953). With the death of the plaintiff's father her uncle *Ato* Kassaye Kulundu became responsible for the family and their land. Since the Gedeo practiced what was known as "wife inheritance" her uncle married her mother after the death of his brother and thence the land was fully controlled by *Ato* Kassaye. While the land was under his control, *Ato* Kassaye also made a future arrangement regarding how the land should be shared between mother and daughter, which accorded them one *gasha* each. This agreement was made some time before his death. He also added that since both of the heirs were women he entrusted to *Ato* Haläke Bäresso the task of collecting dues from the tenants and paying taxes to the government accordingly.¹¹⁸

¹¹⁸ Aya Dube V. Haläko Bäresso, DACCA, 3/64 (Dilla, 1964 E.C.).

This agreement was signed and a copy was given to an elder (*Ato Guye Bulé*) who was present at the time as an observer. When *Ato Kassaye*, the plaintiff's uncle died in 1952 E.C. (1960). *Ato Haläke Bäresso* continued to act as the women's representative until 1955E.C. (1963). In that year a land assessment took place in their area, after which the plaintiff and her mother lost their rights to the land when the head of the tenants and others registered their own names as the *balärests* of the two *gasha* of lands. The plaintiff marshalled the following supporting evidence:

1. The 1942 E.C. tax receipt which showed that her father was *minzir* to the *rest* and her uncle *aläqa* for the two *gasha* of land they are claiming as theirs.
2. The agreement signed by her uncle which showed that one *gasha* of land was given to the plaintiff and the other to her mother.
3. Three witnesses who could testify for herself and her mother in court. These people were present when her uncle signed the will in which he granted them the lands. One witness had been entrusted with the responsibility of keeping a copy of the signed will. In addition the plaintiff claimed that the three witnesses had always known the land to be the property of her father and later her uncle.
4. She also presented a court document which showed that she was the legal heir to her father's property.

Of these four pieces of evidence the one which is of particular interest here is number 2. It read as follows;

I *Ato* Kassaye Kulundu gave the upper *gasha* of land which was her father's [his brother] before his death, and also the lower *gasha* of land to both Aya Dube [daughter of his brother] and her mother Duku Aboye. Duku Aboye is my sister-in-law, whom I married after the death of my brother according to our culture. Both lands are in Säre *qäbälé* and I assigned *Ato* Haläke Bäresso the task of being their representatives as both are women. He collects rents from the tenants and pays tax to the government accordingly.¹¹⁹

The three witnesses were invited to the court to testify. They all reiterated the facts as they had been presented by the plaintiffs. The court stressed that the defendants had annexed the land illegally and the judges ruled unanimously that they should restore it to the plaintiffs. Kassaye Kulundu had married his sister in law specifically to avoid loss of the land in the event of an outsider marrying her. The defendants had been reaping the benefits from someone else's land for a long time and they were ordered to make repayment, including 100 *birr* compensation in damages to the plaintiffs. Sadly this decision by the court was not implemented because of the revolution, although it had taken years to arrive at a judgement.¹²⁰

The above case demonstrates how the acquisition of useful fake evidence such as tax or land assessment receipts was made easy because the system lacked stringent rules concerning the registration of landowners. The procedure was not only lax but also open to fraud on the part of the government officials, which contributed significantly to the proliferation of disputes. The judges themselves

¹¹⁹ Aya Dube V. Haläko Bäresso, DACCA, 3/64 (Dilla, 1964 E.C.).

¹²⁰ Aya Dube V. Haläko Bäresso, DACCA, 3/64 (Dilla, 1964 E.C.).

stated that as women they were particularly vulnerable but made no special allowances for that.¹²¹

Access to farming land was organised in a variety of different ways, such as by gifting, mortgage and through tenancy.¹²² Some of these arrangements were initially made through good will, but later ended up in bitter disputes and lengthy court wrangling, as exemplified by the following case where the father gave his son land to use although he specified no details especially concerning the intended duration of this arrangement. When the father, Fotossa Kutula, asked his son, Hordofa Fotossa, to return the land he had loaned him some years ago, the son refused by saying that he had been given the land on a permanent basis and did not therefore intend to return it to his father after such a long period of time. The son claimed that he had rights to the land for two reasons. Firstly, he argued that because the land had been under his control for so many years it should remain his; however he failed to cite any relevant article from the civil code which supported his position. The second argument was that since he had been farming the land he had improved it by planting many coffee and *ensät* plants and would lose a long term investment were it to be returned.¹²³

This case first started at *Wäräda* where the court decided in the son's favour; however since his father was unhappy about the outcome he appealed to the *Awraja* Court at Dilla. The decision of the *Wäräda* Court was overturned by the *Awraja* Court's decisions on two grounds; the first was that the son did not possess any supporting evidence, whether written or personal to verify that the

¹²¹ Bizunäshe Lencho v. Bättyo Meje, DACCA, 31/59 (Dilla, 1959 E.C.).

¹²² Bāyānā Abdi v. Guyo Abdi, DACCA, 121/44 (Dilla, 1943 E.C.).

¹²³ Fotossa Qetāla v. Hordofa Fotossa, DACCA, 66/59 (Dilla, 1959 E.C.).

land had been given to him on a permanent basis. Secondly, it was discovered, and confirmed by witnesses, that his father had planted the crops. In addition the son had never paid tax on the land in his name so the father easily won the case. This would have undoubtedly created a strain on the father-son relationship but land disputes were a familiar part of the peasants' life and therefore there was nothing unusual about such conflicts.¹²⁴

Although kinship and family ties enabled cooperation and mutual support they also fostered rivalries and conflict. This point can be illustrated by one court case; the case was initiated by two women who lost their land to one of their cousins. According to the two plaintiffs, Tänsa Dänbobe and Waji Dänbobe, the land belonged to their father who was partially blind and as a result unable to work on the farm. Since he did not have a son himself his brother offered to provide the services of one of his own sons who would perform work on the farm and other tasks.¹²⁵

Problems started immediately after the death of the landowner because his brother's son Alako Korma, who was now the defendant in this case, and who had been in the service of the plaintiff's father until his death, felt that he should be allowed to retain the land. Rather than returning the land to his cousins he continued to use it after his uncle had died. The two women felt that their only means of regaining their land was to go to court, and hence a dispute was initiated between the two daughters and their cousin. The plaintiffs charged the defendant on the grounds that he had illegally obtained land which belonged to their father

¹²⁴ Fotossa Qetäla v. Hordofa Fotossa, DACCA, 66/59 (Dilla, 1959 E.C.).

¹²⁵ Court documents unfortunately do not give information about the details of the arrangement, for example the amount paid to the son in return for the services he rendered. Tänsa Dänbobe v. Alako Korma, DACCA, 65/51 (Dilla, 1951 E.C.).

who had been weak and blind and was now deceased. They claimed also that Alako did this knowing that they were women and had little power, and with the deliberate intention of acquiring land which should have been returned to them. They particularly stressed their own vulnerability, perhaps with the intention of gaining sympathy from the judges.¹²⁶

The defendant argued that since he was the one who had been working on the land for a long period of time he deserved to continue to do so, especially as he felt that it was he who had developed the land through his own labour. He also argued that although he had admittedly never paid tax on this land, the services he had provided to the deceased owner entitled him to own it. This case was easily won by the plaintiffs, because the defendant lacked the appropriate evidence which would have enabled him to contest the case effectively.

This case illustrates the central role possession of evidence played in land disputes in court as well as the way in which land dispute cases were initiated in a variety of ways. The defendant lost the case because of a lack of evidence and thus a weak argument. It was unlikely that the court would decide in his favour without him producing a will or other strong evidence. In addition the judges sympathized with the two women, because they felt that the defendant had attempted to take their land having identified their vulnerability.

In conclusion, land litigation was commonly regarded as a useful mechanism for accessing and distributing land; however, as demonstrated above, litigation did not necessarily lead to a successful outcome for the individual. Individuals also became involved in litigation to protect what they already had. Property rights were very fluid and open to varied interpretations. So far land

¹²⁶ Tänsa Dänbobe v. Aläko Korma, DACCA, 65/51 (Dilla, 1951 E.C.).

litigation has been discussed on an individual level; however as the following section will show, the state also involved itself in the process.

Government vs. individuals

Land disputes in Gedeo were not necessarily restricted to disagreements between private individuals; the government also took part in some land dispute cases, usually with the objective of recovering land which had been lost to individuals on various grounds.

The two government bodies which were actively involved in land disputes were the Ministry of Finance and the Ministry of Land Reform and Administration (MLRA). The former was mainly involved in tax matters whereas the latter dealt with individuals who were thought to have owned lands without having the necessary legal basis for their ownership rights. The MLRA assumed that during the time of land measurement by *qälad* mistakes were made which resulted in some individuals owning more land than their just entitlement. The problem was partly one of inaccurate measurement,¹²⁷ and also some individuals had annexed land without permission from the government due to the inefficiency of the system. In addition, when the government undertook subsequent corrective measures to recover some of the lost lands, these individuals again failed to declare the exact amount of land they possessed and were thus able to avoid paying the appropriate tax.

In reality both ministries had a very limited capacity; they had neither the necessary information about each individual's holding nor the resources in terms of finance and professional expertise to deal with highly complex issues such as

¹²⁷ Mahtämä-Sellassie, *Zekrä Nägär*, 106.

land ownership and taxation matters. In spite of their limitations however they became involved in disputes with some success. Some of the cases were initiated in conjunction with an individual who had an interest in gaining rights to the land; in other cases these government departments were acting independently. However, in both types of case personal interest was a motivating factor, as one example demonstrates. *As'ir aläqa* Shänqut'e Däjäne and the *Awraja* Ministry of Finance went to court against a person called *Ato Bäläw Ashene*, alleging that the defendant simply took over land which belonged to the plaintiff. Although the Ministry of Finance representative presented the first charge against the defendant the department was not represented for most of the hearings and the case later became an issue between the two individuals.¹²⁸

The objective of the Ministry of Finance was to make the defendant liable for unpaid taxes on land he was using which belonged to the co-plaintiff, without his informing the government treasury. From the co-plaintiff's viewpoint, his own case was likely to be strengthened by the support of the Ministry of Finance. Shänqut'e began summarising the history of the ownership of the disputed land by going back to the time of *qäläd* measurement of land which was the most common point of reference in any land disputes in Gedeo. Shänqut'e claimed that when the area was measured the land in question was situated within the *gasha* of a person called Mäko Anno. The plaintiff claimed that this land had been overlooked when officials assessed land in 1942 E.C. (1950) for taxation purposes, but when another land assessment took place in 1955 E.C. (1963) this land was recovered with the help of the local *Č'eqa Shum*.¹²⁹ Following this the government gave him the land as rewards for his services (*baläwuläta* in Amharic) and it was identified

¹²⁸ *Yas'ir Aläqa* Shänqut'e Däjäne V. Bälät'e Ashine, DACCA, 19/62 (Dilla, 1962 E.C.).

¹²⁹ Markakis, *Ethiopia*, 312-315.

by assessment receipt number 28535. Since the 1955 E.C. (1963) land assessment he had paid all taxes in his own name. However the defendant *Ato Bäläw* had simply continued to use the land illegally.

The court ordered all parties to present their evidence. In the middle of the dispute the Ministry of Finance lost motivation and ceased to participate in the litigation. According to the defendant the land had initially belonged to a person called *Mäko Anno*, and was known to be his land both before and after *qälad* was introduced in the area. The land was not therefore registered as extra land when the rest of the *qälad* lands were later remeasured and reassessed after the discovery that in the initial *qälad* measurement some land had been given to people erroneously.¹³⁰ However, this particular land was not *t'äf* (uncultivated) and surplus, as it belonged to *Mäko*. It was later transferred from *Mäko* to the defendant by inheritance (which might mean by purchase). The defendant also presented a tax receipt in his name for the years 1955 to 1959 E.C. (1963 to 1967); the plaintiff however presented a similar receipt for those years.

Witnesses claimed that they had known the land since before the time *qälad* was imposed on the area and that it belonged to *Mäko Anno*. Latterly the defendant had inherited the land from him and it had been his since then. The court had little trouble in deciding that the land should remain in the hands of the defendant due to the strength of the witnesses' evidence. However, the court did not proceed to investigate the means whereby the main plaintiff had somehow managed to acquire a land assessment receipt in his name while the owner also

¹³⁰ Mahtämä-Sellassie, *Zekrä Nägär*, 105-107.

produced similar receipts which showed that the land had been assessed with himself as the named owner.¹³¹

The MLRA was another government body which became actively involved in land dispute cases around a wide range of issues, and had been established for this purpose. As the examples below demonstrate the MLRA had been concerned to recover land which it believed had been occupied and used by individuals without legal sanction. On Hamle 18, 1962 E.C. (July 25, 1970) a legal representative of the Sidamo MLRA charged a man called *Ato Bäraqo Aba Ganji* at *Därassa Awraja* Court, Dilla in a land case over one *gasha* of land in which the value of the land was estimated to be the equivalent of 6500 Ethiopian *birr*. The land concerned was located in *Bulé wäräda* and this man was accused with 11 other individuals of allegedly illegally occupying 12 ½ *gasha* of government land between them. The hearing was at Sidamo High court because the case involved people from other neighbouring *Awrajas* as well. The verdict favoured the MLRA because the 12 individuals had not produced the required evidence to justify their occupation of the land; the court believed that they had concealed their possession of it and as a result had never paid tax on it. They were accused of deliberately hiding the exact amount of land they possessed when land assessors came to their area on two occasions, in 1937 E.C. (1945) and in 1942 E.C. (1950). The MLRA representative said that the primary reason why he charged *Bäraqo* on this occasion was the failure on the part of the government to enforce the previous decision given by the High Court of Sidamo on T'iqmit 5, 1958 E.C. (October 15, 1965) He further explained that after losing the land by court decision *Bäraqo* had never appealed. The land which had been under his

¹³¹ *Yas'ir Aläqa Shänqut'e Däjäne V. Bälät'e Ashine, DACCA, 19/62 (Dilla, 1962 E.C.).*

illegal possession was then given to a lady called *Wäyzäro* Tisäme Gäbräyes as a substitute for land which she had somehow lost (the reason was not given). Following the decision of the court the local *balabat* handed the land over to her, the land was assessed for tax as her *rest*, and the tax liable to be paid assessed accordingly.¹³²

However when *Wäyzäro* Tisäme asked Bäraço to pay compensation for benefitting from the land during the time the land had been awarded to her by the government, he refused. She took him to court for the *alaba* (benefit) from the land and the court ordered him to pay all the *alaba* of the land due to her. However he appealed to the Sidamo High Court by stating that the *Awraja* Court's decision was inappropriate and claiming that he was the *balärest* himself. When he appealed to the High Court of Sidamo he produced the 1955 E.C. (1963) tax assessment receipt as evidence of ownership of the land on which it was shown that the land was assessed in his name as his personal *rest*. The Court accepted his claims because he had supported his appeal with a tax assessment receipt; but what the court did not realise was that the same individual had lost his right to the land as a result of a decision by the same court four years previously. When the court allowed him to proceed with his appeal *Wäyzäro* Tisäme returned to the MLRA and asked them to fight the case on her behalf. At this juncture the MLRA agreed to intervene and stated clearly to the *Awraja* Court that the case had already been settled previously, after a decision had been given by the High Court of Sidamo four years previously. The court was asked to reacquaint itself with the matter before allowing the case to proceed.

¹³² Sidamo Region MLRA v. Bäraço Aba Gange, DACCA, 119/62 (Dilla, 1962 E.C.).

We have examined the previous dispute between the 12 individuals and the MLRA in some detail because it provides an insight into the way land assessment exercises were used as an opportunity by some to gain access to the increasingly important resource, land. In addition this particular dispute reveals how individuals were prepared to use all possible strategies in order to protect and maximize their chances, whether by finding the loopholes within the system or by manipulating government officials to their own advantage.

The case of the 12 individuals started after two men named *Asir Aläqa* (lit. head of the ten) Wubeshät Mäkkonen and *Ato Ayälä Tibäbu* managed to convince the MLRA that about 12 ½ *gasha* of land was being illegally occupied by them, which had resulted in a long term loss in taxes by the government. The motive of the two individuals was not actually to address the tax loss suffered by the government but rather to pursue their own personal goals because the government had already promised them to give them land as a reward for their services in a different capacity, but had failed to do so as suitable land had yet to be found. Therefore rather than waiting for an indefinite period of time until the government's promise was fulfilled, the two people used their own knowledge to help in uncovering "hidden" lands.¹³³ This type of "intelligence" had been used by the government quite successfully to achieve both its own objectives as well as the objectives of people who were in need of land.¹³⁴

From this case as well as from many other land dispute cases it is clear that when land assessments took place, especially in 1937 E.C. (1945) and 1942 E.C.

¹³³ An individual called *Aba Jazoge Dido* was also implicated as he promised the government to expose those individuals who were occupying government land illegally, and his name was mentioned in connection with the uncovering of the undeclared 12 ½ *gasha* of land.

¹³⁴ Semé Wäldä Yohannis V. Semé Nägaya, DACCA, 14/61 (Dilla, 1961 E.C.).

(1950), many people managed to conceal the amount they really owned to avoid paying taxes. However, in the 1955 E.C. (1963) tax assessment the process became more stringent and as a result lots of “hidden” lands were found. The main reason for this was that the number of people who were seeking land had soared, partly as a result of the government’s own miscalculated policy; the government had already promised land to a large a number of people but the majority were disappointed as there was insufficient land to be awarded. Thus the government adopted a strategy which encouraged people to involve themselves in helping to search for “hidden” lands as in the event of a successful court outcome they stood a strong chance of being granted the land themselves. However there seemed to have been an exaggerated assumption regarding the amount of the so-called “hidden” lands, as charges tended to be made without there being sufficient grounds to prove the case.¹³⁵

Regarding the above case, four of the 12 defendants charged had already lost their rights to their respective land as a result of investigations made in the area.¹³⁶ Although they claimed that the land each of them had occupied was their *rest*, due to their inability to substantiate their claims with evidence of ownership rights their right of occupation was terminated. The land was not taken away from them immediately, however instead they agreed to continue to use their respective holdings as before and pay all the taxes to the government treasury. They confirmed that the land actually belonged to the government and if the government in the future wanted to take it away from them for its own purpose

¹³⁵ For a similar process in Southwestern Shāwa (Bächo) see Tekalign, "A City and Its Hinterlands", 239-247.

¹³⁶ Sidamo Region MLRA v. Bäraqo Aba Gange, DACCA, 119/62 (Dilla, 1962 E.C.).

they would not offer opposition. To that effect they signed a document which was later attached to their file as evidence. What happened after that was confusing, because in the same year in which the land was claimed to have been uncovered it was found to be registered as the *rest* of these individuals. Later the court discovered that some government officials had helped them by illegally assessing the land as their *rest*. The court found out that the two officials were government employees, one being the Head of the *Wäräda* Ministry of Finance (*Ato Yirdaw Girum*) and the other the Vice Governor of the *Mikitile Wäräda* (*Ato Mäkuria Ayälä*). Thus the court found that both officials had clearly colluded with the four defendants in their illegal occupation of government land.

Two individuals, *Ato Sera Robe* and *Ato Guyo Robe* were mentioned separately as their case was different to the others in that these two defendants managed to present some legal basis for their occupation of the five *gasha* of land which they were accused of owning illegally. They claimed in court that the five *gasha* had originally been their *rest*, but during the Italian occupation of the country they fled the area fearing that they would be attacked by enemy planes, and after liberation they had been unable to pay the tax on the land due to ill health. When they applied to the *Wäräda Gizat* in 1945 E.C. (1953) this story was found to be sufficiently acceptable to gain them a legal right to the land they had occupied, and the then secretary of the *Wäräda Gizat Ato Adinäw Hailu* allowed them to have the land assessed in their own names and to pay taxes accordingly.

However, the High Court of Sidamo noted that in both cases government officials had inappropriately played a role in helping these individuals to provide legal grounds for taking over former government land. The court then clearly indicated the correct legal procedure. Initially, the individual should apply to the

appropriate court. Then the court would serve notices in the newspaper to enquire whether anyone had an interest in the land, and then if there was no objection the court could order the property to be registered as the claimant's legal property. The court believed that the way the land had been allocated previously, by the personal decision of government officials, was illegal, and it strongly criticized some of the bureaucracy who had fraudulently helped individuals and ordered that they should be penalised for their actions. The Head of the *Wäräda* Finance, *Ato Yirdaw Girum*, was ordered to pay 50 birr penalty to the government, the 12 ½ *gasha* of land was put under the control of a local government representative as an area of government land, and all crops harvested from the land were to be collected as revenue for the state.¹³⁷ A portion of this land which had formerly been occupied by *Bäraqo* was given later to *Wäyzäro Tisäme* as a substitute for land she had lost elsewhere.¹³⁸

The above cases have demonstrated that the involvement of the government in land disputes was further confirmation of how land ownership rights were highly precarious in Gedeo. The absence of any organised record about individual land holdings made things worse and as a result the government made many land grant promises before it actually knew how much land it had in its reserve. Hence it contributed to the proliferation of unnecessary land litigation.

Since individual land seekers knew that the government could not honour its promise of finding land to award them, they felt that the best option was to accuse other individuals of trying to take over their land, usually without even

¹³⁷ The court said that they were powerless to punish one of the officials who had helped the defendants to acquire the land because he was retired when the case was seen by the court.

¹³⁸ Sidamo Region MLRA v. *Bäraqo Aba Gange*, DACCA, 119/62 (Dilla, 1962 E.C.).

having the necessary background information. This was illustrated by the case of the Mäko Anno, who was forced to undergo an unexpected and unnecessary lengthy court battle to confirm that the land he occupied was not illegal. Again in this case the plaintiff *Asir aläqa* Shänqut'e Däjäne not only obtained a crucial document in a fraudulent manner but also had some success in gaining the support of a government department to give credibility to his disguised intent to take over the land of a genuine owner, Mäko Anno. The courts who uncovered most of the fraud and inefficiency, appeared to have done their job to the best of their ability. However since the problem was overwhelming it is doubtful how much effect they had in rectifying the overall trend.

Conclusion

The post-liberation era was a formative period, not only from a national perspective but also in terms of developments at a local level. The modernisation effort of Haile Sellassie, which was largely focused on establishing an efficient bureaucratic infrastructure, enabled the state to extend its influence down to the local level. As a result the state managed to extract more revenues than had been the case before the war. Such revenues were crucially important to finance the modernisation effort of the government. Some of the measures taken by the state also had a direct impact on Gedeo especially the one made in relation to agricultural taxation. It not only hastened the demise of the *näft'ännä-gäbbar* agrarian relationship, which was dominant before the war, but also reduced significantly the power of local officials.

Unfortunately the period also witnessed an unpleasant development whereby land ownership became increasingly contentious. As a result disputes

became fractious and highly protracted in nature and became a burden in the lives of ordinary people. A multitude of reasons can be given for the proliferation of land disputes in Ethiopia, ranging from the absence of land maps or organised land registers to the lack of a government body which was responsible for handling these issues adequately. Land disputes were often based on very flimsy evidence or sometimes started for dubious or even fabricated reasons.¹³⁹ Since some of the population had the time, resources and desire to indulge themselves in such activities even a legitimate owner could easily be challenged and might face losing his or her land.¹⁴⁰ As land disputes could be initiated on spurious grounds individuals were motivated to make attempts to annex another's property. When such people failed to win their case the punishment was not damaging, but if they won the prize justified the effort, and therefore the system unintentionally encouraged lengthy litigation.

The courts were not efficient due to lack of resources in terms of manpower and organisation. This might have impacted upon their ability to deal with issues quickly and fairly. Nevertheless there is no evidence to indicate that they distorted the law to favour one ethnic group over another. Courts examined cases and settled disputes by weighing evidence which was presented by the parties involved. As a result many of the reforms or laws introduced by the government failed to be implemented by officials themselves, not always with bad intentions, but primarily because they lacked the knowledge and expertise to interpret the law as required.

¹³⁹Kidanoa Wäldä Gäbrael V. Taddässa Dässeta, DACCA, 198/53 (Dilla, 1953 E.C.).

¹⁴⁰Wote Ejo V. Fäläqä Yizbät', DACCA, 133/44 (Dilla, 1944 E.C.).

The proliferation of land disputes shows that land was a highly valuable resource for the majority of the people as their livelihood depended on it. It also indicates that insecurity of tenure was very high. Although it is difficult to measure its impact on productivity it can be assumed that under these circumstances it was unlikely for individual landowners to invest in improvements on their land to increase its output.

Insecurity of tenure was also made worse by the government providing easy access to crucial documents such as tax receipts, which offered opportunities for exploitation by corrupt officialdom. Also the government was not able to control crucial resources such as land because it was ignorant about who owned which land and the absence of a centralised record system meant that there was no one with the authority to provide definitive answers when problems arose between individuals. In fact the government's lack of control and inefficiency could easily be demonstrated by its own practices such as granting land to an individual which was in fact already owned by someone else.

Despite the rampant nature of land disputes, movement of land between owners was not halted. Nevertheless their impact on the smooth transfer of property particularly through sale should not be underestimated. The likelihood of dispute discouraged sale as a method of land transfer which also impacted negatively upon the government's ability to generate revenue from such transactions. The evidence shows that land sale existed even before the war when money appeared to have been in short supply; however it failed to flourish in the post-war period although the general economic atmosphere might have been more conducive due to the development of commerce and trade. People were positive about land transfers between themselves which might indicate that there was

economic improvement; however none of the preferred methods of transfer were found to provide complete protection from contention and dispute. Therefore they seem to have been experimenting and searching for better modes of transfer which would ensure them protection. Inheritance as a preferred mode of land transfer eclipsed the practice of selling but nevertheless failed to provide complete protection. However individuals continued to use it because it enabled them to at least to minimise the number of protagonists. However the most sensitive court disputes in Gedeo were not about land tenure issues as such but mainly about tenancy matters, which is the subject of the next chapter.

Chapter Four

Tenancy Relations and Court Disputes, 1941-1974

Relationships between landlords and tenants were difficult throughout this period, and due to their problematic coexistence courts were inundated with cases.¹ As the previous chapter has shown, although land disputes were a major issue in Gedeo, tenancy disputes were more prevalent and intense.² Tenancy dispute has been the subject of various analyses especially in Gedeo but also in many other parts of southern Ethiopia.³ In northern Ethiopia it was generally believed that both tenants and landlords belonged to similar ethnic and social groups; tenancy disputes in the south however have frequently been interpreted in terms of ethnic and religious differences.⁴ Thus, when discussing tenancy disputes in the context of Gedeo it is important to assess the relevance of these factors in understanding the problem of landlord-tenant relationships.⁵

¹ Although there is a lack of reliable official statistical evidence to support this claim, when I was studying in the *Awraja* Court archives for this research the ratio of *erbo* disputes case files to land and other similar issues were roughly 3:1. See Sandra Fullerton Joireman, *Property Rights & Political Development in Ethiopia & Eritrea* (Oxford: James Currey, 2000), 91; she quoted a figure taken from the MLRA (Ministry of Land Reform and Administration) that 78% of people in Sidamo (including Gedeo) became tenant farmers. See also Marina Ottaway and David Ottaway, *Ethiopia: Empire in Revolution* (New York: Africana, 1978), 16.

² Benti Getahun, *Addis Ababa: Migration and the Making of a Multiethnic Metropolis, 1941-1974* (Lawrenceville, N.J.: Red Sea, 2007), 73.

³ Joireman, *Property Rights*, 98; she claims that "Ethnicity was also an indication that a person was a member of the landlord class."

⁴ Cohen and Weintraub, *Land and Peasants*, 50; they said that issues connected with tenancy were not a major problem in the north because the tenure system allowed peasants to access land. "Where tenancy does appear, it is associated with submerged caste groups, religious minorities, or young *restägnas* who seek more land." See also Ghelawdewos Araia, *Ethiopia: The Political Economy of Transition* (London: University Press of America, 1995), 9.

⁵ Presenting any evidence either in support or against such a view is very hard. In the archives there is no single reference about ethnicity either in relation to tenancy or other forms of dispute in court. There is however a feeling among a sizeable number of Gedeos that past inequalities were largely drawn along ethnic lines and that they were subjected to exploitation mainly because they belonged to a different ethnic and religious group to their landlords and the people in power.

This chapter also draws evidence from local court documents but its main focus is on aspects of tenancy, and it especially seeks to understand the nature of the landlord-tenant disputes which came before the courts. It examines how the courts dealt with tenancy disputes and whether tenants were treated differently landlords. As mentioned above, dispute between landlords and tenants has traditionally been interpreted in ethnic terms, i.e. that landlords and tenants were from distinct and different ethnic groups, and their relationship was governed by their allegiance to a certain ethnic group. As a result previous research has made few attempts to understand the nature of the conflict other than from a mainly ethnic perspective. In contrast, this chapter approaches tenancy problems essentially from the perspective of the disputes themselves rather than by investigating the social or other backgrounds of the disputants. The aim was not to ignore those variables but to understand the root causes of disagreements, which did not necessarily emanate from ethnic or social differences.

Tenancy had become the dominant form of agrarian relationship in the *qälad* region of Gedeo from 1941- 74. It had existed on a limited scale before the war but did not evolve fully until later in the post-war period.⁶ There are a number of reasons for this. The number of peasants who entered into tenancy relationships increased substantially in this period, mainly in direct response to the expansion of agriculture in the *qälad* area. The land in this part of Gedeo had already been occupied mostly as *madäria* (land given in lieu of salaries) by *näffännas* and other civilians well before the war, but was not fully developed until the post-liberation period.⁷ The prospect of farming land superior to that in the *outiba* areas meant that tenants were no longer as hesitant as previously to

⁶ McClellan, "Perspectives on the Neftenya-Gabbar System", 439-440.

⁷ See chapter two for a more detailed discussion about *madäria* land.

work for landlords. The increasing difficulty of accessing family land in the *outiba* areas also meant that young people who wanted to form their own households were forced to look for new opportunities and a sharecropping tenancy was the obvious solution.⁸

In general this period witnessed the gradual decline of the *näfl'äñña-gäbbar* relationship which was the dominant form of agrarian relationship before the war;⁹ at the same time it also manifested the growing importance of landlord-tenant relationships, though the latter was not a direct successor to the former.¹⁰ These two relationships existed separately depending on the nature of the land tenure system; under the *näfl'äñña-gäbbar* relationship land was owned by peasants and not *näfl'äñña*, whereas under the landlord-tenant relationship the land was owned by the landlords (*näfl'äñña*).¹¹ Thus these two forms of agrarian relationship were distinct from each other; the *näfl'äñña-gäbbar* relationship was a feature of the *outiba* or core areas of Gedeo whereas the landlord-tenant relationship was prevalent in the *qälad* areas of Gedeo.¹²

Landlord-tenancy disputes soon became a common feature of sharecropping tenancies in Gedeo. After the war with the modernisation and

⁸Interview with Shät'ät'o Bäriso, Shegädo, 6 July, 2004.

⁹ McClellan, "Perspectives on the Neftenya-Gabbar System", 439.

¹⁰ Bahru, "Economic Origins of the Absolutist State ", 12.

¹¹ The literature lacks unanimity in regards with the demise of *näfl'äñña-gäbbar* relationships after 1941. Some feel that it continued until the revolution, while McClellan claims that the Italians abolished *gäbbar* and landlord-tenancy relationships came into being after the war. McClellan, "Perspectives on the Neftenya-Gabbar System", 439-440; See the following for a discussion of these two issues. Eshetu, "Towards a History of the Fiscal Policy", 88-106; Bahru, "Economic Origins of the Absolutist State ", 1-29.

¹²McClellan has shown that the two agrarian relationships had evolved separately. However he did not recognise that the fundamental reason behind the existence of two forms of relationship was land tenure. See the following chapter, McClellan, "Coffee in Centre-Periphery Relations", 175-195.

bureaucratisation of government departments it became the prerogative of courts to deal with tenancy disputes. This chapter will show that although disputes between landlords and tenants were complex and pervasive, at the core of their differences was the desire to take control of land, the vital resource. Ethnic, linguistic and religious differences might have contributed to the conflicts to some degree, as depicted in the literature;¹³ however, the particular sources examined in this study suggested that, whatever other factors might have played a small part, the main focus of disputes was a struggle for land.¹⁴ Before examining actual tenancy cases in detail the chapter first outlines the evolution of sharecropping tenancy, and then describes the nature of tenancy relationships which were prevalent in Gedeo until the revolution.

The Evolution of tenancy relations in Gedeo

The most common form of tenancy in Gedeo was *erbo*, a system by which tenants were expected to give a quarter of their produce to the landlord after completion of assessment.¹⁵ The landlord only provided the land; the tenant was responsible for everything from the daily running of the farm to organising labour, seed acquisition and buying tools. The tenant was usually expected to give additional free labour services to the landlord, such as helping with agricultural work on land which the landlord might own elsewhere, constructing houses and fences, or the

¹³ For a very thorough discussion of the ethnic makeup of the *näftäññas* see McClellan, *State Transformation*, 51.

¹⁴ Most of my informants tend to describe the period before 1974 as the time of the *balärest*, or *näftäññas* and despite their resentments about the period most of them believe that access to land and the control over this vital resource was at the centre of their discordant relationships. Interview with T'éko Jäbo, Grissa, 16 July 2004; and Shao Robe, Qome, 30 June 2004.

¹⁵ Gäbrä-Wäld, "Ethiopia's", 313.

supply of firewood on a weekly basis. In some cases if the landlord resided in the same village as the tenants he could also access the labour of the tenant's family if he wished.¹⁶

However, as this chapter demonstrates, tenants were not only burdened with a multitude of obligations, but also their relationship with the landlord was marred by conflict. As some of the written tenancy agreements show, the condition of tenants was little different from that of *gäbbars*.¹⁷ Landlords also used such written tenancy agreements to support an *erbo* claim in a government court, which demonstrates that exploiting free labour services, although abolished officially by the government, was not illegal. Therefore although tenancy was viewed as an improvement on the “evils” of the *gäbbar* system, in reality tenants were subjected to a great deal of coercion and exploitation.

The basic issue which needs to be underlined here is that, unlike the *gäbbar* system, tenancy was not imposed, but rather evolved out of the particular set of circumstances which arose in the *qälad* areas of Gedeo.¹⁸ *Gäbbar*, as indicated earlier, was instituted by state order on Gedeo farming households, but tenancies were forged independently between tenants and landlords without the involvement of the state. Therefore, tenancy required at least the willingness of

¹⁶Interview with Gobäna Lätiti, Grissa, 15 July 2004. Gobäna believes that tenancy started in Gedeo only after *däjäžmach* Balcha introduced *qälad*.

¹⁷No wonder some writers confused *gäbbar* and tenancy. Consider this; “Tenancy was harsher in such areas as Arsi,... Especially Amhara *näfläññas* in Kämbara were noted for their untold cruelty. Some of them were so notorious that they yoked their *gäbbars* like oxen and farmed with them.” Therefore for this author there is no distinction between a *gäbbar* and a tenant. Benti, *Addis Ababa*, 73.

¹⁸*Gäbbar* was predominantly the status of many peasants in Gedeo until 1935; however in the post-liberation period due to the gradual erosion of the *gäbbar* system, many of them became free from the *gult* holders and transformed into an independent peasants paying tax directly to the government treasury. The development in the *qälad* region was different because land was owned in this part of Gedeo by the *näfläññas*, therefore peasants took up tenancy as an alternative method of gaining access to land.

the landlord to rent the land to a tenant; likewise a tenant had to be interested in entering into a sharecropping agreement with a landlord.¹⁹ Tenancy was not introduced due to the need to replace the role of the *gäbbar*,²⁰ as free labour services were not abolished altogether, but survived within the tenancy system. It also meant that those landowners who had cultivated their land by exploiting free labour from their *gäbbars* or landlords who did not have *gäbbar* rights had to find a tenant who would agree to work on their land in a sharecropping arrangement. As tenancy gradually assumed greater importance tenants found themselves giving free labour services and discharging many other obligations to their landlords such as the supplying of fire wood, perhaps with little or no distinction from their previous role as *gäbbar* peasants.²¹

Given the highly polarised *näftännä-gäbbar* relationship, from whose shadow the tenancy system emerged, it is not surprising that tenancy was initially unable to take root in Gedeo.²² Before 1935 peasants had no incentives to take up tenancy as an opportunity until they were overwhelmed by the pressure for land which had become prevalent in the highland areas. However as agriculture later developed in the *qäläd* areas, the land in this part of Gedeo became more desirable and peasants saw the opportunity for diversifying their production by growing food as well as cash crops which had been impossible in the upland areas. Thus a combination of “push factors” in the highland areas and the “pull factors” in the

¹⁹ The term landlord is used in a general sense to loosely describe all kinds of landownership rights in Gedeo. Since the way people owned land in Gedeo varied considerably during this period, using the term landlord for this diverse group will hopefully avoid confusion and simplify the discussion. Unlike landlords the position of tenants was much more straightforward, and therefore there is no need for further qualification.

²⁰ McClellan, "Coffee in Centre-Periphery Relations", 192.

²¹ Dama Waqo V. Kurabachäw Wäldä Michael, DACCA, 12/62 (Dilla, 1960 E.C.).

²² McClellan, "Coffee in Centre-Periphery Relations", 189.

qälad areas had contributed to the growth of tenancy relationships in Gedeo during the post-war period.²³

As some informants state, even those tenants who lived in the *qälad* areas and who had no land in the *outiba* areas were gradually forced to give up any potential claim to *outiba* land because of the increasing difficulty of accessing land in Gedeo.²⁴ If they were on good terms with their kin they might possibly reach some kind of deal whereby they (the kin) would restrict their claims to lands which they effectively occupied.²⁵ However, in most cases conflicts and disagreements were rife. This point is illustrated by the case of Wärrera who settled in Shegädo after the war. He claimed that he came to Shegädo from Grissa in the core highland area, where land was apparently in short supply, and pointed out that the amount of land which his father was able to provide was very small and that he and his brother were in disharmony as a result. Then he added that “when an Amhara landowner offered me a chance to farm in Shegädo I decided to take it. In fact later on I abandoned all claims to my parents’ land in Grissa”. He claimed that he made this move because he wanted his other brothers to have a better share of the land. Many informants interviewed claimed that the reason they came from

²³ For a similar development in northern Ethiopia see James McCann, *Household Economy, Demography, and The "Push" Factor in Northern Ethiopian History, 1916-1935, Working Papers in African Studies*; (Boston, Mass.: African Studies Center, Boston University, 1983), 1-29.

²⁴ Interview with Shalo Dube, Shegädo, 6 July, 2004; and Kole Soläle, Sugäle, 15 June 2004.

²⁵ Interview with Shalo Dube, Shegädo, 6 July, 2004. Shalo said that the land his brother received was so small that he moved to the south during the resettlement programme in the 1960s, which is described in the following chapter.

the core highlands to the *qälad* zone was in search of bigger and better land, and as a result they took up tenancy as a means to access such lands.²⁶

Nevertheless the available evidence shows that tenants in the earlier period especially in the 1930s and early 40s were sceptical about the tenancy relationship because they were not sure whether it was a workable solution. Therefore in most cases they preferred to enter into tenancy agreements whilst retaining some of their *outiba* land from the highland areas. This was because of the high degree of uncertainty over the outcome of the newly emerging tenancy arrangements, and in some cases tenants became disillusioned and simply abandoned their tenancies.²⁷

The case of *Balambaras* Kidane Abesie shows that he and his tenant Guyo Gabi entered into a tenancy agreement during the time of *Däjjazmach* Balcha concerning the *qälad* land which he had been given by the government for his services. *Balambaras* Kidane claimed that the tenant was not a resident tenant on his farm, but rather used to come from his place (not specified) to farm his *qälad* land in C'ebecha *qäbälé*.

Before this tenant took over my farm it was very well cultivated and there were plenty of coffee trees; but he neglected the farm because he had land in another place, therefore I demand the court to order the tenant to appear at court and pay me 500 *birr* of *erbo* payment including all other expenses I incurred to hire a solicitor (*läbäqa* in Amharic) and court fees.²⁸

²⁶ Interview with Wärrera Č'umburo, Shegädo, 6 July, 2004; Bursa Dänbobe, Bula, 3 December 1999; and Turi Boko, Č'ič'u, 29 April 1999.

²⁷ Interview with Aläko Wadari, Grissa, 16 July 2004; Gote Bädässé, Andida, 28 April 1999; and Gashu Bädasse, Grissa, 22 July 2004.

²⁸ *Balambaras* Kidane Abessie V. Gayou Gabi, DACCA, 157/57(Dilla, 1944 E.C.).

Unfortunately this particular court document does not reveal much about the tenant other than that he owned land elsewhere. Without knowing fully this tenant's situation it is difficult to establish without doubt that tenancy and *gäbbar* did overlap at some point, but he had begun his tenancy on the land well before the Italian invasion and appeared to have continued his tenancy until he left the farm in 1944 E.C. (1952).²⁹ This was the most common strategy adopted by tenants in Gedeo during the early phases of tenancy relationships. Informants interviewed near Dilla town also corroborated that most had settled in the *qälad* zone on their landlord's land in gradual stages without totally abandoning their *outiba* land.³⁰

However as both the economic and the political activities of Gedeo began to centre on important towns which sprang up along the Addis Ababa–Dilla main road, tenants also began to settle in large numbers in the downland areas where these towns flourished. The more fertile soil available in the downland areas which enabled greater crop diversity appeared to have been important in this regard, and in addition, as one informant recalled, the Christian missionaries who started their activities in the Dilla area in the late 1940s played a significant role in attracting many people. The medical services they provided to the local people especially in combating malaria made the area more attractive.³¹

In general informants agree that the Gedeos, who had traditionally been accustomed to living on top of the highlands, began to settle in significant

²⁹ *Balambaras* Kidane Abessie V. Gayou Gabi, DACCA, 157/57, (Dilla, 1944 E.C.).

³⁰ Interview with Gobäna Lätiti, Grissa, 15 July 2004; and Aläko Wadari, Grissa, 16 July 2004.

³¹ Interview with Hordofa Gädičo, Wonago, 24 November 1999.

numbers in the lower zone after 1941.³² As tenants began to show a willingness to settle in these areas landlords encouraged them to construct their houses near their farm so that they could start to lead a normal life. The details of arrangements between the tenant and land owner varied greatly depending on many other factors. Some landlords might also have their own home near their farm especially in southern Gedeo where a great deal of landlords lived on their land. This gave them easy access to the family labour of the tenant household. In other cases the tenant simply lived and worked on the land of the landlord and paid *erbo* of a quarter of their produce either directly or through the *qälad wäkil* (a person who represented a holder of *qälad* land).³³

Understanding the nature of landlord-tenant relationships is challenging due to the varied ways in which they interacted.³⁴ Although the demand for land increased over years, particularly after liberation, it is difficult to capture the evolving nature of tenancy in full solely from the court archives from which the bulk of the information for this study is derived. However it is still possible to gain a reasonable overview by close study of some examples of written tenancy agreements.

³² Interview with Hat'essa Gänale, Buč'issa, 5 December 1999; *Hayicha* Dänbela Abe, Andida, 30 April 1999 and Morkäte Jarsso, Andida, 28 April 1999.

³³ Interview with Hirba Kälecha, Grissa, 14 July 2004, he told me that his father was *yäqälad täwäky* for one *gasha* of land.

³⁴ The literature dealing with landlord tenancy relationships reveals how the nature of their relationships was multi-dimensional. This section deals only with areas which were problematic and became the trigger for court disputes. For further discussion see Anjan Kumar Datta, *Land and Labour Relations in South-West Bangladesh: Resources, Power and Conflict* (Basingstoke: Macmillan, 1998), 65.

Tenancy agreements

Conflict was endemic to landlord-tenant relationships in Gedeo.³⁵ Because of this the majority of court cases in Gedeo were concerned with tenancy problems, and as will be examined later in this chapter, a very large amount of these documents concerned *erbo* disputes. Why were tenancy relationships so problematic? There is no simple answer to this question.³⁶ Tenants and landowners needed each other; tenants needed access to land in order to gain a living, and likewise landowners required labour in order to develop and exploit their land. Both parties depended greatly on the land and what it produced, but their mutual need for each other did not improve their relationship.

Tenants seemed to have refused to accept the rights of the landlord to the land, and used every possible opportunity to avoid paying rent.³⁷ In the landlords' view the land had been acquired by "legitimate" conquest and not by "alienating" it from local people as was normally assumed.³⁸ They considered themselves to be the first settlers (*aqni*) on the land, a view which was also deeply embedded in the concept of land tenure systems of both in south as well as the north.³⁹ In reality most of the landlords (a great deal of which were *näft'ännas*) were government employees who were providing services to the state, and despite their peasant background the political system which awarded them the privilege of access to

³⁵ Hoben, *Land Tenure*, 137-13; Hoben showed that tenancy relationships in Daga Damot (Gojjam) did not involve the kind of subordination which was common in other agrarian systems. This is a very interesting contrast to cases in southern Ethiopia.

³⁶ Schwab, *Decision-Making in Ethiopia*, 8.

³⁷ Meju Aba Siro v. Jarsso Bäriso, DACCA, 393/53 (Dilla, 1953 E.C.); Interview with Bädécha Leko, Tunticha, 29 April 1999.

³⁸ See chapter two for the controversy surrounding the imposition of *qälad* which enabled most landlords to access land.

³⁹ McClellan, "Coffee in Centre-Periphery Relations", 175-195.

free labour reinforced the pursuit of an easy life whereby their land was developed for them by local people.

Whatever perceptions both held regarding their relationships, in general they operated in a climate of suspicion, deception, intimidation, and exploitation, and therefore they were far from being partners in the activity of production. Although we have not yet examined the effect this unhealthy relationship had on productivity and agriculture in general, it seems that the absence of a clearly defined agreement which stipulated the rights and obligations of both the landlord and the tenant might have played a significant role.⁴⁰

Tenancy agreements in Gedeo were generally imprecise and verbal.⁴¹ Only a few landlords produced written tenancy agreements in their legal disputes with their tenants. Given the low level of literacy among the population in general and the tenant population in particular, written agreements were very rare.⁴² The absence of a written tenancy agreement is often cited as a major cause of tenancy problems. However having such an agreement did not necessarily serve as a safeguard for tenants against arbitrary exploitation by landlords.⁴³ Courts tended to pass their verdict on the basis of the tenancy agreement which was presented without questioning it, even if it was unsound. This was compounded by the fact

⁴⁰ Interview with Aläko Wadari, Grissa, 16 July 2004, Aläko suggested that during the *balä rest* time productivity was very high and he added that even leaving land fallow was not allowed unless the landlord believed in the procedure.

⁴¹ Verbal tenancy agreements appear to be a very common practice in many societies. For example in a recent study in the Assam region of India, Kuri found out that most of the villagers did not have any written tenancy agreement, and the author concluded that the absence of a written agreement did not affect relationships between landlords and tenants. Pravat Kumar Kuri, *Tenancy Relations in Backward Agriculture: A Study in Rural Assam* (New Delhi: Mittal Publications, 2004), 120.

⁴² Zänäbäch G/Maryam V. Mäläs Assefaw, DACCA, 60/63 (Dilla, 1963 E.C.).

⁴³ Benti, *Addis Ababa*, 73; Benti believed that the reason landlords did not want to have a written tenancy agreement was to enable them to evict tenants easily.

that most judges, especially in the lower offices, were not trained; given the fact that modern bureaucracy was at its nascent stage in Ethiopia at this time, these offices were manned by people who had only basic levels of literacy and perhaps some experience in service to the government.

In general government institutions did not involve themselves in the formalising and regulating of landlord-tenant relationships. Hence the best and most straightforward option for peasants was to make an agreement directly with the landlord and from the tenant's points of view it did not matter greatly whether the agreement was written or verbal because it would be in a language which they did not understand. As the son of one tenant (who had inherited his tenancy) pointed out, although his father had signed the very first binding agreement with the landlord a long time ago, he might have queried the terms before accepting them had he been able to read and understand the conditions of the tenancy.⁴⁴ It appeared also that tenants did not see the importance of such agreements as a crucial factor in their relationships with landlords, although some landowners felt differently.⁴⁵

An example of a written tenancy agreement is given below. This tenancy agreement was shown in court in 1960 to support an *erbo* claim by a landlord. It also underscores how tenancy relationships were shaped not only by local conditions but also by the individuals involved. It represents one of a variety of ways in which tenancy agreements were made and operated in Gedeo. This particular tenancy agreement was originally signed between the landowner Wäldä

⁴⁴ Dama Waqo v. Kurabachäw Wäldä Michaél, DACCA, 12/62 (Dilla, 1960 E.C.).

⁴⁵ Interview with Aläko Wadari, Grissa, 16 July 2004.

Michael and his tenant Waqo Oudo and was used as evidence in court by the landowner's son in his case against the original tenant's son.

Agreement in respect of tenancy⁴⁶

Hidar 17, 1951 E.C. (November 26, 1958)

I Waqo Oudo, a tenant (*č'isääñña*) on the *rest* of *Ato Wäldä Michael Tägäñña* which is found in Särbasäre, planted firstly coffee trees, and secondly *ensät* and agreed to pay 200 *birr* yearly according to the *erbo* benefit of the previous agreement [which was made Tiqmit, 18, 1947 E.C. (October 28, 1954)] Secondly I agreed to deliver two bundles (*shäkim*) of fire wood every week, and finally I agreed to construct houses and fences, and to work on his coffee land (*hudad*).⁴⁷ I agreed with my due interest according to this agreement.

However, as I am weak and old I asked *Ato Wäldä Michael Tägäñña* to permit my son Dama Waqo to pay all taxes (*gibir*) [probably *erbo*] owing to him according to my previous agreement. I Dama Waqo in place of my father Waqo Oudo agree to pay taxes (*gibir*) to *Ato Wäldä Michael Tägäñña* according to the above agreement. I signed the agreement after it had been read out to me. Secondly if I violate any of the clauses, I will pay twice according to the previous agreement. I will pay 200 *birr* every year in the month of *Yäkatit* (February). If the value of any of the crops increases, if asked, I will promptly increase the amount of *erbo* according to our agreement. To this effect we signed with the witnesses of our signature.

Witness who were present during the agreement:

1. *Ato Däyo Waqo*
2. *Källo Hirbate* and
3. *Heto Mando*

Regarding fetching firewood, house and fence construction, and coffee harvesting (from the private land of the *balärest*) *Bäjaso Waqo* and *Shäbo Waqo* agree to be responsible. I *Bäjaso Waqo* and *Shebo Waqo* will deliver two bundles (*shäkim*) of firewood on every eighth day. We will also construct fences and houses. If we fail to fulfil this agreement we agree to recompense him financially. We will also pay 50 *birr* to the government as a fine. We have agreed and sealed this agreement with our signatures.

Witnesses:

⁴⁶ Dama Waqo V. Kurabachäw Wäldä Michael, DACCA, 12/62, (Dilla, 1960 E.C.).

⁴⁷ Mantel-Niečko, *The Role of Land Tenure*, 91-92.

1. Dama Waqo
2. Källo Hirbate and
3. Heto Mando

This tenancy agreement cannot be regarded as either a representative or unique. It cannot be claimed that most tenants who needed to make verbal agreement were treated similarly. This particular example however was clearly dictated by the landowner Wäldä Michael Tägäññä as all terms and conditions were in his favour with little regard to the interests of the tenant. It established the land ownership rights of Wäldä Michael but failed to mention any obligation on his part as the landowner, only specifying what should be fulfilled by the tenant. It also contains enforcement measures in the event of failure to comply, but this again was made against the tenant and entailed harsh punishments such as double payments if he failed to fulfil any element of the agreement. We also do not know the size of the land from this agreement; it merely states that the tenant agreed to pay 200 Ethiopian *birr* as *erbo*, and thus it is difficult to know whether this fixed *erbo* payment was fair. Also, as in most tenancy agreements, *erbo* was to be calculated every year depending on the success of the harvest; but there was no mention of what might be the outcome if there was a crop failure for any reason. In addition the tenancy agreement included a raft of other obligations which the tenant Waqo Udo agreed to fulfil, namely;⁴⁸

1. To supply him with two bundles of firewood every week
2. To harvest the coffee from his *hudad* (land he owned separately)
3. To construct fences
4. To construct houses

⁴⁸ Dama Waqo V. Kurabachäw Wäldä Michael, DACCA, 12/62, (Dilla, 1960 E.C.).

This agreement was again renewed after four years. During the renewal it was stated that Waqo Udo, who was the first tenant, was unable to continue his tenancy because of ill health and old age. Therefore it was confirmed that his son Dama Waqo was to take over the tenancy from his father and continue to be *Ato* Wäldä Michael's tenant. However, the agreement failed to include any improvements for the tenant, merely highlighting that Dama would continue to fulfil the obligations as his father had done.

Moreover, there is a separate section which deals with additional obligations such as free labour services. From the names given it is possible to see that Waqo Oudo's sons, Bäjeso and Shobo Waqo were also included in this agreement and were exclusively responsible for house construction, supplying the weekly firewood, and the harvesting of coffee from the landowner's *hudad*. There is also a penalty clause to enforce this second part of the agreement, which was also signed by witnesses. The above tenancy agreement is unusual in that it gave more power to the landowner than most cases which were seen in court which were typically a disagreement about *erbo* payments.⁴⁹ However, the general view of the period is that tenants were normally exploited harshly regardless of the presence or absence of a written tenancy agreement.⁵⁰

Despite the onerous nature of tenancies, they tended to be long-standing as in the above case.⁵¹ In addition although tenancy was very problematic the evidence

⁴⁹ Dama Waqo V. Kurabachäw Wäldä Michael, DACCA, 12/62, (Dilla, 1960 E.C.).

⁵⁰ Interview with T'et'o Gänale, Buč'issa, 5 December 1999; and Taddässä Jibicho, Sisota, 7 July, 2004.

⁵¹ For a historical discussion of sharecropping see T. J. Byres, *Sharecropping and Sharecroppers, The Library of Peasant Studies* (London: Cass, 1983), 7-41; See also Timothy J. Keegan, *Rural Transformations in Industrializing South Africa: The Southern Highveld to 1914* (Basingstoke: Macmillan, 1987), 51-95; See also Gareth Austin, *Labour, Land, and Capital in Ghana: From Slavery to Free Labour in Asante, 1807-1956, Rochester Studies in African History*

does not support the theory that eviction was a major problem in Gedeo. On the contrary despite disagreements in the landlord tenant relationship they rarely reached the point where a landlord would terminate the agreement and make the tenants landless.⁵² Tenancy disputes were more like a “cat and mouse” game whereby after finally exhausting all possible ways of avoiding or delaying *erbo* payment tenants agreed to the terms dictated by the landlord or reached a compromise. Tenants were reluctant to precipitate the termination of the agreement because their chances of accessing land elsewhere were limited and therefore they tried to remain in the relationship even if they felt that it was unfair and burdensome. Thus in general tenancies were quite stable despite the difficult relationships both sides generally experienced.⁵³

In fact in spite of an acrimonious relationships tenancies appeared to have frequently lasted more than the first tenant’s lifetime as indicated in the preceding example. Tenancy relationships were not only long lasting but also passed down from father to son.⁵⁴ One tenant who replied to charges brought against him by the landlord’s *rest-wäkil* (a person who represents a *balärest* or landlord) said “I have known this land and its owner *Ato Wäldä Sänbät Kabtyemär* since the time my father became his tenant. He paid all the *gibir* (tax) until his death. After he died, as his son I inherited the tenancy and I have paid all the *gibir* due to the *balärest*

and the Diaspora, (Rochester, NY: University of Rochester Press, 2004), 401- 430; Wondimu Habetä Maryam v. Kassa Banjaw, DACCA, 10/61 (Dilla,1961 E.C.).

⁵² Tamänä Wäba v. Gädicho Tolo, DACCA, 3/42 (Dilla, 1942 E.C.).

⁵³For example Pearce has shown that sharecropping tenancy is still pervasive and persistent in some parts of Asia and Africa because of the failure of capitalism. R.Pearce, "Sharecropping: Towards a Marxist View," in *Sharecropping and Sharecroppers*, ed. T. J. Byres (London: Cass, 1983), 43-65.

⁵⁴ Shifäraw W/Gäbre’él v. Gurarra Shora, DACCA, 324/56 (Dilla, 1956 E.C.).

(landlord) through their *wākil* (agent) until now.”⁵⁵ Also, from the practical viewpoint, mobility was not a feasible option for tenants because in the context of Gedeo agriculture farming trees is a long-term investment of labour and money.⁵⁶ Population growth also meant that fewer resources were available, competition for land became more intense, and therefore despite the heavy handed nature of their landlords tenants preferred to remain on the land rather than attempt to move elsewhere.⁵⁷

However individual tenants might be treated by their respective landowners, one common factor was that *erbo* had to be paid regularly. Whether it was fixed or variable deepened upon the agreement.⁵⁸ The general assumption is that landowners preferred payments of *erbo* in cash rather than in kind (although there appears to be little evidence to support such a claim); nevertheless it is evident that there was little interest in pressing tenants to enforce a particular kind of payment. Concern was focused more on the ability to pay on a regular basis, preferably without going to the lengthy process of court disputes.⁵⁹ However, it is clear from examining court archives that *erbo* assessment and payment triggered a large amount of conflict and as a result, as we shall see below, the process of the assessment of *erbo* and of collecting payments underwent substantial changes during this period.⁶⁰

⁵⁵ Täsfaye Tässäma V. Mamo Bore, DACCA, 15/61 (Dilla, 1961 E.C.).

⁵⁶ Interview with Butecha Biliqe, Sugale, 15 June 2004; and Däkäle Dogoma, Grissa, 14 July 2004.

⁵⁷ Interview with Aläko Wadari, Grissa, 16 July 2004; and Dado Gälgälu, Grissa, 21 July 2004.

⁵⁸ Dässaläñe Korojo V. Borqo Ginje, DACCA, 285/54 (Dilla, 1954 E.C.).

⁵⁹ Zäwditu Worq Agäññähu V. Gämäde Shalo, DACCA, 249/56 (Dilla, 1956 E.C.).

⁶⁰ Interview with Bäqälä Wäldä S'adiq, Shegädo, 6 July, 2004.

The problems of *erbo* assessment

Erbo was only part of a tenant's burden of obligation towards his landlord. Despite the fact that tenants had many and varied duties in addition to the payment of an annual *erbo* at harvest time, *erbo* payment was the main subject of dispute between landlords and tenants and the cause of the majority of court cases.⁶¹

Erbo consists of one quarter of the produce whether it might be *ensät*, coffee or any other crop and it was given as a form of rent to repay the landlord for the use of his land by the tenant. Although there were different types of tenancy in other parts of Ethiopia, *erbo* seems to be the only form of tenancy that existed in Gedeo.⁶² This may be due to the fact that agriculture in Gedeo is highly labour intensive. The landlord only contributed land; the other essential elements to maintain the production process had to be provided by the tenants. This is probably the reason why *erbo* became a dominant feature of the Gedeo tenancy system.⁶³

Leaving aside for now a discussion of the other burdens placed upon tenants such as the provision of free labour service, the supply of firewood, and performing construction tasks for the landlord, the way *erbo* was assessed and paid needs to be considered. The available evidence indicates that there was no uniformity concerning how a figure for the payment of *erbo* was calculated. It might be fixed or vary according to the amount of the harvest. In theory, although available sources do not comment about this, a fixed rent (*erbo*) appears to be

⁶¹ P. Gilkes claims that 98% of the tenants in Sidamo at this time had been paying land tax for their landlords in addition to rent and other obligations; however there is no other way of corroborating this statement. See Gilkes, *The Dying Lion*, 117.

⁶² The most common forms of tenancy arrangements were *siso*, (1/3) and *equel* (1/2). See also Cohen and Weintraub, *Land and Peasants*, 50-55.

⁶³ For a different types of tenancy arrangements in Ethiopia see Gäbrä-Wäld, "Ethiopia's ", 313.

highly exploitative because it fails to take into account the annual fluctuations of harvest and payment for produce. Court documents however state simply that the tenant had failed to pay *erbo*, but do not show whether or not this was because of a poor harvest and as a result we cannot determine how burdensome it had been for the tenants.⁶⁴

The two most important products were *ensät* and coffee. They were assessed at the same rate annually, i.e. payment of a quarter of the harvest. *Ensät* was usually accepted in its *qoč'o* form, but transporting the heavy *qoč'o* to where the landowner chose was the responsibility of the tenant. In the case of coffee, if the tenant was required to pay in kind coffee beans were acceptable but the grade and to what stage the coffee should have been processed had to be determined between the two, and was mainly dependant on the nature of the harvest.⁶⁵

It is difficult to find evidence to support the claim made for example by McClellan that tenants were required by their landlords to grow coffee because of its value in the market.⁶⁶ Neither oral nor archival sources show that this was the case; in fact the court cases examined for this study show that tenants grew all types of crops and the interference of the landowners appears to have been minimal or non-existent.⁶⁷ In fact landlords would accept *erbo* in any form which the tenant offered. As both coffee and *ensät* took some years to mature to the harvesting stage, landlords might in the interim collect some unusual types of land

⁶⁴ Surprisingly only a few cases were initiated due to disagreement on the amount of *erbo*. In this dispute the tenant felt that the amount of *erbo* he was asked to pay was too high. Yäshi Tässäma V. Gäbrä Mädhin Täro, DACCA, 61/59 (Dilla, 1959 E.C.); Nägashe Qoricho v. Aronku Tulu, DACCA, 247/54 (Dilla, 1954 E.C.).

⁶⁵ Bäqäläch Abära V. Mit'e Loko, DACCA, 387/53 (Dilla, 1953 E.C.).

⁶⁶ McClellan, "Coffee in Centre-Periphery Relations", 191-192.

⁶⁷ Like McClellan, Donham also felt that tenants gradually lost control of the production process, see Donham, "Old Abyssinia", 41.

rent as the example below shows. In a court case concerning tenancy the plaintiff presented his claim in court through his solicitor (*t'äbäqqa*) as follows;⁶⁸

...the defendant should pay the *erbo* payment to the plaintiff who had been given the land by the government for his services (*baläwuläta*). The defendant as a tenant on this land had beehives, *ensät*, etc. He paid a **wood** *erbo* [emphasis mine] to the plaintiff until the land was developed; if he denies this I will prove my case and if found guilty he should make reparation according to the assessment.

As the above statement demonstrates, in most cases landowners had to wait years before reaping the benefit from their land and for that reason this particular landowner had been collecting *erbo* in a different form, showing the flexibility and adaptability of *erbo* payments in the face of the variable resources of individual farms.⁶⁹

One example of the growing tension and lack of trust between tenants and landowners was the process of *erbo* assessment.⁷⁰ Informants claimed that in the 1930s and early 40s it had been simpler and more straightforward, but gradually they had been obliged to make the process very formal, even requiring the introduction of a committee with representatives from both sides. In fact the increasing lack of trust between the two meant that local officials such as the *balabat wäkil* (representative) and the *at'bya dañña* (local judge) were also required to serve on the committee. As the committee constituted between five and seven individuals the tenant was responsible for providing food for them

⁶⁸ Fulas Birbirssa V. Kifele Zena, DACCA, 11/56 (Dilla, 1956 E.C.)

⁶⁹For a detailed discussion and analysis of theories of land rent see Utsa Patnaik, "Classical Theory of Rent and Its Application to India: Some Preliminary Propositions, with Some Thoughts on Sharecropping," in *Sharecropping and Sharecroppers*, ed. T. J. Byres (London: Cass, 1983), 71-76.

⁷⁰ Yäshi Tässäma v. Gäbrä Mädhin Täro, DACCA, 61/59 (Dilla, 1959 E.C.).

when they carried out the assessment.⁷¹ An informant in Sisota told me that they had to pay some kind of nominal fee (*yät'eza margäfia*) to the landlord or his agent if they wanted to have a speedy and sympathetic assessment process.⁷² Concluding the assessment process without problems was vital in preventing conflict with the landlord (*balärest*) which could easily lead to a court conflict, the very thing which the tenants wanted to avoid.

When landlords resided in the village where their farm was located, both assessment and the collection of *erbo* was much simpler. However, when a number of them became urban residents the tenant had to transport *erbo* payments to the landlord's home. To counter the problem of distance most absentee landlords delegated the task to an agent who was known locally as the *yärest wäkil* (*wäkil* in short).⁷³ The *wäkil* was responsible for dealing with all tenancy issues which arose as well as representing the landlord when an *erbo* assessment was made. The *wäkil* was himself one of the tenants who was normally granted various exemptions from the burdens of tenancy in return for carrying the responsibility of the role. In Sisota one such *wäkil* who was called Mohammed told me that as a *wäkil* of the *balärest* he was instrumental in officiating in a number of tenancy agreements in the Sisota area and was also responsible for visiting each of the landlord's farms to assess *erbo* payments.⁷⁴

The presence of such an agent was useful in dealing with any immediate problems which arose because the *wäkil* lived locally and as such gained an

⁷¹ Interview with Interview with Bäqälä Wäldä S'adiq, Shegädo, 6 July, 2004; Mohammäd Nuer, Sisota, 29 June, 2004. For the role and appointment of the *at'bya dañña* see Aberra, *The Legal History of Ethiopia*, 231.

⁷² Interview with Dämäro Shäbora, Sisota, 9 July 2004.

⁷³ Interview with Atära Hirbaye, Wonago, 24 November 1999.

⁷⁴ Interview with Mohammäd Nuer, Sisota, 29 June, 2004.

enhanced status and additional benefits such as exemption from free labour services to a landlord.⁷⁵ Therefore, unsurprisingly, some of them behaved badly. Some informants in fact pointed out that the *wäkil* could be more arrogant and bullying than the actual landlord who had delegated him to act on his behalf, and many *wäkils* were unpopular among the tenants. *Wäkils* could also turn against landlords when they saw an opportunity.⁷⁶

In one land dispute case which came to court in 1961 E.C. (1969) a tenant was caught up in conflict between the *wäkil* and the landlord's wife, who had inherited the land from her deceased husband. The *wäkil* had been responsible for many years for collecting the *erbo* from the tenants both before and after the death of the landlord. According to the tenant, Mamo Bore, the *wäkil* had been in the habit of collecting *erbo* payments from him and the other tenants on the land and had also asked them to sign a document to declare that they had paid *erbo* to the *balärest*. However, as the tenant stated, "we did not know at the time that he intended to use this document to take over the *rest*." This particular tenant claimed that because he was illiterate he did not know what exactly he had signed, but he knew that he had signed a document in good faith with the assumption that all the *erbo* payments would go to the rightful owner Wälätä Michael who was the wife of the *balärest* Wäldä Sänbät Kabtihyimär.⁷⁷ This shows how a landlords' position could at times be precarious. Such challenges were not necessarily limited to

⁷⁵ Interview with Wordofa Qumbi, Mechele, 5 December 1999; W/ Gabre'él Mangasa V. Dube Kalo, DACCA 301/50 (Dilla, 1950 E.C.).

⁷⁶ Interview with Taddässä Jibicho, Sisota, 7 July, 2004; Wordofa Qumbi, Mechele, 5 December 1999; W/ Gabre'él Mangasha v. Gobana Abe, DACCA, 232/56 (Dilla, 1956 E.C.).

⁷⁷ Täsfaye Tässäma V. Mamo Bore, DACCA, 15/61 (Dilla, 1961 E.C.).

wäkils; ambitious tenants might also pose a serious danger to landlords once a dispute had escalated.⁷⁸

Tenancy disputes in court

Unlike land disputes, one of the peculiar features of tenancy disputes in Gedeo was that it was landlords rather than tenants who sought a legal resolution to the conflict. It is not clear whether this was due to a lack of knowledge about the courts on the part of tenants or a lack of trust in the system, in which case tenants might have felt that courts were irrelevant as a means of redressing their grievances. However, as will be illustrated, courts were not as powerful as normally assumed, particularly in the area of enforcing decisions, and therefore tenants might have felt that the courts did not have sufficient authority and that it was a waste of time to involve them in decision making. Tenants also possessed the ultimate weapon; in times of conflict they could cease to pay their *erbo* to the landlords.⁷⁹

The highly generalised view of the landlord-tenant relationship is derived from the fact that landlords shared much in common with the people in power; and therefore the courts as government institutions helped them to achieve control over their tenants.⁸⁰ This view ignores the circumstances of individual landlords because all landlords were seen as being the same, without any effort to make distinctions between them. In reality, however, landlords were not a homogeneous

⁷⁸ Worq Yit'äru Dubalä V. Dingé Buše, DACCA, 307/50 (Dilla, 1950 E.C.); Asnaqäw Wube v. Befo Bujju, DACCA, 3/50 (Dilla, 1950 E.C.).

⁷⁹ McClellan suggested that about 20% of his informants went to court mainly in relation to land disputes. McClellan, *State Transformation*, 143.

⁸⁰ For such views see Addis Hiwot, *Ethiopia*, 15-48.

group. Wealthy and influential landlords had the opportunity to protect their interests by using the various means available to them.⁸¹ This could range from buying professional support in court disputes to being able to sustain the financial and other burdens which court disputes normally incurred. The situation was different for poorer landlords, because they had neither the financial resources to pursue longstanding conflicts nor the manipulation and the leverage to handle their tenants. In general the existing evidence shows that powerful landlords had much better control over their tenants while women and other poorer landowners had difficulties in maintaining even a minimum level of landlord-tenant relationship.⁸²

The role of the courts in tenancy dispute has also been analysed in terms of the social status of the disputants rather than the issues they presented, and it is necessary to reconsider these assumptions by examining the available sources. For example Sandra F. Joireman suggested that, "Though there was no perceivable bias in the court system due to the status or ethnic group, there was a bias of decisions for the plaintiff and there was a far greater percentage of titled Amhara who were engaged in litigation as plaintiffs than as defendants."⁸³ This author actually contradicts herself, because if there was no ethnic or other bias in courts' decisions how then did the courts tend to make a decision favourable to the plaintiffs, who according to her own findings were mostly Amharas.⁸⁴ She did not

⁸¹ See the case of Princess Tänaññä Wärq Haile Sellassie, in chapter five, who had a *Rest* office which operated down to village level in many parts of the country.

⁸² See the case of Aya Dube and her mother with eight of their tenants in chapter three. Aya Dube V. Haläko Bäresso, DACCA, 3/64 (Dilla, 1964 E.C.).

⁸³ Joireman, *Property Rights*, 98.

⁸⁴ Joireman, *Property Rights*, 98; Infact McClellan has shown that most of the settlers or *näft'äññis* were not Amharas but "semi-assimilated" Oromo and Gurages, see chapter two of his book for more details, McClellan, *State Transformation*, 37-56; See also Charles Schaefer,

provide any other explanation to show why the plaintiffs won most of the cases. This was one of the issues this chapter sets out to address, because none of the case studies examined for this dissertation showed that plaintiffs won the case because they were plaintiffs and belonged to a particular ethnic or social groups, but rather that courts made their decisions based on evidence presented to them.⁸⁵

Since court documents do not normally supply the disputants' ethnic or other forms of identity (other than names) there is no way to confirm that a certain dispute was for example between an Oromo and a Gedeo, unless of course one hazards a guess by looking at the participants' names, which can be misleading.⁸⁶ From the available sources we can surmise that people became involved in land or tenancy disputes mainly to advance their own personal goals and protect their own interests.⁸⁷ The courts played the role of an arbiter rather than favouring one side over the other because of differences in their ethnic or religious orientation.⁸⁸

However, this does not mean that the legal system was free from problems. Since courts are part of a whole infrastructure, scrutinising their practices in isolation does not help us to understand their role in society. In Gedeo courts operated within an environment where some individuals already had obvious

"Review of State Transformation and National Integration: Gedeo and the Ethiopian Empire, 1895-1935, by Charles W. McClellan," *African Studies Review* 35, No.1 (1992), 158-160.

⁸⁵ Ashagre Täklä Märyam v. Shäbo Dukäle, DACCA, 145/52 (Dilla, 1952 E.C.).

⁸⁶ Joireman, *Property Rights*, 98; Joireman's analysis of disputes from an ethnic perspective was probably affected by the timing of her interviews which were conducted when it was fashionable to provide an ethnic interpretation of all events.

⁸⁷ Worq Yit'äru Dubale v. Dinga Bushe, DACCA, 307/50 (Dilla, 1950 E.C.); Mesfin Wolde-Mariam, *Suffering under God's Environment: A Vertical Study of the Predicament of Peasants in North-Central Ethiopia* (Bern: African Mountains Association and Geographica Bernensia, 1991), 80-81.

⁸⁸ Joireman absurdly concludes that the reason why many Amharas involved themselves in land litigation was because of the coffee trade. In fact, land litigation in the south was as endemic as in the north regardless of what crop was grown. Joireman, *Property Rights*, 98-99.

advantages over others in terms of language, power and privileges. For instance land owners who resided in towns, where most courts were located, did not experience the inconvenience suffered by tenants who travelled from distant places to every hearing. The Amharic language was used in courts and this was a disadvantage for the Gedeos who had to struggle to familiarise themselves with it, although from the limited information which was available it appears that translators were provided by courts themselves.⁸⁹ As in any other society bribes or a personal relationship with the judges might have influenced outcomes; however this is the impression given by informants which cannot easily be proved or disproved.⁹⁰

However study of actual cases shows us is that endless litigation was the norm due to a failure to implement and enforce legal decisions; and therefore landlords might not have benefited as much as assumed from these institutions.⁹¹ That was why those who depended heavily on the courts alone had more difficulty in protecting their interests than those who were prepared to take the law in to their own hands when the system failed to deliver. Landlords who acted independently through the use of various threats and sanctions were more successful in making their tenants conform to their demands.⁹²

⁸⁹ Donham pointed out that missionaries in Maale had been involved in the teaching of Amharic to the local people to help them to succeed in their court disputes. Donham, *Marxist Modern*, 32.

⁹⁰ Interview with Hordofa Gädicho, Wonago, 24 November 1999; Hirba Wojega, Tunticha, 29 April 1999.

⁹¹ See below the case of *Qäññažmach Bäqälä Kidanä Maryam V. Gäle Wone & four others*, DACCA, 44/66 (Dilla, 1966 E.C.); and also *Bädesso Shämäna v. Fäyïssa T'eko*, DACCA, 68/63 (Dilla, 1963 E.C.).

⁹² See below the case of *Wube S'ähai V. Shebära Lole*, DACCA, 11/61 (Dilla, 1961 E.C.).

The above view show tenants as helpless victims; nevertheless there are a number of examples which will be discussed in both this and in the following chapter that will cause us to rethink those assumptions. The tenancy case studies will show that not only did tenants have a thorough grasp of the way power politics operated but also made best use of it to achieve their goals when it suited them.⁹³ There were many exploited and badly treated tenants but there were also defiant ones who made the life of their landlords difficult by refusing to be bullied and by putting up a persistent fight in court.⁹⁴ Some of the case studies discussed below show that landlords not only sometimes lacked control over their tenants but at times some even struggled to re-establish their own rights over the land that their tenant had been cultivating for them.⁹⁵ Some tenants were cunning and introduced a third party as an ally with their own agenda to pursue which complicated to the landlord's struggle to assert his or her rights.⁹⁶

Conflict between landlords and tenants was not necessarily resolved solely in court. Using both the government courts and the traditional *shimgelena* institution (mediation by elders elected jointly) was a well established practice.⁹⁷ The courts also encouraged disputants to use mediation as much as possible, and landlords used court procedures to bring rebellious tenants to the negotiating

⁹³ Worq Yit'äru Dubalä V. Dingé Buše, DACCA, 307/50 (Dilla, 1950 E.C.); Soko Bale v. Bot'a Shäte, DAAC, 199/53 (Dilla, 1953 E.C.).

⁹⁴ Haile Dugeda v. Shage Alaka, DACCA, 38/42 (Dilla, 1942 E.C.); Taye Makonnen v. Benagna Hirbaye, DACCA, 8/42 (Dilla, 1942 E.C.).

⁹⁵ Kidanoa Wäldä Gäbrael v. Taddässä Däseta, DACCA, 198/53 (Dilla, 1953 E.C.). This case for example came to court because the tenant sold the land to another landlord. The previous owner was a woman and she said that the tenant had been difficult throughout their tenancy relationships and had finally sold the land.

⁹⁶ Interview with Aläko Wadari, Grissa, 16 July 2004.

⁹⁷ Nigusse Abaguchi v. Ture Nutu, DACCA 41/59 (Dilla, 1959 E.C.).

table.⁹⁸ Tenants on the other hand employed the tactics of shuttling between government court and private mediation to buy time.⁹⁹ In some situations traditional mediation, if respected by both sides, had a greater chance of being implemented. It could also be more efficient than government courts because the parties could reach agreeable settlements within days, unlike court hearings which normally took several months or even years.¹⁰⁰

This section provides examples of detailed court disputes between tenants and landlords, as understanding the common pattern of tenancy disputes in Gedeo is essential. Crucial issues include how courts dealt with tenancy disputes as opposed to land disputes, and whether tenants were treated differently from landlords because of their status as tenants and vice versa. As the available tenancy court dispute documents show, the majority of cases came to the courts due to the tenants' refusal to pay *erbo* to their respective landlords. As indicated in the preceding chapter, an *erbo* claim against a tenant was also used as a pretext to initiate various types of disputes;¹⁰¹ however the number of genuine *erbo* disputes were also significantly higher than other types of disputes.¹⁰² There were also a few cases where landlords accused their tenants of failing to fulfil labour and other obligations. Another common type of tenancy case was where tenants were caught

⁹⁸ Abäru Yimär v. Dado Häro, DACCA, 173/55 (Dilla, 1955 E.C.); and also Mäsqäle Dänbäla v. Läma Tägäññe, DACCA, 257/54 (Dilla, 1955 E.C.).

⁹⁹ *Qäññažmach* Bäqälä Kidanä Maryam v. Gäle Wone & four others, DACCA, 44/66 (Dilla, 1966 E.C.).

¹⁰⁰ Interview with Morkäte Jarso, Andida, 28 April 1999.

¹⁰¹ See this and many other land dispute cases illustrated in chapter three. Worqnäše Wäldä Mika'el V. *Mämire* Tulu Baruda, DACCA, 102/55 (Dilla, 1955 E.C.). This case, which came to court as a tenancy dispute was dismissed by the judges because it was a land issue. The plaintiff was advised to restart the case. Mintäsnot Käbäde v. Dana Shärtu, DACCA, 61/63 (Dilla, 1963 E.C.).

¹⁰² Cohen and Weintraub, *Land and Peasants*, 50-55.

in the cross fire in the fight between landlords.¹⁰³ In this situation the status of tenants did not change as a result of the courts' resolution although there might be a change of land ownership from one landlord to the other; however, tenants would have been obliged to endure complex court battles, either by providing their testimonies or by being charged by an aspiring landlord who hoped to collect *erbo* directly from them. Some landlords bullied weaker tenants into handing *erbo* rent over to them, which in itself would be used as evidence of ownership in their attempt to take over the land.¹⁰⁴

However before examining some of the complex tenancy dispute cases we will start the discussion with what can be regarded as a typical tenancy dispute. This case illustrates how landlords presented their charges against tenants and also how tenants replied to those charges. A landlord called *Giražmach* Täkilu Däboč'e accused his four tenants of refusing to pay the *erbo* due to him. This landlord gave few details about the sort of tenancy relationship they had, why it had collapsed and what efforts had been made to resolve the matter outside court. The plaintiff, *Gerazmach* Täkilu, briefly stated his case by saying;

I accuse the defendants [four in this case] on their failure to pay the *erbo* share of the crop due to me. The land in question is found within Sidamo province, under *Fitawrai* Mandäfro *restä gult*.¹⁰⁵ The size of the land is one *gasha*. I obtained the land from the government as my *rest*. However the defendants, who are my tenants, failed to pay my land rent which is why I came to this court.¹⁰⁶

¹⁰³ Alämeshet Wäldäyäsus V. *Qäññazmach* Mäzämür Hailu, DACCA, 89/58 (Dilla, 1958 E.C.).

¹⁰⁴ Amado Walya V. Kifle Wäldä S'adiq, DACCA, 94/60 (Dilla, 1960 E.C.).

¹⁰⁵ A hereditary right of collecting tribute; see Mantel-Niećko, *The Role of Land Tenure*, 111.

¹⁰⁶ *Geražmach* Täkilu Däboč'e V. Wot'e Aba Bushe and three others, DACCA, 234/46 (Dilla, 1946E.C.).

The defendants replied as follows;

We defendants admit that the land is within the *restä gult* of *Fitawrari* (lit. commander of the front) Mandäfro; a man called *Ato* Kutu Litu bought this land as his *rest*, and we did not know that this land was given to the plaintiff by the government. Accordingly we have been paying all rents to *Ato* Kutu instead. Therefore he should charge Kutu Litu who is the owner of the land; we are only his tenants and he should be asked for reparation, not us.¹⁰⁷

The plaintiff was an important person as his title shows, and he clearly stated that he obtained the land from the government. He used the term *rest* to describe his tenure but the land was probably originally given to him as *madäria* land and had probably been converted to *rest* later, although this can not be ascertained from the details provided. However, he did clearly identify the land which was the subject of dispute.

Other than mentioning Kutu Litu as their landlord, the defending tenants did not ask the court to summon him as their *wabi*.¹⁰⁸ The plaintiff said that he accused the tenants not in connection with Kutu's land but of failing to pay *erbo* on the land which was his, and later he gave the precise location of the land by naming all the landowners who owned adjacent land. He mentioned Kutu as one of the landowners who shared a border with him. After this the High Court gave the order that both parties should adjourn to where the land was situated and identify the exact location which was the subject of contention. In order to facilitate the process the local *Č'eqa Shume* was to be present, also any relevant witnesses.¹⁰⁹

¹⁰⁷ *Geražmach Täkilu Däboč'e V. Wot'e Aba Bushe and three others*, DACCA, 234/46 (Dilla, 1946E.C.)

¹⁰⁸ *Wondimu Habetä Maryam v. Kassa Banjaw*, DACCA, 10/61 (Dilla, 1961 E.C.).

¹⁰⁹ Aberra, *The Legal History of Ethiopia*, 219-241.

In the judges' final verdict it was pointed out that the plaintiff had managed to obtain three supporting witnesses who had testified on his behalf during the identification process and confirmed that the land was his. However there was no mention of the presence of counter witnesses to support the defending tenants. When asked about the amount of *erbo* they had been paying to the landlord they all said that it was 20 *birr* each. The plaintiff on the other hand said that since they had not allowed him access to the farm he had no idea how plentiful their harvest had been. Therefore he asked the court to decide on an appropriate payment. The plaintiff did not press for the maximum reward although he had the opportunity to do so; rather he wanted to settle the matter based on the information given by the tenants themselves, being more interested in long term results. He did however state that "they can stay on the land if they suit me; if not I will uproot them".¹¹⁰

Although the plaintiff suggested an initial figure of 3000 *birr* for reimbursement, the final decision of the court was far less than this and the defendants did not challenge the amount. The court finally established that the four tenants should pay 60 *birr* each (three years *erbo*), a total of 240 *birr*. In addition they were ordered to pay 100 *birr* in compensation to the plaintiff. Despite the difference between the initial estimate and the final outcome of the dispute it was nevertheless a significant victory for the plaintiff.

This case illustrates a number of points about evidence, tactics and court procedures. It came to court immediately after the war, and it did not contain the voluminous lists of evidence and pages of witness statements of the later periods

¹¹⁰ *Geražmach* Tākilu Dāboč'e V. Wo'e Aba Bushe and three others, DACCA, 234/46 (Dilla, 1946E.C.).

when court documents tended to be thicker. Even the judges' verdict in this case is very brief, about a paragraph in length. In spite of that it typified court documents within the context of tenancy disputes in Gedeo. More importantly it shows the sort of tactics which were employed by the tenants. Their intention in deciding to bring Kutu Litu into the game was to primarily to create conflict between Kutu and the plaintiff, but that was dependant upon Kutu's acceptance and willingness to intervene in the case as a *wabi*. If that failed their other intention was to buy themselves more time; however for unknown reasons he did not appear in court and their strategy failed. Nevertheless as will be demonstrated by many other examples this was one of the well established tactics used by tenants.

The other important point is that the court simplified the procedure by allowing part of the case to be heard where the land was located. This was beneficial especially for the tenants because it saved them from having to travel to the regional capital, Yirgalem, where the case was initiated. Informants pointed out that such methods were effectively used by many landlords. They claimed that some landlords purposely exaggerated the figure owed, as in the above example, in order for the case to be heard in a court which was easily accessible to them. Sometimes they also used this method to punish their tenants, as demonstrated in the *erbo* dispute above where the four tenants had to make at least a couple of long journeys from Gedeo to Yirgalem. This was especially difficult immediately after the war when modern transport infrastructure was non-existent. Even in later times when things were improved, the tenants' position was hardly better due to their relative poverty in comparison to landlords, and thus travelling to distant courts for every hearing was not an attractive option.

The inability of tenants to defend themselves successfully contributed to making things easier for landlords.¹¹¹ However this does not mean that landlords were always victorious. The tenants' lack of court knowledge and their failure to make the best use of the legal system did not necessarily mean that the courts always passed a verdict favouring landlords. When a tenancy dispute was presented they examined cases based on the evidence presented by the disputants, and tenants did not receive unfair treatment merely because they were tenants; nor was a landlord guaranteed success in court dispute because he/she was a landlord and a plaintiff.¹¹² The above point can be illustrated by considering one *erbo* dispute at the *Awraja* Civil Court Dilla, between a landlord and a tenant. A landlord called *Balambaras* Kidane Abessie accused his long term tenant, Guyo Gabe, of refusing to pay *erbo* for six years. He did not give any reason why he had been unable to collect the *erbo* for so long, but presented his charge as follows;

.....He (Guyo Gabe) has been my tenant since the time of *Däjjazmach* Balcha. He had been paying *erbo* for using the land as my tenant. But for the last six years from 1939 E.C. to 1944 E.C (1947 to 1952) he has refused to give me the *erbo* which was due to me from the coffee harvest.¹¹³

The court ordered a copy of the charges to be sent to the defendant, who however, failed to appear in court on the day of the hearing despite having been handed a letter summoning him in the presence of witnesses. The court decided to continue to hear the case in the absence of the defending tenant and since there was no statement from the defence, evidence was heard on the plaintiff's behalf.

¹¹¹ Nāgashe Qorcho V. Heda Gānale, DACCA, 41/50 (Dilla, 1950 E.C.).

¹¹² Nāgashe Qorcho V. Heda Gānale, DACCA, 41/50 (Dilla, 1950 E.C.).

¹¹³ *Balambaras* Kidane Abessie V. Gayou Gabi, DACCA, 157/57 (Dilla, 1944 E.C.).

The plaintiff produced three witnesses; however some of their testimonies did not help the plaintiff as he would have wished. Although all testified that the land belonged to him and also that the tenant had been cultivating the land for him for a long time, they also stated that during the six year period in question the tenant had ceased his tenancy on the land.

The plaintiff gave no reason as to why the tenancy agreement had been terminated and neither did he explain why his tenant had left the land in the first place nor mention whether they had had any binding agreement. The essence of the plaintiff's argument was that the tenant should be liable for the *erbo* payment because he had terminated the tenancy without informing him. As this case shows, neither the provision of evidence nor being a plaintiff automatically guaranteed success in court battles, and the defendant was successful.¹¹⁴

The tenant's decision not to offer a defence or appear in court was wise on this occasion as he saved himself the cost as well as the rigours of court litigation. However, the case below demonstrates that deciding not to defend a charge at court is not always the best choice. A landlord called *Mämere Häylä-Michael Gäbrä-Michael*, who was a priest in one of the churches in Gedeo, accused his tenant of failing to pay the *erbo* payment owed to him for the year 1951 E.C. (1959). The plaintiff presented the claim through his representative and the *erbo* was estimated to be 110 *birr*. Unlike the preceding example the tenant's inability to defend the charges at court was disastrous. This was how the tenant was charged by the plaintiff's representative, Ato Dässe Häylä Michael, at Därassa *Awraja* Court on *Mägabit* 11, 1951 E.C. (March 20, 1959);¹¹⁵

¹¹⁴ Dämessie Mulu Shäwa v. Gälagaye Zäläqe, DACCA, 102/56 (Dilla, 1956 E.C.).

¹¹⁵ *Mäméré Haylä Michael G/Michale v. Wade Bäqäte*, DACCA, 195/51 (Dilla, 1951 E.C.).

Plaintiff: *Mämere Häylä-Michael Gäbrä-Michael*
Defendant: Wade Bäqäte
Charge; *Erbo* debt amounting to 110 *birr*

The defendant resides on the *rest* of my client, located within Fisha Ganant *Mikitel Woräda Gizat* in Dabo *qäbälé*, within the *balabatnät* of *Fitawrari Zäläqä Gäläta*, bordered on the east by Qonga water, on the west by the land of *Ato Abtäyas Mogäs*, on the north by the land of *Ato Gäbräyäs Gäsässä*. On this land he planted the following, 1. Coffee, 2. *Ensät*, 3. *Bäqolo* (maize), 4. *Yä Gésho* (a plant used for preparation of traditional beer) plants 5. Tobacco. When I asked him to pay me 110 *birr* for the use of the land, he was unwilling to pay. Let the defendant appear in court to respond to the charges; if he admits that he did not pay me the *erbo* for the year 1951 E.C., let the court order him to pay the *erbo* as well as other expenses I incurred for employing a solicitor (*t'äbäqä*) and for court fees. If he should deny the charges I can provide evidence against him.

When the court summoned the tenant to reply by appearing in court on the date of the next hearing the tenant failed to appear. The court was forced to adjourn the hearing on four occasions as he failed to appear without providing a reason. The court therefore proceeded in his absence and the plaintiff was asked to present additional evidence. Witnesses were called by the plaintiff and all three witnesses testified in support of the landlord. Since the case was heard without the presence of the accused tenant there were no counter witnesses or evidence against the plaintiff's claim. When the court finally gave its decision it was decided that the full *erbo* of 110 *birr* should be paid by the tenant. In addition the tenant was also liable to pay 20 *birr* in compensation to the plaintiff and the court made it clear that the tenant should not be allowed to appeal against this decision before these payments had been made.¹¹⁶

Disputes between tenants and landlords did not always have to be settled in court. Despite the heavy reliance of landlords on court proceedings to resolve

¹¹⁶ *Mämeré Haylä Michael G/Michale v. Wade Bäqäte, DACCA, 195/51 (Dilla, 1951 E.C.).*

problems they had with their tenants, they did not necessarily reject other ways of settling disputes. The most common alternative was through mediation.¹¹⁷ Mediation could take place at any stage of the disagreement, including while the case was being heard. In fact courts normally encouraged disputants to settle their differences through mediation as some of the cases examined demonstrated.¹¹⁸

A landlord called Lāma Tägāññe accused his tenant Kurse Dukäle of failing to pay *erbo* for the years 1951 E.C. and 1954 E.C. (1959 and 1962). However before the accused tenant was due to appear in court to defend himself against the charge he died, and therefore the case was temporarily suspended.¹¹⁹ However after a few months the plaintiff accused the deceased tenant's widow on the same charge, as she had inherited the tenancy and was also responsible for the children and the running of the household. The widow, named *Wäyzäro* Mäsqäla Dänbäla appeared in court to provide her own account of the dispute. She said that she had not been adequately informed by the plaintiff or by the court as to the nature of the charge against her. She further said that this was a deliberate tactic on the part of the plaintiff, because he wanted to take the land which provided a livelihood for herself and her children away from her. Therefore she asked the court for sufficient time to study the terms of the charges before giving her reply at the next hearing.

The hearing was adjourned according to her request and she was also asked to bring evidence in support of her claims; but at the next hearing both the plaintiff and the defendant expressed a desire to resolve the matter through

¹¹⁷ Abäru Yimär v. Dado Häro, DACCA, 173/55 (Dilla, 1955 E.C.).

¹¹⁸ Gobäna Bädasso v. Mäkonnen Ginbo, DACCA, 90/58 (Dilla, 1958 E.C.).

¹¹⁹ Mäsqäle Dänbäla V. Lāma Tägāññe, DACCA, 257/54 (Dilla, 1955 E.C.).

mediation. Then the court accepted the request and stipulated that after settling the matter they should attach a copy of the agreement to their case file. A decision was achieved through mediation with the help of three witnesses who were appointed jointly by both sides.

Bearing in mind the outcome of the case and the way she handled the court dispute from the start, it is possible to surmise that the defending tenant wished to settle the matter this way knowing that she had a weak bargaining position.¹²⁰ The final settlement was actually very harsh for the tenant and it shows that this particular household was in a difficult position after the death of the head of the household.

In the agreement it was stated that the landlord was allowed to collect all the due *erbo* directly from the farm. The arrangement was unusual because the tenant's household agreed to hand over control of the farm to the landlord himself from 1956 to 1958 E.C. (1964 to 1966), until he had collected 270 *birr*. After the harvest of 1966 they agreed that he would return the farm to the tenant and the previous tenancy relationship would be resumed. This particular agreement was not only harsh but also very risky for the tenant, because it might be difficult for the tenant's household to recover the land from the landlord; the defendant herself said that the landlord was looking for an excuse to evict them. Since this landlord had a long term problem with this particular household, he might have used a shortfall in *erbo* as an excuse to give the land to another tenant. Tenancy dispute documents show that tenants did not give their land back to their landlords unless they were desperate.¹²¹ As explained above unpaid *erbo* payments were a frequent

¹²⁰ Bāqālāch Abāra v. Mit'e Loko, DACCA, 387/53 (Dilla, 1953 E.C.).

¹²¹ Zāwditu Worq Agāññāhu v. Gāmāde Shalo, DACCA, 249/56 (Dilla, 1956 E.C.).

reason to start disputes, but in those circumstances tenants were normally given time to pay the unpaid *erbo* at the next harvest time.¹²²

An interesting aspect of the above tenancy dispute was the fact that the conflict was between a man and a woman. The landlord, who previously had an agreement with the head of the tenant household, recognised the deceased tenant's widow as the inheritor. Since the tenant household was dependant on the land for their livelihood they were anxious to inherit the tenancy initially agreed by the head of the household, but the way in which this was done is not recorded by the court documents, or how aware the tenant's widow was of the details of the agreement. There were only few cases where women were involved in tenancy disputes, and this occurred, as the example above shows, due to death of a husband or as a result of other adverse circumstances.

In Gedeo society accessing land for the household was considered to be the responsibility of men. Women were not expected to form their households on their own or before marriage, which explains the almost total absence of women from tenancy dispute documentation except in cases such as that of Mäsqäla Dänbäla, who was forced to perpetuate a previous agreement despite difficulties due to the death of her husband. She was obliged to accept the settlement even though it was unfavourable to her household because her overriding concern was to retain the land.

However, there are still a few examples from the archives which give us a glimpse of the role of women in tenancy disputes in Gedeo during this period. In the example given below the dispute happened to be between two women, as both the landlord and the tenant were women. The plaintiff Abäru Yemär accused her

¹²² Mäsqäle Dänbäla V. Läma Tägäññe, DACCA, 257/54 (Dilla, 1955 E.C.).

tenant Dade Häro of failing to pay *erbo*. The plaintiff estimated the *erbo* to be 400 *birr*; in her reply to the charge the defendant confirmed that she was the plaintiff's tenant, but said that she contested the estimated *erbo*, because she felt that it was too much.¹²³ The court felt that the matter would be best resolved through mediation.

After accepting the ruling of the court they selected five elders according to the traditional practice to assess the amount of *erbo* payable to the plaintiff. The task of overseeing and facilitating the process was entrusted to local officials. The five elders carried out an assessment of the harvest and agreed that the tenant should pay 115 *birr* to the plaintiff as *erbo*. Although the plaintiff accepted the estimate, which was below than what she had originally demanded, the conflict was far from being resolved because of two issues; at one point they even returned to court because of disagreement over the way the assessors had carried out their work. The plaintiff claimed that the assessors had failed to complete the task because they did not include some of the crops in the estimate, for unknown reasons. Also the death of the defendant occurred during the course of the dispute. In fact she had been unable to attend many of the previous summonses and mediation efforts due to ill health and her husband had represented her on many occasions.

The husband of the deceased tenant, *Ato Anyo Amänte*, was recognised as the inheritor of his wife's land and the custodian of their children but he decided that he did not want to carry on with the court dispute, preferring to settle the issue through mediation. An agreement was reached whereby *Ato Anyo* agreed to pay a total of 140 *birr* both for the estimated *erbo* and as compensation to the plaintiff.

¹²³ Abäru Yimär V. Dado Häro, DACCA, 173/55 (Dilla, 1955 E.C.).

The plaintiff made some concessions by agreeing not to pursue him concerning unpaid labour services. A time was agreed for the completion of the payment. In addition a clause was inserted which emphasised that if he failed to settle all payments within the agreed time, he agreed to pay a 100 *birr* penalty charge. Five witnesses were present when this was finalised. The agreement was prepared in three copies, the first copy to be submitted to the *Awraja Gizat* Office, the second and the third copy to be given to the plaintiff and the defendant respectively.

There is a parallel in both of the above examples. The defendants in both cases died while the case was being heard, and both disputes were subsequently settled through mediation.¹²⁴ The decision to reach a decision quickly through mediation was probably the best option from the tenants' point of view because neither was able to continue the dispute after the death of their partners. However the second case differed in that the female defendant was presented as the official tenant, not as a wife of a man who was unable to come to court for any reason. Unfortunately due to the vagueness of court documents there is no information concerning how she had become a tenant in the first place, which would have provided a better understanding of the role of women in tenancy relations and disputes. It is possible however to reconstruct some of the missing information from what we know about tenancy relations within Gedeo. This woman was more likely to have inherited the tenancy from her first husband who might also have died before the case came to court. It was probably her second husband who represented her in many of the court appearances.

The above examples have demonstrated that landlords did not always use litigation to achieve maximum gain but rather as a last resort to force a rebellious

¹²⁴ Meju Aba Siro v. Jarsso Bäriso, DACCA, 393/53 (Dilla, 1953 E.C.).

tenant to come to the negotiating table, landlords having no alternative way of forcing tenants to pay their *erbo*. Also, landlords normally readily accepted mediation as the best way of resolving a dispute even if they had a good choice of winning the case because a decision from the court was not likely to be very different from that gained through mediation.

The inability of landlords to impose any other kind of sanctions rendered them powerless in the face of their tenants.¹²⁵ Therefore even when a settlement was agreed through the mediation process, if it was broken by the tenant another cycle of conflict would start and the landlord had no choice other than to chase the tenant until he had collected his rent. The above points can be illustrated by example. *Qäññazmach* Bäqälä Kidanä Maryam accused his five tenants at the High Court of Sidamo of failing to pay the *erbo* due to him.¹²⁶ The tenants had agreed to pay 3400 *birr* to the plaintiff and he accused them of failing to fulfil their agreement within the agreed time limit.¹²⁷ According to the High Court they had only managed to pay 1000 *birr*; therefore he demanded that the court enforce the payment of the balance of 2400 *birr*.

The court accordingly summoned the accused to appear in response to the charges, which was the beginning of a “cat and mouse” game. They did not deny the charge but expressed a willingness to settle the dispute through mediation. The landlord did not oppose this despite the failure of the previous agreement, and in fact agreed to reduce the amount of *erbo* by 500 *birr*, as a gesture of good will on the assumption that the matter might be settled quickly. A date was set to finalise

¹²⁵ Ayäläch Ambaye v. Jässo Ada, DACCA, 104/66 (Dilla, 1966 E.C.).

¹²⁶ *Qäññazmach* Bäqälä Kidanä Maryam V. Gäle Wone & four others, DACCA, 44/66 (Dilla, 1966 E.C.).

¹²⁷ Alämu Male v. Hoqa Gucha, DACCA, 201/51 (Dilla, 1951 E.C.).

the remaining payment. However the dispute was far from over, as again the tenants failed to fulfil their agreement within the agreed time, only managing to pay 360 *birr*. The dispute over the remaining money continued until the plaintiff sought much tougher action from the court, which reached a final verdict by stating that the accused should make the remaining payment to the landlord immediately, and if they failed to do so their property and land should be sold at auction to pay him. In addition the court ordered the defendants to pay compensation of 100 *birr* to the plaintiff who had had to come from Addis Ababa to Sidamo on many occasions for court hearings.¹²⁸

Landlords were frustrated at times by the impotence of the state to enforce the courts' decisions and on occasion took the law into their own hands in order to collect their *erbo* from a rebellious tenant. The following illustrates how sometimes landlords preferred to resort to their own method of enforcement rather than to use established legal procedures. One landlord who was the head of one of the churches in Gedeo had a long-standing dispute with one of his tenants. The landlord, *Aläqa S'ähai* was in possession of a piece of *madäria* land which according to him had been awarded by the government. Since he was a priest it was likely be a *sämon* land (land which was awarded to ecclesiastical people for their services to the church). The tenant who had been cultivating the *Aläqa's* land was Lole Dita, who had been loyal to him until his death sometime after the war. However, when his son took over the tenancy from his father problems arose, and *Aläqa S'ähai* was forced to go to court several times to sue his tenant. When the new tenant continued to delay the *erbo* payments *Aläqa S'ähai* took action himself.

¹²⁸ *Qäññazmach Bäqälä Kidanä Maryam V. Gäle Wone & four others, DACCA, 44/66 (Dilla, 1966 E.C.).*

According to the statement of an eye witness who was called to give his testimony concerning the dispute between *Aläqa S'ähai* and Lole's son, at one point the landlord (*Aläqa S'ähai*) brought with him the armed retainers of another landlord, *Fitawrari Dämmissie*, and rounded up Lole Dita's cattle because he had repeatedly failed to pay *erbo*. He added that after that Lole's wife came out and paid the money and the cattle were released.¹²⁹

Problems between the tenant and landlord continued in later years and it became worse after the death of *Aläqa S'ähai*. With his death the land was inherited by *Aläqa's* two daughters. These two women found it particularly hard to collect *erbo* regularly from their tenant, which triggered further litigation between the daughters and their tenant. Now the tenant challenged the daughters of the *Aläqa* concerning their legal status as landlords, asking them to establish what right they had to possession of the land, and claiming that they should not have been allowed to inherit the land because it was not *rest* land but *madäria*. In order to establish their claim on the land the two women took the case to the *Zufan Chelot* Addis Ababa. Finally they achieved a ruling which confirmed their legal inheritance of the land from their father, and they were able to win the case after a long dispute.¹³⁰

The tenant's attempt to gain ownership of the land by challenging the status of his landlords was not successful, because he was unable to produce a legal document which showed that he was the rightful inheritor of the land. This is an example however of how tenants also attempted to play the legal system when it suited them; they should not always be regarded as simple victims, and despite

¹²⁹ Wube S'ähai V. Shebära Lole, DACCA, 11/61 (Dilla, 1961 E.C.).

¹³⁰ Wube S'ähai V. Shebära Lole, DACCA, 11/61 (Dilla, 1961 E.C.).

their lack of trust in the courts and the legal system in general at times they did challenge landlords' claims. The landlords in this case were forced to undertake endless procedures in order to reaffirm their rights to own the land.

So far the discussion has been mainly focused on *erbo* disputes and although *erbo* was the main benefit that a landlord claimed from tenants, there were additional services which a tenant might be obliged to perform. Free labour, the supply of firewood, and constructing houses and fences for the landlord were among the duties which tenants needed to fulfil as part of their tenancy agreement. Disputes on these matters rarely came to court, unlike those relating to *erbo*, which was normally paid either in cash or as a portion of the harvest.

One of the few cases which listed which additional chores were expected was that of Kurabachäw Wäldä Michael against his tenants, who were from the same family. The plaintiff Kurabachäw accused his tenants, named Bädessa Waqo, Dama Waqo and Shebo Waqo, of failing their *erbo* as well as non- *erbo* obligations, and he stated his case as follows;

..... the defendants settled as my tenants on my *rest* land in a place called Sirbasore. One of the tenants agreed to pay me 200 *birr* every year as an *erbo* payment. The second tenant called Bädessa Waqo with his brother agreed to supply me with two bundles (*shäkem*) of firewood every eight days. His brother agreed to harvest my coffee beans from my *hudad* (a land the plaintiff owned separately). In addition they agreed to construct fences and houses for me.... They had been doing all these until the death of my father *Ato* Wäldä Michaleal according to the agreement they signed with him. After the death of my father they had been paying my *erbo* satisfactorily in cash and also working for me according to the agreement. Now one of the defendants has paid only 130 *birr* out of the 200 *birr* he agreed to pay. He owes me 70 *birr* now and also 200 *birr* for the year 1958 E.C. (1966). The second defendant owes me 80 *birr* for the labour services he has failed to carry out and also he should pay me 60 *birr* for the firewood he has failed to supply. I will not accuse their brother because he fulfilled all his obligations according to our agreement.¹³¹

¹³¹ Dama Waqo v. Kurabachäw Wäldä Michael, DACCA, 12/62 (Dilla, 1960 E.C.).

In this instance the plaintiff clearly stated all his claims, and therefore we can easily understand the details of the tenancy agreement the landlord had with his tenants. Firstly the land was transferred from Wäldä Michael to Kurabachäw on the death of the former. However in this case the tenancy was inherited from father to sons along with the land and the tenancy agreement they had signed with Kurabachäw's father continued to be a binding agreement.

From the plaintiff's statement it is clear that the tenancy of the land was held by several members of the same family. The first agreement was signed between the father of the tenants and the father of the plaintiff. In 1958 E.C. (1966) the agreement was renewed because the tenant's father Waqo Oudo felt that he could not continue with the tenancy due to his age and ill health, and in this second agreement it was stated that it would pass to his sons. There appeared to be no changes regarding the terms.

Kurabachäw produced the tenancy agreement signed between the tenants and his father Wäldä Michael but did not present other supporting documents such as a will to show that he had inherited the land from his father. The tenants did not use this, as they might have done, as grounds to present a challenge. The court also did not query the agreement as possibly illegal and did not question the free labour services which the tenants were expected to provide for their landlord. The judges mainly focused on the written agreement and the accused tenants were asked whether they recognised the agreement as valid.¹³²

They did not deny the charges but presented receipts for *erbo* payments, which however were disallowed as they related to a different year. The court finally ruled that the tenants were liable to pay about 360 *birr erbo* and other

¹³² Kurse Bādes v. Wote Anjare, DACCA, 55/59 (Dilla, 1959 E.C.).

obligations as claimed by the plaintiff. In addition since they were also ordered to pay 40 *birr* compensation for the inconvenience they had caused.¹³³

The above account is inevitably one dimensional, being biased towards the landlord's viewpoint, and it fails to reflect the tenants' viewpoint. Also our knowledge is very limited regarding the relationship between tenants themselves and how they interacted with each other. Knowing in some detail the kind of horizontal relationship which existed between the tenants could furnish us with a broader perspective which would help us see beyond the stereotypical image of landlord-tenant relationships. Despite this some court cases provided clues to some aspects of relationships between tenants which do not necessarily conform to the predominant view.

In the following example, although the landowner was presented as a defendant the main struggle was between two tenants and their motive was to determine who had tenancy rights. As the details of this case show, before it came to the *Awraja* Court at Dilla the two tenants had disputed between themselves at a lower court without involving the owner of the land. When the initial litigation failed to achieve the tenancy rights she sought, the claimant felt that accusing the landowner was the right move towards becoming a tenant on her land. The case was initiated by a woman named *Emät* Woletu Waqjira, and she was the wife of the tenant who claimed to have bought the tenancy rights from a deceased tenant.¹³⁴

¹³³ *Dama Waqo v. Kurabachaw Wäldä Michaél*, DACCA, 12/62 (Dilla, 1960 E.C.).

¹³⁴ In tenancy disputes women normally came to court when their husbands were unable to attend hearings, either due to ill health or death. In this case it was not clear why the wife became the main participant rather than her husband, who appeared to have bought the tenancy rights from the former tenant.

She accused the landlady, *Emät Asnaqäch Bogale* on the grounds that after the former tenant died she had acquired another tenant herself; this according to the plaintiff was illegal because her husband and herself had had a joint tenancy on this land with the former tenant who was now dead. The new tenant was Waqo Bobe who was the brother of the deceased tenant. According to the plaintiff, the *balärest* of the land assigned Waqo as her new tenant knowing full well that her husband, *Ato Haile Doč'e*, inherited (i.e. bought) the tenancy rights for half of the land from her former tenant Gänale Bobe two years before his death for 315 *birr*. When they paid the money to Gänale Bobe their intention and agreement was to benefit from the crop jointly and they had done so for two years according her claim. Therefore the plaintiff initiated this case to contest Waqo Bobe's tenancy rights.¹³⁵

When replying to the court through her solicitor the defendant (landlady) said that the *ensät* and coffee crops on her *rest* were planted by the father of Gänale and Waqo and later transferred to both of them. However when these two tenants failed to pay their *erbo* she took the land away from them. She claimed that she did this well before the death of Gänale, and that she had no knowledge of any arrangement made between her former tenant and the plaintiff's husband, and she denied all other charges. The plaintiff insisted that the defendant not only knew about the transaction between her husband and Gänale, the deceased tenant, but also had been receiving *erbo* payment from her husband. She claimed that they had been doing this for two years before Gänale died. She further added that in fact her husband, Haile used to go to her house to pay *erbo* accompanied by

¹³⁵ *Woletu Waqjira V. Asnaqäch Bogale*, DACCA, 366/53 (Dilla, 1953E.C.)

Gänale. The plaintiff claimed that she could produce a written agreement made between her husband and Gänale.

The defendant was asked to comment on the written evidence produced by the plaintiff. The defendant said that since she had no knowledge of it she would like to challenge the document's legality, arguing that it had not been approved by a recognised legal body; therefore she requested the court to discount it as evidence. The court conceded that, as the document was not endorsed by any government authority, the plaintiff should produce personal witnesses to corroborate it. The five people who were called to testify failed to support the claim made by the plaintiff, and therefore the court in its final verdict ordered that the charges against the defendant should be dropped. This case provides a rare opportunity to glimpse the kind of rivalry which existed among the tenants themselves, which is unlikely to be alluded to in conventional sources. Both oral and archival sources tend to depict an unhealthy relationship existing only between landlords and tenants, whereas there was also a degree of acrimony between the tenants themselves.

“Caught in the cross fire”; the role of *wabi* in tenancy disputes

The main objective of this section is to show how tenants became involved in disputes between landlords despite having successfully discharged their tenancy obligations according to the terms and conditions which they had accepted.¹³⁶ This happened when tenants were falsely accused of failing to discharge some or all of their obligations, especially the payment of *erbo*; however the real and the hidden motive of the accuser was to gain access to somebody else's property by using a

¹³⁶ Semé Wäldä Yohannis v. Semé Nägaya, DACCA, 14/61 (Dilla, 1961 E.C.).

tangential approach. For such people tenants were considered easy prey and therefore when initiating a case there was an assumption that the tenant would be unlikely to offer a vigorous defence, and thus the chance of winning such a case was much higher. This was partly because the land was not his property, but also because involving himself in such dispute would not earn the tenant anything other than to precipitate a change of hands between different owners.¹³⁷ In addition the landlord-tenant relationship in Gedeo was overwhelmingly characterised by mistrust and conflict, and some sought an opportunity to capitalise on this provided that they could successfully prove their case in court. Therefore strategically it was sensible for the plaintiff to start the case by accusing the tenant even if he was aware of who the owner of the land was, or at least the person who was in receipt of the *erbo*.¹³⁸

It is not uncommon to find the term *wabi*¹³⁹ in the majority of tenancy dispute case files, whether the case was a genuine *erbo* dispute or a disguised plot designed by an ambitious person to annex another individual's land. As many of the cases consulted for this study show, and from the examples presented in the previous section, tenants did not normally reply directly to the charges brought by the plaintiff against them.¹⁴⁰ Rather they responded to the court by saying that they had a *wabi* to whom they had been paying *erbo*. The next step was for them to ask the court to allow their *wabi* to offer a defence on their behalf which would release them from involvement in the dispute. This was illustrated by the case of

¹³⁷ Tafāsā Engida v. Digicha Bäresso, DACCA, 87/59 (Dilla, 1959 E.C.).

¹³⁸ Lägässä Säboqa v. Bädane Shito, DACCA, 28/59 (Dilla, 1959 E.C.); Asāfa Dägefē v. Jamanashe Yigläṭ'u, DACCA, 330/53 (Dilla, 1953 E.C.).

¹³⁹ Hoben, *Land Tenure*, 137.

¹⁴⁰ See this case above *Geražmach* Täkilu Däboč'e V. Wot'e Aba Bushe and three others, DACCA, 234/46 (Dilla, 1946E.C.).

Geražmach Tākilu Dāboč'e and his four tenants which was examined in relation to an *erbo* dispute at the beginning of this chapter. In this particular case the defending tenants answered the charges by saying that they did not know the landlord who accused them at court, claiming that they had another landlord to whom they had been paying *erbo*. The man was Kutu Litu; however, other than mentioning his name as their surrogate landlord they did not ask the court for permission to invite him to give evidence as their *wabi* and Kutu's name in fact did not appear in the court records after that. However in many other court cases a *wabi* was deeply involved and the nature of the evidence which the *wabi* produced in court was crucial. As we shall see later in this section there were also circumstances where the court refused to allow *wabis* to involve themselves in a dispute despite having produced the required evidence.¹⁴¹

First though let us consider the most common ways in which *wabis* became involved in litigation, and in this example as in many others tenants were simply caught up in the crossfire without any apparent gain.

Kifle had originally first started the case against Amado Walaya, who resided on the land as a tenant, at a lower court where he appeared as the plaintiff. When the charges were made against him Amado responded to the *Wäräda* Court by saying that he had no knowledge of the plaintiff and he had never paid any *erbo* to Kifle for using the land, but asked the court that he should be allowed to pass the case on to his *wabi* *Balambaras* Endäsahw Wudessa. Amado gave additional information regarding his tenancy, saying that when he took over the land from *Balambaras* Endäshaw on a tenancy agreement it was originally uncultivated forest, which he had cleared and planted with coffee and *ensät*. He

¹⁴¹ W/ Gabre'el Mangasha v. Gobana Abe, DACCA, 232/56 (Dilla, 1956 E.C.).

said that he felt that should not be accused but asked the court to allow his *wabi* to come to court on his behalf.¹⁴² *Balambaras* Endäshaw appeared in court and was asked if he had any evidence of his occupation of the land. He produced a tax assessment receipt for the year 1955 E.C. (1963). The problem was that similar evidence was also presented by the plaintiff Kifle to show proof of ownership of the same land; moreover Kifle had also produced additional supportive evidence which showed that he was given the land by a man called Doyo Bäresso, and also the testimony of a local official called Boku Adola from the Fisha Gänät *Wäräda Gizat* office which showed that that one *gasha* of land had been given to *Ato* Kifle.¹⁴³ The *Wäräda* Court gave its verdict by stating that the land belonged to *Ato* Kifle and all outstanding *erbo* payments should be made to the plaintiff and not the *wabi*.¹⁴⁴

The next stage in the litigation was for the *wabi* supported by the tenant to appeal against this decision to a higher court, at the *Awraja* Court at Dilla.¹⁴⁵ After reviewing the case the *Awraja* Court ruled that the decision given by the lower *Wäräda* Court was inappropriate in view of the tenant's claims that he had been paying all *erbo* to his *wabi* over ten years, and this fact combined with the *wabi's* evidence of ownership justified an appeal. The *Awraja* Court overturned the decision of the *Wäräda* Court and said that the case should be reopened.¹⁴⁶

¹⁴² Amado Walya V. Kifle Wäldä S'adiq, DACCA, 94/60 (Dilla, 1960 E.C.).

¹⁴³ See chapter three for a similar case where crucial documents such as tax receipts were acquired in various ways. *Yas'ir Aleqa Šänqut'e Däjäne* V. *Bälät'e Ašine*, DACCA, 19/62 (Dilla, 1962 E.C.).

¹⁴⁴ Amado Walya V. Kifle Wäldä S'adiq, DACCA, 94/60 (Dilla, 1960 E.C.).

¹⁴⁵ Getahun Wäldä Maryam v. Aläko Gänale, DACCA, 59/59 (Dilla, 1959 E.C.).

¹⁴⁶ Amado Walya V. Kifle Wäldä S'adiq, DACCA, 94/60 (Dilla, 1960 E.C.).

We do not know the outcome of the case but what we do know serves to illustrate the circumstances under which *wabis* became involved in tenancy disputes, and has shown how tenants were unnecessarily caught up in wars between landlords. Whatever the outcome of the case, the tenant's position was unaltered as he remained a tenant, and had no claim himself on the ownership of the land. Thus court disputes were far more complex than normally assumed and as the above case and additional examples below show, *erbo* disputes were used as a useful excuse to start a dispute over ownership.¹⁴⁷ If a *wabi* failed to secure the right to present his evidence in court, whether he had failed to convince the court it was appropriate to do so or the court disallowed him for any other reason, the tenant would be directed by the judges to make *erbo* payments to whoever they deemed appropriate, and the *wabi's* claims to the ownership of the land would be invalidated.

The following case shows a different way of attempting to take over land which belonged to another landlord. In this dispute the tenant was again unfairly involved because he had in fact been discharging his responsibility without fail, and therefore the plaintiff initiated this case with the clear motive of accessing another person's land. The tenant had paid *erbo* rent regularly on the land belonging to a man named *Qäññazmach* (lit. commander of the right flank) Wäldä S'adiq Č'äbude which he had occupied for a long time. After he died the land was inherited by his son *Ato* Käbädä Wäldä S'adiq who later let it to another person called *Qäññazmach* Mähamär Hailu and the tenant was ordered accordingly to pay *erbo* to this leaseholder.¹⁴⁸ When the lease was terminated the tenant was told to

¹⁴⁷ Bärädäde Fäläqä v. Tikse Ako, DACCA, 130/53 (Dilla, 1953 E.C.).

¹⁴⁸ Jabo Dama v. Qägnazmach Eshete Tafesse, DACCA, 322/53 (Dilla, 1953 E.C.).

pay the *erbo* to the *balärest Ato Käbädä*. When the *balärest* and the leaseholder entered into dispute the leaseholder, *Qäññazmach Mähamär Hailu*, claimed that the land still belonged to him and he accused the tenant of failing to pay the *erbo* despite paying previously, using this as evidence of his ownership of the land. The tactic worked in the short term, because the *Wäräda* Court felt that as the tenant had been paying *erbo* to the plaintiff (the contractor) he was the rightful owner of the land, and it passed its verdict in his favour. The case was later reversed after an appeal at the *Awraja* Court.¹⁴⁹

As some of the case studies demonstrate individuals used their evidence as a *wabi* as an opportunity to attempt to gain access to land if the chance presented itself. Production of evidence was the main strategy because courts were likely to give weight to written evidence, and gaining access to such crucial evidence as tax assessment receipts had becoming increasingly easier as observed in some of the court cases. Having to face court charges when in fact the tenant had fully fulfilled his or her obligations added an extra strain to the already polarised nature of landlord-tenant relationships. The *wabi* or the plaintiff might reap rewards themselves depending on the outcome of courts' decisions, but for the tenant there was no significant gain and in the process tenants were pawns who suffered in the struggle. The lack of efficiency of the endless appeals, counter-appeals and adjournments on various grounds meant that court procedures did not serve the needs of tenants.

¹⁴⁹ Alämeshet Wäldäyäsus V. *Qäññazmach Mäzämär Hailu*, DACCA,89/58, (Dilla 1958 E.C.).

Conclusion

This chapter has shown that although the tenancy system emerged on a limited scale before 1935 it only evolved fully in the post-war period, as a result of economic and demographic changes. In addition the chapter has also shown that there were fundamental differences in the way the two systems evolved in Gedeo. While the *gäbbar* system was imposed by order of the state, tenancy evolved due to a combination of economic realities. Tenancy, like the *gäbbar* system, was exploitative. Unlike *gäbbar*, tenancy was the result of a voluntary arrangement; however, it was unable to operate smoothly and efficiently in the context of Gedeo. Its efficiency was hampered by conflicts and endless court litigation. Tenancy disputes were frequent, and dominated court proceedings.

The chapter illustrated how such disputes were handled by the courts. Most of the sources for this chapter were derived from court archives, and therefore particularly useful in understanding litigation and the role courts had in such conflicts; nevertheless the sources also showed that the existing knowledge and assumptions about landlord-tenant relationships were unbalanced and inadequate. Our understanding has largely focused on landlord-tenant divisions where previously emphasis had been given to the ethnic, political and social group to which the disputants belonged rather than to investigating underlying differences between them. Close study of land dispute cases show that the substantive issue was in fact competition for resources, and in the process individuals might have used whatever ploy was available to them if they felt that it would give them an advantage. The same principle also applied in tenancy disputes, and although the case studies are few, at least one case has shown that

competition also existed among tenants themselves in their attempt to win tenancy rights, a crucial issue ignored by previous research.

Assumptions about the role the courts played in tenancy disputes were neither objective nor based on a through investigation of the sources, because the sources do not support the view that a positive verdict was granted to plaintiffs, because of their social, economic, political status in society. The main premise of that view was that there was ethnic inequality which manifested itself in landownership rights as well as in relation to the law. However, the data used did not support this premise. The discussion both in this and the preceding chapters has shown that the ethnic background of the litigants was irrelevant.¹⁵⁰ What mainly concerned the courts was facts and the production of evidence. The case studies also demonstrated that the courts were scrupulous in those matters. As the next chapter will show in greater detail the problem between landlords and their tenants was not caused by an unfairly biased court system but was more fundamental, being connected to access to vital resources.

The court documents do not show us why tenants rarely took the initiative themselves in starting a legal dispute; neither do they enlighten us as to why landlords relied heavily on the courts. In fact in my own judgment courts performed their role reasonably fairly. Tenants might not have used the courts as much as landlords; however it is doubtful if doing so would have made a great difference, or if the landlords themselves benefited as much as is normally assumed. We have seen from the case studies presented how some landlords were

¹⁵⁰ For a very good discussion of the diverse and complex ethnic makeup of the *näft'äññas* see McClellan, *State Transformation*, 50-53.

unable to control their tenants as much as they would have liked, especially in the case of women or other less powerful landowners.¹⁵¹

The reason why the landlord-tenant relationship was so problematic in Gedeo has to be sought outside of the courtroom; they were not discriminated against for ethnic, political or religious reasons. However, for ordinary tenants the courts were unwelcoming places and provided an intimidating environment. There were undoubtedly some disadvantages for Gedeos. One was perhaps language, since as the court language was Amharic their inability to speak directly to the officials made them feel alienated and distant. Informants did not mention this as a major hindrance; rather they emphasised more substantive ones, such as unobjective local government officials who had an interest in the land themselves and made their lives difficult by manipulating the law to suit their own ends.

Tenants did not normally acquire professional support unless it was essential, which curtailed their chance of winning a case. From some of the tenancy dispute accounts we can detect that the tenants' attitude was half-hearted and they did not exploit the system as much as they might have. This may have been due to lack of knowledge; however if benefitted the landlord provided that he/she could produce sufficient evidence.¹⁵² In addition the legal system by its nature was painfully slow, hence once a dispute had started it could take several months or even years and it was not uncommon in Ethiopia for disputes to be continued over generations.¹⁵³

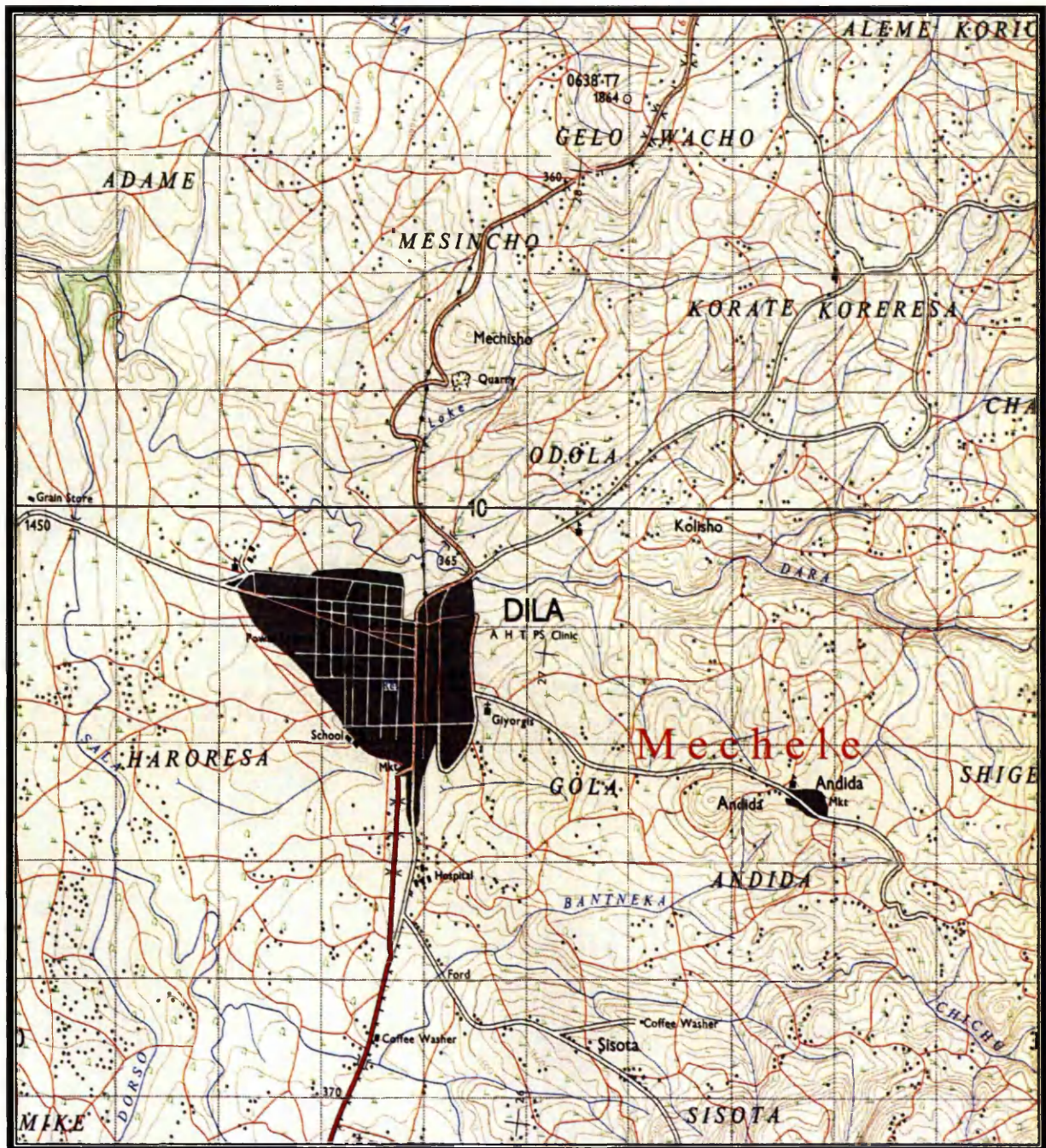
¹⁵¹ Kassa Habtä Maryam v. Jara Fisso, DACCA, 13/61 (Dilla, 1961 E.C.).

¹⁵² Mulatu Tizazu v. Jigso Aläko, DACCA, 36/59 (Dilla, 1959 E.C.).

¹⁵³ Interview with Bäqälä Wäldä S'adiq, Shegädo, 6 July, 2004.

Also, lodging an appeal was more difficult for the Gedeo peasant because of the distance of the higher level courts from the peasants' villages. If they lost a case and wished to appeal they would have to face a long journey to take their case to the higher courts which were located in the regional capital town such as Yirga Alām and later Awassa. In most cases they travelled on foot as modern transport was costly and in its infancy. If they wished to appeal further they would have to travel to Addis Ababa, which posed a serious problem for most peasants, both in terms of distance and geographical and cultural unfamiliarity.

Therefore, as the next chapter will show, the tension between landlords and tenants continued unabated as Gedeo entered the 1960s, with courts failing to provide adequate solutions to the fundamental problem of landlord-tenant relationships. The worsening relationship between landlords and tenants gradually descended into rural unrest, and anarchy and chaos forced the government to intervene more directly than previously. In the next chapter I will illustrate this issue more broadly and explain how a rural peaceful protest which was initiated by tenants escalated into violence largely because of the action of a belligerent landlord.



Map 4. Mechele (showing the location of the 1960 peasant uprising)
 (Source: EMA, Dila (Addis Ababa, 1979).

Chapter Five

From Crisis to Revolution, 1960-1974

In 1960 the long-term tensions between landlords and tenants finally escalated into violent confrontation.¹ The so-called the Mechele War (*yämechele t'ornät*), which started as a non-violent movement by tenants in an area known as Mechele, was in reality far smaller in scale than many other peasant uprisings which took place in Ethiopia during this period (Tigray, Bale and Gojjam).² Unlike its counterparts, the Mechele revolt was restricted to a limited geographic area and was suppressed within a matter of days. As far as can be judged from the demands of the protestors, the uprising had no specific ideological underpinning and there was no attempt to elicit support from other areas of Gedeo, where tenancy relationships were as problematic as in Mechele itself.³

There were both long-term and immediate causes of the peasant rebellion. The long-term origins can be traced back to the early years of the incorporation, and in particular to the introduction of the unpopular *qäläd* measurement and the distribution of land by the state. Resentment related to this was not restricted to Mechele, however, but existed throughout Gedeo.⁴ Although it might have been a contributory factor, it was not the only cause. There were important local developments in the late 1950s which almost certainly served as triggers. These

¹ The 1960s was a crucial period in terms of opposition to the government of Haile Sellassie. In December 1960 a major coup d'état was foiled. One of the casualties of this incident was *Afänegus* Eshäte Gäda who had been delegated by the Emperor to resolve the Gedeo peasant rebellion. Gäda was murdered by the instigators of the coup. Addis Hiwet, *Ethiopia*, 93.

² For a detailed study of post-war peasant uprisings in Ethiopia (Tigray, Bale and Gojjam), see Gebru, *Power and Protest*, 87-193.

³ Getnet Bekele, "The Peasant Rising of 1960 in Gedeo" (BA thesis, Addis Ababa University, 1983); See also Lap' iso, *Yäetyop'ya*, 169-179

⁴ McClellan, *State Transformation*, 87.

created the conditions in which confrontation could swiftly escalate into deadly violence. Even so it is very difficult to give a full explanation of the causes of the conflict. This is because the rebellion occurred in a small area (mainly Mechele and to some extent Dama) and involved few peasants, while other parts of Gedeo, where tenancy was as problematic as in these areas, remained indifferent or at least did not show any signs of rebelling. There was no attempt to galvanize support from other parts of Gedeo, where conditions were similar or even worse. The location of Mechele does not offer an explanation as to why a peasant revolt should have occurred there, the area being strategically unsuited for an uprising as it is located in northern Gedeo near Dilla town, where local government power was concentrated. The tenants consequently lacked the advantage of geographical distance to conceal their activities.

Relations between landlords and tenants had always been tense, but they worsened in the late 1950s. Control over resources was at the heart of the conflict, rather than religious or ethnic differences. The people who owned land in this part of Gedeo were commonly identified as *näft'ännis* and Amharas.⁵ They felt that by claiming membership of those groups, to which they did not necessarily belong in reality, they could enhance the legitimacy of their claims over local resources. In addition, they considered themselves as *aqni* (first settlers), who had originally made the area suitable for cultivation.⁶ Having such a history, they believed, would confirm their right to maintain control of the land in *qälad* areas of Gedeo, which had been in their possession since the 1920s. The two sides, landlords and

⁵ McClellan, *State Transformation*, 87.

⁶ The concept of *aqni* is a fundamental notion in many land tenure systems of Ethiopia. In most cases a right to inherit could be firmly established by tracing one's ancestors back to the first settlers of the land. This term was crucial in the *rest* system of northern Ethiopia. A similar concept also existed among the Gedeos.

tenants, were differentiated mainly by the degree of access which they had to power and resources (mainly land), but they also remained apart in social and religious spheres. The violent confrontation that erupted in Mechele in 1960 was essentially about access to the vital resource of cultivatable land.

Peasant rebellion in post-liberation Ethiopia did not only occur in the south of the country.⁷ In fact the most devastating uprisings happened in the north, the only well-known large scale uprising in the south being the Bale peasant uprising of 1963-1970. The Tigri peasant uprising of 1943 and the Gojjam peasant rebellion in 1968, both in the north, were not only large scale rebellions but also the most difficult for the government to suppress. (There were also lesser-known peasant protests in various parts of the country.) Each of the three major uprisings were quite different from the situation in Mechele in terms of causes, organisation, and the scale of the protest.⁸ This chapter will attempt to place the Mechele peasant uprising within the context of Gedeo, detailing the specific conditions which caused the uprising to take place at that particular time and place, whilst appreciating that it had similarities with its counterparts in other parts of Ethiopia between 1941 and 1974.

In addition, the present chapter will also examine the role and position of the government during the crisis. When the conflict broke out the government was faced with two conflicting views. On the one hand it was felt that the problem had nothing to do with its own policies and that consequently its role should be

⁷For examples of peasant rebellion in the pre-1935 period see James McCann, *The Political Economy of Rural Rebellion in Ethiopia: Northern Resistance to Imperial Expansion, 1928-1935* (Boston, MA: African Studies Center, Boston University, 1984). See also McCann, *From Poverty to Famine*, 146-168.

⁸ Gebru discusses several revolts, Wello (1928-30, 1958); Tigray (1943); Hararge (1944, 1947, 1958, 1963); Gojjam (1942-43, 1951, 1968-69); Sidamo (1960) and Bale (1941-42, 1947, 1963-70) Gebru, *Power and Protest*, 18.

restricted to maintaining social order. At the same time others felt that the authorities should play a greater role than merely suppressing the rebellion by force. The final section of this chapter discusses the task force formed by the government with the responsibility not only of resolving the crisis but also of producing solutions to prevent future conflicts arising.

Before discussing the Mechele peasant uprising itself it is essential to understand the general conditions which led to the peasants' outrage and ultimately to rebellion. Since peasant revolts appear to have been commonplace in many pre-capitalist economies, much effort has been expended in attempting to understand the causal factors behind them across different places and times. Peasant uprisings have attracted a great deal of academic interest, especially in Asia, and social scientists have produced a number of theories in an attempt to understand and explain them. It is not easy to determine which of the available theories of peasant rebellions and their causes can throw light on the Gedeo case. Next we briefly examine two of the most influential theories of peasant uprisings and the reasons why they occur to see what insight they can provide into the Mechele peasant rebellion.

Theories of peasant rebellion

There have been many attempts to study the various peasant rebellions which took place in Europe and Asia in order to formulate a universal explanation which would enable us to understand the general nature of peasant insurrection regardless of where or when it occurs.⁹ Although African peasant uprisings do not

⁹ Most peasant movement theories prefer to understand peasants from the class viewpoint. Young for example found this approach problematic in his case study, see John Young, *Peasant Revolution in Ethiopia: The Tigray People's Liberation Front, 1975-1991* (Cambridge: C.U.P., 1997), 20.

conform to these theories as neatly as their counterparts in Asia and elsewhere,¹⁰ these studies provide some basic concepts that can help to analyse and understand the nature of peasant rebellions in Ethiopia.¹¹

The two most influential theories are the “moral economy” and the “political economy” approaches.¹² It is beyond the scope of this chapter to give a detailed account of the analyses and arguments of these comprehensive theories. However it will be helpful to outline the main points. The chief proponent of the moral economy theory is James Scott. Since his seminal 1976 work, *The Moral Economy of the Peasant*, Scott's ideas have gained a wide currency across many disciplines in the social sciences, including history.¹³ Scott based his study on peasant rebellions in Burma and Vietnam in the 1930s. He claims that through a careful understanding of peasant life and its norms it is possible to comprehend the circumstances under which rebellion occurs. Scott also tried to understand rebellion from the wider perspective of peasant life, by examining issues such as patron-client relationships, the role of charity, and the role played by village and political institutions. The moral economy theory characterises peasant protests as a defensive reaction against threats to their traditional institutions. In consequence it sees peasant protest movements as by nature restorative. An important feature of

¹⁰Allen Isaacman, "Peasants and Rural Social Protest in Africa," *African Studies Review* 33, No.2 (1990), 1-120.

¹¹ For a through discussion of different approaches to the study of peasant movements including the moral economy and political economy see Daniel Little, *Understanding Peasant China: Case Studies in the Philosophy of Social Science* (New Haven: Yale University Press, 1989), 14.

¹²For an understanding of peasant rebellion from the viewpoint of the millenarianism tradition, in pre 20th century Ethiopia see Merid W. Aregay, "Millenarian Traditions and Peasant Movements in Ethiopia 1500-1855" (paper presented at the Proceedings of the Seventh International Conference of Ethiopian Studies, University of Lund, 1982), 257-262.

¹³ Scott, *The Moral Economy of the Peasant*; For a moral economy argument see also E.P. Thompson, "The Moral Economy of the English Crowd in the Eighteenth Century," *Past and Present* No. 50 (1971), 76-136.

the moral economists' views is their emphasis on the patron-client nature of the landlord-tenant relationship. Moral economy assumes that patron-client relationships are "self-reinforcing, dyadic relations beneficial to both parties".¹⁴ Scott argues that "any claim on the peasants by elites or the state could have no justice when it infringes on subsistence needs."¹⁵ According to Scott countless peasant rebellions were the consequence of such "moral indignation" among the poor, the French Revolution being a prime example. Therefore "the minimal formulation was that elites must not invade the subsistence reserve of poor people; its maximal formulation was that elites had a positive moral obligation to provide for the maintenance needs of their subjects in time of dearth."¹⁶

Above all, Scott maintains that subsistence is the key to understanding the peasants' political behaviour. He claims that peasants evaluate the advantages and disadvantages of institutions, persons and family from the perspective of their own need for subsistence and that this is their overriding concern. In this theory the peasant lives close to subsistence level. If production falls below this level the consequence for the household is catastrophic and therefore peasants gear their strategies towards the avoidance of risk taking. Hence the moral economists believe that subsistence crises are more likely to lead to peasant rebellions than any other causes. Factors which can threaten to push peasants below the subsistence level and consequently lead to eventual rebellion include fluctuations in production (ecological vulnerability), market instability, and major variations in the price of a mono-crop upon which the peasants rely heavily.

¹⁴ Popkin, *The Rational Peasant*, 27.

¹⁵ Popkin, *The Rational Peasant*, 27.

¹⁶ Scott, *The Moral Economy of the Peasant*, 53.

The political economy approach by contrast assumes that peasants are rational and that they make decisions based on both their long- and short-term interests.¹⁷ The main proponent of the rational peasant approach is Samuel Popkin, who bases his argument on an empirical investigation of rural Vietnam since the mid nineteenth century. Popkin's study, which was a major criticism of the works of the moral economists, was a thorough analysis of the effect of colonialism and commercialisation on rural society. Popkin also extended his analysis to the twentieth century by focusing mainly on anti-colonial movements, including Communist movements. Popkin's central argument is that peasants are rational maximizers of both personal and family welfare, and this is their chief motivation rather than moral values or group interest.¹⁸ Popkin challenges the moral economy view by questioning the main premise upon which its proponents built their argument, i.e. that a fall in production to below subsistence level leads to indignation and a violent outpouring of anger. He asked what determines subsistence level. How does one determine whether a man who had a bad crop this year and an excellent crop last year is better or worse off than a man with an average crop for both years? Popkin drew his conclusions from four peasant movements in Vietnam, showing through a number of examples that a subsistence crisis does not necessarily lead to peasant rebellion.¹⁹ In addition the political economy approach claims that peasant movements are not restorative by nature

¹⁷ For a critical review of both these and other theories, see Theda Skocpol, "What Makes Peasants Revolutionary?" in *Power and Protest in the Countryside: Studies of Rural Unrest in Asia, Europe, and Latin America*, ed. Robert P. Weller and Scott E. Guggenheim (Durham, D.C.: Duke Press Policy Studies, 1982), 157-179.

¹⁸ Popkin, *The Rational Peasant*, 245-267.

¹⁹ For a similar argument and a critical review of J. Scott's work see Elizabeth J. Perry, Review of *The Moral Economy of the Peasant: Rebellion and Subsistence in Southeast Asia*, by James C. Scott. *The American Political Science Review* Vol. 73, No. 2 (June 1979), 657-659.

but rather anti-feudal and that, in economies where there was significant capitalist presence, the aim of peasants was not to go back to pre-capitalist times but to tame capitalism.²⁰

When we shift the focus from general theory to the case of Ethiopia, it is evident that there was an abundance of rural crises during the post-war period, and that most of these rebellions were interpreted as growing signs of general opposition to the ruling regime.²¹ This probably was the case, but looking at peasant rebellions from only one perspective understates the complexity of the local factors which contributed to generating them.

Although Ethiopian peasant rebellions have not been studied extensively through the lenses of either the moral economy or the political economy theories, there is one work, Gebru Tareke's *Ethiopia: Power and Protest: Peasant Revolts in the Twentieth Century* (1991) which is devoted specifically to the study of Ethiopian peasant revolts. Gebru studied the three well-known peasant uprisings of the Tigri, the Bale and the Gojjam. He believed that all three revolts were similar in terms of both their origins and outcomes. In addition Gebru argued that all three revolts displayed the inherent limitations that peasant revolts have in common. He contended that responsibility for the rebellions lay with the social order which prevailed at the time, which was exploitative, coercive and iniquitous. Localism was the other defining characteristic of these three rebellions. Hence, peasants seemed to have directed all their animosity against local officials, while the Emperor himself was largely free from accusation. Gebru concluded that the peasants wanted to restore their "violated rights", using the famous term coined by moral economists. He added "what they [the peasants] demanded were those

²⁰ Popkin, *The Rational Peasant*, 245.

²¹ Bahru, *A History of Modern Ethiopia*, 215.

things which they believed the king or his government was capable of delivering: better administration, fewer or lower taxes, respect for communal autonomy, reduction of corruption and repression, and the return of stolen lands.”²²

However, if we examine them in the light of some of the theories used both by himself and other writers,²³ some of the conclusions drawn by Gebru are questionable. Although Gebru is not explicit about which theory he adopted in his study, he has clearly been influenced heavily by the views of the moral economists. For instance he argued that the Bale peasant demand for land was restorative.²⁴ He felt that when peasants demanded ownership of their own land, this indicated a desire to go back to the old practices whereby they were landowners in their own right before the arrival of the *näft'ännña* landlords. There were similar demands in Gedeo. However, although the peasants there raised issues about land ownership rights and the inequalities and injustices associated with it, this does not necessarily imply that they wanted to go back to the old ways, rather that they simply desired to be free from exploitation by landlords. For instance, in the Mechele crisis the tenants put their demands quite unambiguously to both the authorities and the landlords, stating that they wished to be independent landowners like their counterparts who owned land in the *outiba* zone of Gedeo. Gebru's model implies a romanticized and mythical past where everyone enjoyed access to land without any restrictions.²⁵

²² Gebru, *Power and Protest*, 199.

²³ T. David Mason, *Caught in the Crossfire: Revolutions, Repression, and the Rational Peasant* (Oxford: Rowman & Littlefield, 2004), 31.

²⁴ Gebru, *Power and Protest*, 199.

²⁵ See chapter one for a discussion of scarcity of land.

The peasants were tactical and pragmatic in that they deliberately avoided raising issues which would have created conflict with the government, such as unfair taxes, as their objective was take issue with the landlords rather than the government.²⁶ The peasants are sometimes portrayed as naive and lacking in an understanding of the identities and objectives of their immediate enemies. The strategies the Gedeo peasants employed did involve some risks, in contradiction to the assumptions of the moral economy theory.²⁷ But when taking risks, they sought to minimise the unwanted consequences. Although what Gebru claimed regarding Bale or Gojjam might not apply to the Gedeo peasants' conditions and demands, the main objective here is to gain a wider perspective about different peasant uprisings both in Ethiopia and elsewhere. However, without the necessary empirical evidence, the above theories lack credibility. In the next section, I will first consider what I believe were general grounds for discontent. In the subsequent section I will deal more specifically with the crisis in Mechele.

²⁶ Interview with Ararso T'arro, Mechele, 16 December 1999.

²⁷ Risk avoidance is a popular theme in agrarian literature, whether in relation to conflict with landlords or choice of crop to produce for the market. However the peasants made many decisions involving large risks. One informant told me that he uprooted all his *ensät* plants and replaced them with coffee, because the market for coffee was so promising. For a few years he enjoyed the benefit of his decision; however after a decade there was a downswing and he and his family almost starved. Thus his gamble did not pay off in the long term and, after he had recovered from his losses, he went back to his old and safe practice of diversifying. He has now got both *ensät* and coffee plants on his farm. Interview with Doye Biftu, Sisota, 24 July, 2004

Conditions for the uprising

Does exploitation alone lead to peasant rebellion?²⁸ According to James Scott, "growing exploitation of the peasantry may well be a necessary cause of rebellion, but it is far from a sufficient cause." He further added that "if exploitation alone were a necessary and sufficient condition of rebellion, much of ... the Third World surely be in a semi-permanent state of civil war."²⁹ The tension which had shaped agrarian relationships in many parts of Gedeo for many years finally reached breaking point and erupted into violent clashes in 1960. Sources do not suggest anything unique about the exploitation of peasants in this year compared to previously. To understand the root causes of Gedeo peasant rebellion we have to look beyond a history of exploitation. The question is, if exploitation alone does not explain the insurrection of that year what other factors do? Secondly, why did it happen in 1960 and not before, and why in Mechele, since tenants in this part of Gedeo were not subjected to a worse kind of exploitation than that which was common throughout the *qäläd* areas of Gedeo? To answer these questions it is necessary to look back briefly to analyse from a long-term historical perspective the specific conditions which triggered the particular violent uprising in Mechele.

In order to examine the issue in greater depth, the first point of departure is to look inside the Gedeo community itself. Gedeo in general was a more deeply divided community in 1960 than ever before. These divisions, which were manifested clearly throughout society, had started to take shape since the time of

²⁸ According to Crummey "In nineteenth-century Christian Ethiopia peasants were generally drawn into banditry and rebellion as followers of individual nobles". Donald Crummey, "Banditry and Resistance: Noble and Peasant in Nineteenth-Century Ethiopia," in *Banditry, Rebellion and Social Protest in Africa*, ed. Donald Crummey (London: Currey, 1986), 135; Timothy Fernyhough has also shown the relationship between banditry, rebellion and official status in the context of northern Ethiopia. Timothy Fernyhough, "Social Mobility and Dissident Elites in Northern Ethiopia: The Role of Banditry, 1900-69," in *Banditry, Rebellion and Social Protest in Africa*, ed. Donald Crummey (London: James Currey, 1986), 165-169.

²⁹ Scott, *The Moral Economy of the Peasant*, 193.

the incorporation. However, in saying this it must be stressed that despite the presence of ethnic, religious and other differences the issue of land and access to this vital resource was the principal cause of conflict.³⁰

Land ownership was crucial. As indicated in chapter one, even before the incorporation land had never been abundant in Gedeo.³¹ Two facts are sufficient to show that this had always been an important issue. First, as explained in chapter one, conflicts between clans in Gedeo as well as with neighbouring communities such as the Sidama and the Guji were principally motivated by land disputes. Secondly, due to the scarcity of land the Gedeos built barriers into their system which restricted many people from entering into the land sharing mechanism. One example was the exclusion of women from having a major role in property ownership.³² Women were not only excluded from owning land; they could also be claimed in marriage by one of the brothers of a deceased husband, especially if a large amount of land was at stake. This custom was not necessarily designed with the intention of denying women the right to own property. It was more likely intended to prevent land being passed to an outsider through marriage; ownership of land was given the utmost importance in this society.³³

However, the main source of friction between the landowning *näft'ännñs* and the local Gedeos can be traced back to the imposition of *qälad* in the 1920s. The early opposition to *qälad*, although not directly related to the 1960 crisis, nevertheless showed that from the beginning the Gedeos, especially members of

³⁰ Interview with Wordofa Qumbi, Mechele, 5 December 1999.

³¹ Interview with T'et'o Gänale, Buč'issa, 5 December 1999.

³² Interview with Arägashe Hojamessa, Grissa, 20 July 2004.

³³ Aya Dube V. Haläko Bäresso, DACCA, 3/64 (Dilla, 1964 E.C.).

the elite such as Č'umburo Shunde, were displeased.³⁴ The granting of land exclusively to the *näft'äññis* led to Č'umburo openly opposing the action of the local governors. His humiliation as a result of his stand against the *qälad* later became a source of inspiration for many tenants in 1960.³⁵ Although it was not introduced with the intention of creating schisms with the community, the *qälad* was divisive.

Except for the few members of the elite who held positions within the state structure, most Gedeos were excluded from the governing process. In making the *näft'äññis* landowners, the *qälad* system created the conditions for labour exploitation through tenancy. In the early years was not felt as a great burden because land was relatively abundant. In fact, the main issue for the landlords before the war was shortage of labour. However, things began to change in the post-liberation period when demographic pressure forced many people into a landlord-tenant relationship.³⁶ As tenancy evolved gradually after the war, disputes between tenants and landlords became commonplace, worsening their relationships.³⁷

The preceding two chapters have demonstrated that tenants' relationships with their respective landlords were not only difficult but actually marred by conflict. As some informants pointed out, not all landlords were bad; some were considerate and had relatively good relationships with their tenants. Others

³⁴McClellan, *State Transformation*, 88-89.

³⁵ Interview with Bägäjo Bonja, Č'i č'u, 28 November 1999.

³⁶ Interview with Gote Bädässé, Andida, 28 April 1999.

³⁷ See chapter four for a detailed discussion of landlord-tenant disputes.

however were bossy oppressive and arrogant.³⁸ For many Gedeos, though, it was not the economic exploitation which was most difficult to bear. The *erbo* payment was not mentioned by tenants as a major issue in their relationships with landlords.³⁹ The labour obligation, however, which was more difficult to regulate and quantify than the *erbo*, was onerous and intrusive, and thus tenants felt that the best solution would be to become land owners in their own right.⁴⁰

Landlords put a great deal of pressure on tenants by imposing various demands beyond those prescribed in their tenancy agreements, whether verbal or written. Normally when disagreements arose tenants preferred to take direct action, for example by refusing the payment of *erbo*. Then landlords would attempt to intimidate them. If the tenant persisted, the next stage was to take legal action at a government court, and a long-standing dispute would be initiated.⁴¹ The increasing polarisation of the relationship meant that the chances of its being either mended or improved over time became more remote, and the presence of social and cultural barriers did not help in this regard.⁴²

As landlords disparaged their tenants, tenants for their part tried to avoid contact with landlords. Rather than being shaped by mutual interest, their relationship was maintained by force.⁴³ Tenants felt that landlords took much from them and gave nothing back to justify their status as patrons. Since the peasants

³⁸ Gule Däyo v. Alämu Täfära, DACCA, 92/59 (Dilla, 1959 E.C.); T'äqäbo Shota, Sisota, 29 April 1999 and Bäqälä Wäldä S'adiq, Shegädo, 6 July, 2004.

³⁹ Bälejigu Bahru v. Biftu Qilt'u, DACCA, 108/60 (Dilla, 1960 E.C.).

⁴⁰ Interview with Shalo Dube, Shegädo, 6 July, 2004.

⁴¹ Amakäläch Däseta v. Koto Sägaro, DACCA, 300/53 (Dilla, 1953 E.C.).

⁴² Interview with Bäqälä Wäldä S'adiq, Shegädo, 6 July, 2004.

⁴³ Afäwärq W/Maryam v. Mäläse Gurara, DACCA, 737/59 (Dilla, 1959 E.C.).

were unable to perceive the advantage to themselves of such a parasitic situation, they never worked to improve their relationship with their landlords, while the landlords felt that power and coercion were essential in maintaining their relationship with their tenants, rather than treating them as important partners in the production process.⁴⁴

Religious and cultural differences between landlords and tenants, however fundamental, did not play a major role in the conflict. There is no doubt that the Ethiopian Orthodox Church was supported by the state as an important ideological tool to create a society unified under one faith.⁴⁵ There may be some parallels here with the way Europeans used Christianity in their colonial enterprises in Africa, but there are also differences as I will show below.⁴⁶ From the government's point of view, the Ethiopian brand of Christianity was favoured in various ways in order to promote the interest of the state.⁴⁷

A number of churches were built in Gedeo following the incorporation. Some of the churches grew to prominence, the most famous being Čuču Gäbre'el on the outskirts of Dilla town.⁴⁸ The Church, like the *näft'ännīs* and other state functionaries, was supported by resources generated from local areas and as a result it was one of the most important landlords in Gedeo until 1974. The extent

⁴⁴ J. C. Scott, *Weapons of the Weak: Everyday Forms of Peasant Resistance* (New Haven: Yale University Press, 1985), 29.

⁴⁵ For a historical discussion of the expansion of the Ethiopian state and evangelization see Tadesse, *Church and State*, 156-205.

⁴⁶ For a detailed history of missionaries in south Ethiopia see Donham, *Marxist Modern*, 83-101; For relations between the Ethiopian Orthodox Church and Missionaries in an earlier period see Donald Crummey, *Priests and Politicians: Protestant and Catholic Missions in Orthodox Ethiopia 1830-1868, Oxford Studies in African Affairs*. (Oxford: Clarendon Press, 1972), 1-13.

⁴⁷ Trimmingham, *Islam in Ethiopia*, 180; Trimmingham claims that the chiefs of the pagan states in Sidama only nominally accepted Christianity.

⁴⁸ For Church establishment dates in Gedeo see McClellan, *State Transformation*, 87.

to which the Church made an impact on local society and brought the two groups closer is debatable. The Church's primary objective was to fulfil the spiritual needs of *näft'ääñs* who did not have easy access to churches, and if one examines church foundation dates and locations closely it is clear that they were strongly linked to the movement of the garrisons. Because of this, any evangelising work among the Gedeos was carried out less aggressively than the Western missionaries had done in the early days of colonialism in Africa.⁴⁹

However the monopoly of the Ethiopian Orthodox Church in Gedeo did not last long, due to the arrival of competing Christian missionaries in 1946.⁵⁰ The missionaries were given state approval to operate in the southern half of the country, where they believed that most of the people were "pagan" and non-Christian. Although the Ethiopian Orthodox Church had been evangelising in the south, the missionaries believed that there was nevertheless a niche for them to operate successfully and gain more followers than they would by working in the already Christianised areas of old Ethiopia.⁵¹

The missionaries' main focus was on converting the local people, and their version of Christianity soon came to be seen as the faith of the oppressed. The missionaries' approach to evangelism was very different from that of the Ethiopian Orthodox Church, which relied heavily on the support of the state. As a consequence differences along religious lines became more accentuated as the

⁴⁹ Raphael Chijioke Njoku and Chima J. Korieh, "Introduction: Missions, States, and European Expansion in Africa". In *Missions, States, and European Expansion in Africa* ed. Chima J. Korieh and Raphael Chijioke Njoku (New York & London: Routledge, 2007), 1-10; See also Adrian Hastings, *The Church in Africa 1450-1950* (Oxford: Clarendon Press, 1994), 408-417.

⁵⁰ Interview with Bägäjo Bonja, Č'i č'u, 28 November 1999; McClellan, *State Transformation*, 145.

⁵¹ Oyvind M. Eide, *Revolution & Religion in Ethiopia: The Growth & Persecution of the Mekane Yesus Church 1974-85* (Oxford: James Currey, 2000), 36.

missionaries made an impact on the peasants.⁵² The missionaries used additional benefits as leverage to achieve their religious objectives; converts were particularly attracted to the power of modern medicine for example.⁵³

The missionaries did not restrict their work to evangelisation and the provision of medical services. There were many occasions when they involved themselves in the local struggles between landlords and tenants.⁵⁴ The missionaries helped tenants by providing legal advice when they were involved in litigation with their landlords. Their support remained covert, however, due to fear of expulsion by the local authorities, who had their own interest in the land.⁵⁵ Education was another area in which missionaries made an impact on the local people, although in the case of Gedeo they were not as successful as they were, for example, in Wolaita.⁵⁶ In general, however, the missionaries exploited the social gulf successfully in order to exert their influence on the local people.

The Gedeos also felt that the *näfi'ännis* looked down on them and they blamed the Amharas for breeding such attitudes. This is a more complex issue than appears at first sight, as cultural degradation and suppression are problematical to define. Control over the crucial resource of land and the manner in which it was made available for a certain group, in this case, exclusively to the *näfi'ännis*, undoubtedly created a feeling among the Gedeo peasants that there was

⁵² J. Spencer Trimmingham, *The Christian Church and Missions in Ethiopia: (Including Eritrea and the Somalilands)* (London: World Dominion Press, 1950), 31-41.

⁵³ Donald Crummey, "The Politics of Modernization: Protestant and Catholic Missionaries in Modern Ethiopia," in *The Missionary Factor in Ethiopia*, ed. A. Lande and S. Rubenson Getachew Haile (Lund University: Peter Lang, 1996), 85.

⁵⁴ Lap'iso *Yäetyop'ya*, 174.

⁵⁵ Interview with Bägäjo Bonja, Č'i č'u, 28 November 1999.

⁵⁶ For a parallel example of missionary activity in south Ethiopia see Donham, *Marxist Modern*, 97-101.

ethnic inequality.⁵⁷ The Gedeo still have bad memories of their stressful living conditions in the pre-1974 period. However, what is referred to as "cultural suppression" in some of the secondary sources was an issue that exacerbated tensions rather than a fundamental problem that made violent conflict inescapable.⁵⁸

The Mechele uprising of February 1960

The Mechele peasant uprising was not a highly organised peasant rebellion in which a clear leadership emerged with a sense of political direction; rather it was a collective action with a certain level of organisation and discipline. Although Gedeo in 1960 was more exposed to markets and outside influences than previously, it is debatable to what extent those influences contributed to shaping the peasants' reaction against the landlords. There was no evidence to suggest that exposure to external markets made the Gedeo peasants vulnerable to subsistence crises which finally pushed them into rebellion. In the following discussion an attempt will be made to show how the uprising by the Gedeo peasants in Mechele differed from the type of peasant revolts which can be analysed in terms of the moral economy theory.

Firstly, when we examine the demands of the Mechele peasants, they are not restorative but aimed against the landlords whom they felt were the source of their misery. Secondly, contrary to the assumption of the moral economy theory, there was no link between the Mechele peasant uprising and a subsistence crisis.

⁵⁷ Interview with T'äqäbo Shota, Sisota, 29 April 1999.

⁵⁸ Bahru, *A History of Modern Ethiopia*, 218.

No famine or market collapse triggered the peasant uprisings in 1960.⁵⁹ Thirdly, the peasants in Mechele were not against paying taxes or other dues to the state; in fact, they stressed that what they would prefer was to pay their own taxes directly to the government treasury.⁶⁰

The political economy approach provides a much more useful analytical framework for understanding the root causes of the Gedeo peasant uprising. Before detailing the nature of the conflict, though, it is important to have an awareness of the geographical location of Mechele, the centre of the uprising. In many ways Mechele, which is no more than an hour's walking distance from Dilla town, the capital of Gedeo, was not an ideal location for a peasant rebellion. From a strategic point of view its closeness to the town, where most of the landlords (*balärests*) lived, was a great disadvantage. It was precisely because of its proximity that the landlords in Dilla town were able to receive information on the activities of their tenants on a daily basis.⁶¹ Also Dilla, a small town with few shops and no more than two regular markets, had little industry capable of employing the peasants in less agriculturally demanding seasons. Therefore the closeness of Mechele (the centre of the rebellion) to the urban centre did not play any role in shaping the consciousness of the peasants.

Although there were similarities to various areas of rural Gedeo where the tenancy system was a major feature of agrarian relationships, there were some

⁵⁹ For a critique of the moral economy theory see Yung-fa Chen, Gregor Benton, and Ralph Thaxton, *Moral Economy and the Chinese Revolution: A Critique* (Amsterdam: University of Amsterdam, 1986), 1-11.

⁶⁰ Interview with Shalo Dube, Shegädo, 6 July, 2004.

⁶¹ Interview with Wordofa Qumbi, Mechele, 5 December 1999.

differences which made Mechele more of a focus of unrest than other places.⁶² Violence was precipitated as a result of squabbles between landlords with smaller and larger holdings in the Mechele and Dama areas. These started when mounting pressure was applied on the smaller landlords, which prompted them to tighten their grip on landownership. Mechele and Dama, as predominantly *qäläd* areas, had been largely cultivated by tenant farmers.⁶³ Landlords in these two areas ranged from smallholders with a couple of plots to wealthier landowners with large amounts of land and *gult* rights at their disposal. Most importantly though, the tenants felt that they received fairer treatment from the bigger landlords than the smaller ones. Reflecting this, as will be discussed below, there was a concerted effort by many tenants to switch to the big *gult* holders such as Princess Tänaññä Wärq Haile Sellassie. The small *madäria* holders or *balärests* were usually poor landlords who had no other source of income and who as a result made unreasonable demands on their tenants; the bigger landlords were less exacting.⁶⁴

Peasants in Mechele repeatedly stated that the main objective which had brought them together for collective action was to seek fairer treatment from the local landlords, especially the smaller ones who had been making increasingly impossible demands on them. In the late 1950s and early 1960s local landlords had themselves come under pressure because the big and powerful landlords had made their positions insecure. The main threat to smaller landlords came from Princess Tänaññä Wärq. Tänaññä Wärq Haile Sellassie was one of the most

⁶² Factors which the peasants who took part in the protest had in common outweighed their differences; for simplicity I treat them here as a homogeneous group. For a discussion of this issue see Eric R. Wolf and Willow Roberts, *Peasant Wars of the Twentieth Century* (Norman: University of Oklahoma Press, 1999), 290-291.

⁶³ Interview with Worera Čumburo, Shegädo, 6 July, 2004.

⁶⁴ Interview with Doye Biftu, Sisota, 24 July, 2004.

powerful female landowners in Ethiopia; in Gedeo alone she owned a substantial amount of mainly *gult* rights which enabled her to enjoy a large income in the form of tribute.⁶⁵ Due to the immense size of her property she even had an office known as Princess Tānaññä Wärq's *Rest* Office. The main function of the office was to administer her property across the country, and to expand her domain wherever opportunities were available.

Tānaññä Wärq did not acquire any land rights in Gedeo in her own name until the death of her husband *Ras* Däseta Damt'äw, the Governor of Sidamo from 1930-1935. As Gedeo was within the Sidamo administrative structure, he had acquired a large amount of *gult* there during his governorship.⁶⁶ *Ras* Däseta Damt'äw, who was the commander of the southern fronts during the Fascist invasion of Ethiopia, had fought the Italians in the south until he was captured and executed by them.⁶⁷ After his death, the *gult* and other properties he owned in Gedeo were transferred to his wife; however, the transfer of the *gult*, as will be discussed later in this section, was not accomplished without difficulties. Tānaññä Wärq's representatives were obliged to become involved in disputes with local landlords in order to reaffirm that the *gult* belonged to her. Later her *Rest* Office acquired more *gult* rights in Gedeo. One of Tānaññä Wärq's most significant acquisitions during the post-war period was that of about 80 *gashas* of *gult* transferred from a Gedeo *balabat* known as *Geražmach* Assäfa Č'umburo. This takeover by Tānaññä Wärq caused much anxiety and insecurity among the local

⁶⁵Crummey, *Land and Society*, 8-12; Crummey argues that *rest* and *gult* are property rights. *Rest* according to him included the ordinary peasant whereas *gult* was for the ruling class.

⁶⁶ DAAA, 60/52 (Dilla, 1952 E.C.).

⁶⁷ Sbacchi, *Legacy of Bitterness*, 173-176.

landlords. As a result, Mechele and Damma in particular became hotbeds of dispute between landlords and tenants.⁶⁸

The *gult* belonging to Assäfa had been inherited from his father Č'umburo Shunde. Č'umburo, who was regarded as a hero of the people of Gedeo, had been immortalised for his firm stand against the imposition of the *qälad* in Gedeo.

Č'umburo not only opposed the implementation, but was also imprisoned as a result of it and humiliated and lashed in public for his cause, though achieving very little in the process. Unlike his father, Assäfa was reputed to be immoral and self-interested but nevertheless as the successor to his father and *balabat* of the Gedeo people there were expectations that he should attempt to help to reduce the suffering of tenants at the hands of *näft'ääñña* landlords. There are conflicting accounts of the manner in which Assäfa passed the *gult* on to Tänaññä Wärq. According to one version, he felt that it was impossible to fight the local landlords who were deeply entrenched in the local power structure, so that the best and most practical way to achieve anything was to create an alliance with powerful people like Tänaññä Wärq. Contrary to the above, a second version claims that the transfer was made without the knowledge of the local people and that Assäfa did this purely for his own personal advantage. From Tänaññä Wärq's viewpoint, her office was anxious to acquire the land because by expanding her domain she was able to benefit from the increasingly lucrative Gedeo coffee trade.⁶⁹

Whatever the reason behind the transfer of this vast amount of *gult* from Assäfa to Tänaññä Wärq, the situation for the peasants became increasingly difficult due to the spiralling disputes. Tenants were caught in the crossfire

⁶⁸ Interview with Morkäte Jarsso, Andida, 28 April 1999.

⁶⁹ Some claimed that the *gult* should not have been transferred in the first place because it was *outiba* land, which by Gedeo tradition should not have been passed onto a non-Gedeo.

between the small landlords, who were in turn also threatened and made insecure by the action of big landlords, and the *rest* office of Tānaññä Wärq which was expanding her domain aggressively. Local landlords posed the greatest danger since they were very well connected with the local power structure. In addition, the life of tenants was made more difficult by the fact that most of the government employees were landlords themselves, as a result of which the protection from the big landlords which tenants were hoping to gain was not forthcoming.⁷⁰

This was the situation in 1949, when a group of local landlords accused twelve tenants on the grounds that the tenants had failed to pay the *erbo* which was due. Some of the landlords who became involved in this particular dispute were important local officials holding government office. For instance one was a judge in Gedeo Awraja Court.⁷¹ When this formidable group of people, mainly local government officials, accused their tenants at the local court, six of the accused tenants appeared in court to respond to the charges.⁷² On the day of the summons the tenants were put into prison, after being told that they should either have appeared in court together (all 12 of them) or pay the *erbo*.⁷³

The accused tenants stated their version of the story on September 29, 1949 (Mäskäräm 19, 1942 E.C.) as follows;

... We the poor, who are imprisoned concerning this land, have been suffering a great deal as a result and what we want to ask is to end our plight. This land was given to *Ras Däseta Damf'äw* as an inheritance before 1928 E.C. (1935) and subsequently all the *erbo* had been paid. After 1933 E.C. (1941) by reaffirming the previous arrangement, the

⁷⁰ Interview with *Hayicha Dänbela Abe*, Andida, 30 April 1999.

⁷¹ *Taye Mäkonen V. Sera Wote* and eleven other tenants, DACCA, 5/42 (Dilla, 1942 E.C.).

⁷² *Goba Bäränso V. Balambaras Täfära W/Maryam*, DACCA, 15/45 (Dilla, 1945 E.C.).

⁷³ DAAA, 60/52 (Dilla, 1952 E.C.).

land was transferred as inheritance to Princess Tānaññā Wārḻ Haile Selassie. Thenceforth the *erbo* has also been paid to her representative; we have all the receipts in our hands. We tenants, by our efforts, cultivate the land and pay the *erbo* to the *balärest*; we do not have the desire to fight the *balärest*, we would like to state to the court that this is our position...⁷⁴

However the tenants were aware of the possibility of duplicity and corruption and rather than all of them appearing at court, the remainder of the group had gone directly to Addis Ababa to present their demands to the higher authorities.

This was a common strategy developed by tenants in response to the challenges they faced as a result of local bureaucracy, as they felt that the higher authorities would be more sympathetic. In addition, they put increasing pressure on the private offices of Princess Tānaññā Wārḻ to take action to alleviate their problems. According to *Fitawrari* Gäbrä Hiwot who was the *endärassie* (plenipotentiary to Princess Tānaññā Wārḻ) and secretary of her *Rest* Office, the number of complaints from tenants in her *gult* in Mechele was substantial and the volume increased during the 1950s. He even complained in one of his letters that despite repeated efforts to liaise with authorities in Sidamo and Gedeo no remedial action was taken to ease the suffering of the tenants and that he felt powerless in the face of the mounting pressure. The tenants' expectations of the *Rest* Office were not matched by reality and tenants failed to gain the protection they needed.⁷⁵

Some of the local landlords went further, not only harassing the tenants but also challenging Tānaññā Wārḻ's office at court, which further exacerbated the

⁷⁴ DAAA, 60/52 (Dilla, 1952 E.C.).

⁷⁵ Interview with T'äqäbo Shota, Sisota, 29 April 1999.

tenants' plight. The dispute continued for some time before the case was finally referred to the Emperor himself (who was also Tānaññä Wärq's father). The Emperor did not wish to make any decision on the matter himself and instead referred the case to a commission which was formed especially for this purpose. The commission's brief was to study the matter and reach a final decision in the best interest of the tenants. There is scant information concerning the composition of the commission and how they investigated the problem; but arriving at a resolution was made simpler than expected by the tenants' own inclination to choose big landlords over smaller local ones. Therefore it was unsurprising that the commission finally decided that the land should be placed in the hands of Princess Tānaññä Wärq, and that the tenants should carry on paying their *erbo* to her as normal, and not to the *madäria* right holders. No information is given in the report regarding any alternative arrangements for the *madäria* land holders who would have lost their rights to the land. It appears that they were given no other options and hence used all possible means to continue attacking the tenants. Thus, the problem was far from resolved, as confirmed by a letter written by *Fitawrari* Gäbrä Hiwot, who was in charge of the *Rest* Office. Gäbrä Hiwot wrote the following letter to the High Court at Addis Ababa in order to complain about the continued imprisonment of their tenants by the *Awraja* Court at Dilla.⁷⁶

⁷⁶ DAAA, 60/52 (Dilla, 1952 E.C.).

Tahasas 21, 1942.C. [30th December, 1949]

To the High Court
Addis Ababa
Dear Sir

In the Region of Sidamo, in Dārassa *Awraja* there was a dispute between Princess Tānaññä Wārḻ Haile Selassie and the *madäria* land holders. The Emperor had given orders for a commission to be set up to study the matter and as a result **the commission made a decision that the land should be placed under Princesses Tānaññä Wārḻ's ownership.** [Emphasis mine] To that effect the High Court wrote a letter to the Ministry of Interior, reference number 6366, Ginbot 7, 1941 E.C. [May 15, 1949].

Now 13 individuals including the Judge of the Dārassa *Awraja*, violating that which has been decided before, illegally imprisoned our tenants against their will in order to make them to pay *erbo* to them. This act has caused a great deal of suffering to our tenants and, therefore, based on the letter cited above we ask that an order be sent to the Dārassa *Awraja* Court so that our tenants might be released and their money reimbursed.

Plenipotentiary to Princess Tānaññä Wārḻ Haile Sellassie

Fitawrari Gäbrä Hiwot

The local landlords had made the life of tenants untenable but the bigger landlords of their choice failed to improve their circumstances.

However, important changes had begun to take place for tenants within the *gult* of Tānaññä Wārḻ which were to have wider implications for tenants generally. Tenants within her *gult* were allowed to own the title of the land they had been farming if they could afford to pay 4000 *birr* per *gasha* of land.⁷⁷ Although details are lacking as to why this measure was introduced, it was not widely received as a popular measure, even by the tenants. Poorer tenants were unhappy because they felt that the price was too high, though it was not as prohibitive as it initially

⁷⁷ Getnet, "The Peasant Rising", 30.

seemed as most tenants did not farm a *gasha* (40 hectares) of land on their own and therefore the cost per head was smaller than it might seem. Also, for some well-resourced tenants the opportunity furthered their ambition to become independent landowners.

Opposition to this measure on the part of the small landlords was understandable; *madäria* landholders in particular became threatened and alarmed by this development. Their response to was to carry out land re-registration, so that any speculation about granting land rights to tenants would be clarified. When land re-registration was initiated by the landlords in Mechele tension reached new heights.⁷⁸ Tenants were asked to fill in a form which involved stating the names of their landlords. This was seen by them as a move to strengthen the power of the *balärests*.⁷⁹ They felt that once they had formally accepted that the land belonged to the landlord, he/she would have the right to evict them whenever there was disagreement. This might seem an insufficient reason for tenants to rise against landlords, since they had already been recognised as such, but the tenants felt that if they collaborated with landlords and allowed the re-registration process without objection, their chances of becoming independent landowners would become more remote than ever.⁸⁰ Therefore, according to the views of some informants, the land assessment and re-registration exercise in Mechele, prompted by actions within the *gult* of the Princess Tänaññä Wärq, was designed as a tough and adversarial response to the tenants.⁸¹

⁷⁸ Interview with Morkäte Jarsso, Andida, 28 April 1999.

⁷⁹ Interview with Täqäbo Shota, Sisota, 29 April 1999.

⁸⁰ Interview with Bädessa Rufö, Grissa, Č'äbiča, 9 July 2004.

⁸¹ Peasants' aspiration to become landowners in their own right is a highly motivating factor as shown by a number of African case studies. Witness for example the case of the Zimbabwean peasants and how the issue of recovering their lost land from the whites was very

Rather than waiting to see the outcome of the re-registration process, the tenants were galvanised to put up as much resistance as possible. Both sides were now poised for a more intense and organised dispute. The tenant population, both within and outside the *gult* of Tānaññā Wārḳ began to consider waging a more consolidated struggle, though not at the local government offices. This was because they felt that, as landlords and local officials had so much power, the only way to challenge them was to send delegates to Addis Ababa, preferably presenting their grievances directly to the Emperor himself. Representatives were selected and sent to present their case at both the regional office at Yirgalem and at Addis Ababa.⁸²

However, the tenants' bypassing of the local authorities did not bring the desired results, and was in fact damaging to their cause. Despite the positive responses the tenants received from the Emperor, the landlords, who had relationships and a great deal of common interest with local government officials, were perfectly aware of how the system worked. In addition, they knew that they were capable of inflicting more damage than the tenants had anticipated. The tenants' hopes were dashed when representatives who had been sent to present their grievances to the higher authorities at Yirga Alām against what they called the injustice of local officials were imprisoned. Although the group which was sent to Addis Ababa managed to gain some sympathy, it was far short of what they had hoped to achieve. The authorities from Addis Ababa, as expected, sent

central to their struggle both before and after Independence. T. O. Ranger, *Peasant Consciousness and Guerilla War in Zimbabwe: A Comparative Study* (Oxford: James Currey, 1985), 284-288; Interview with Tāqābo Shota, Sisota, 29 April 1999; Morkāte Jarsso, Andida, 28 April 1999, and Bādesse Rufo, Grissa, Č'ābiča, 9 July 2004.

⁸² Getnet, "The Peasant Rising", 30.

letters to officials in Dilla, which helped the tenants to free their imprisoned colleagues. In terms of their demands however nothing changed or improved.

The lack of progress for the tenants and the painful slowness of the bureaucratic system can be demonstrated by looking at the following letter written ten years after Gäbrä Hiwot's letter quoted above but concerning the same issue. *Däjjazmach* Bäqälä Bāyānā, who was the parliamentary representative for the Sidamo region, wrote this and many other letters after being inundated with similar complaints from the *Rest* Office of Tānañña Wārḳ under the secretary of Gäbrä Hiwot. *Däjjazmach* Bäqälä's letter was written on 7th of October 1959, five months before the outbreak of the Mechele crisis.⁸³

Reference: 576/2165

Mäskäräm 26, [19]52 E.C. [October 7, 1959]

To the High Court of Sidamo
Yirga Alām

Regarding the dispute between Princess Tānañña Wārḳ Haile Sellassie and the *madäria* land holders, the dispute is now being arbitrated by the Office of the Prime Minster for a final decision. In spite of that it is known that the *madäria* land holders have been accusing tenants who reside on the land of non-payment of *erbo* at various courts. Case files concerning the tenants should now be closed and passed to the Office of the Prime Minster. To that effect the letter I wrote you, reference number 4964/3/h, has not been enforced. We passed an order on Mäskäräm 6, 1952 E.C. [September 17, 1959] with reference 3/52 in respect of the many written reminders which we have been receiving on a regular basis from the Property Office of Princess Tānañña Wārḳ Haile Sellassie. In spite of that nothing has been done for them.

It was inappropriate to hear of the court dispute of the *madäria* land holders which resulted in delays and imprisonment of the tenants. Therefore I repeat that I am notifying you that if there are still case files about the tenants, they should be closed, as per the previous order, and referred to the Prime Minster's Office where the main dispute is being considered.

⁸³ DAAA, 60/52 (Dilla, 1952 E.C.).

With regards!

Däjažmach Bäqälä Bāyānä
Endärassie [Parliamentary Representative]

As this letter shows, the *madäria* land holders continued to harass their tenants in court despite the fact that it was illegal to do so, and the tenants' hope of gaining anything positive from the legal process looked increasingly bleak.

The realisation on the part of the peasants that the legal route would not bring about the changes they wanted meant that they had to pursue alternative means to make their demands heard. Nevertheless, what is important to emphasise here is that at this stage they were not contemplating violent methods of pursuing their aims but rather were actively discussing what possible forms of resistance to offer when their landlords came to carry out the land measurement exercise.⁸⁴ By taking collective action, the tenants felt that they would attract the support of higher officials so that their demands would be recognised and met.⁸⁵

Already frustrated by the whole process, the tenants decided to escalate the crisis by forbidding the *balärests* or their agents from entering their farms to carry out an assessment of the *erbo* due to them. They were hoping that a crisis would force the government to convince the landlords that tenants should be allowed to purchase the land which they had been cultivating for long time. This shows that the tenants were not interested in restoring the old order but wanted more security and property ownership rights, bringing to an end their plight as insecure tenants. The peasants demonstrated prudence and shrewdness when presenting their demands to the government officials. They clearly stated what they wanted and

⁸⁴ Interview with *Hayicha* Dänbela Abe, Andida, 30 April 1999.

⁸⁵ Interview with Gote Bädässe, Andida, 28 April 1999.

pointed out that their problem was not with the government but with the local landlords (*balärests*) and local government officials. These officials, most of whom were already involved in acquiring land by various means,⁸⁶ made the peasants' lives intolerable through their collaboration with the landlords.

From the tenants' perspective the legal means of bringing about change had failed. The next step was to choose the right time to create the kind of crisis they hoped would help them get heard in Addis Ababa. The only time that the *balärests* were motivated to come to their villages was during harvest time when the coffee beans were about to be collected from the farm and they wished to assess the harvest to determine the amount of *erbo* owed to them. The tenants chose this particular time to orchestrate a crisis.⁸⁷ Their plan was to harvest coffee beans without first notifying their respective *balärests*. This was a major breach of the well established tenant-*balärest* agreement. Normally assessment was made in the presence of representatives from both sides, and a local official might also come if the two had had a history of disagreement.⁸⁸ This procedure had evolved due to a long-standing lack of trust between the two sides. By violating this arrangement, the tenants sent a clear message to the *balärests*.

The tenants were perfectly aware that this would cause upset and show the *balärests* that the tenants were determined to confront them. They were not reckless though and they took precautions to minimise the possible risks. They decided to harvest the coffee beans at night, under the cover of darkness, so that a violent confrontation would be difficult for the *balärests*, if not totally impossible. The tenants felt that harvesting the coffee beans in darkness would be safe and

⁸⁶ DAAA, 60/52 (Dilla, 1952 E.C.).

⁸⁷ Interview with Täqäbo Shota, Sisota, 29 April 1999.

⁸⁸ See chapter four for more details about *erbo* assessment.

that it would be difficult for the *balärests* to stop them as they would have to come from Dilla. This demonstration of caution shows that the peasants knew their limitations, as well as the power of their enemy. In addition, they planned that each farm would be harvested separately and that instead of using only family labour, as was usually the case, they would join forces for mutual protection.⁸⁹ They drew up a timetable arranging when the beans of each of the tenants involved in the uprising would be harvested. This way if *balärests* came to the farm the tenants would have the support of the group rather than having to confront them in isolation. In addition, since a large number of tenants took part in the harvest, the task could be accomplished more quickly. In general the tenants appeared to have made as much preparation as they possibly could to deal with unexpected eventualities, although it was difficult for them to anticipate exactly what reaction they would provoke in the *balärests*.

Lap'iso has suggested that the reason the tenants rebelled at this time was that they had greater access to guns than previously.⁹⁰ According to this theory, sale of coffee provided cash that enabled the peasants to purchase firearms easily, from which they gained the courage to confront their oppressors. This is far from convincing however. Possessing firearms does not necessarily initiate rebellion, as is clearly shown both from the incident in Gedeo and other parts of Ethiopia. Here peasant uprisings arose due to many other complex factors, and peasants rebelled whether or not they had access to guns provided other conditions leading to an uprising were in place. In Gedeo some ambitious peasants might have acquired guns but there is no real evidence that they did this in direct preparation for a

⁸⁹ Interview with Morkäte Jarsso, Andida, 28 April 1999.

⁹⁰ Lap'iso, *Yäetyop'ya*, 175.

crisis. The role firearms played has been highly exaggerated. Informants pointed out that although a few tenants had bought guns, guns did not play a major role during the confrontation and that whatever guns had been acquired were no match for the firepower of the landlords when violence broke out.⁹¹

The importance of firearms as a symbol of power from the landlords' perspective should not be underestimated however. It should be remembered that most of the landlords were *näft'äññis* or had connections in some way to this institution (*näft'äñña*). They therefore may well have been familiar with the use of guns, especially in the context of their relationship with tenants. In fact, even in their day-to-day relationships with their tenants the landlords had never fully relied on the government to protect their interests. They used their guns to intimidate whenever tenants refused or failed to fulfil their obligations.⁹² The landlords were familiar with the concept of taking the law into their own hands, and therefore when the actual confrontation happened they were quick to use their firepower against the poorly armed and ill-prepared tenants. Unlike on previous occasions however, this time many tenants with similar demands had joined forces and were organised and determined, making them more of a threat to the landlords, whom they also greatly outnumbered.

The landlords, notorious for their arrogance towards their tenants, refused to countenance the thought that tenants might have the ability to act against them in a well-disciplined and collective manner. When the rural area became increasingly dangerous the landlords decided to focus on the core areas of the

⁹¹ Interview with Täqäbo Shota, Sisota, 29 April 1999; and Bädesse Rufo, Grissa, Č'äbiča, 9 July 2004.

⁹² As one example in chapter 4 illustrates, due to the lack of efficiency on the part of the court there were occasions when the *balärests* used their armed retainers to subdue rebellious tenants.

rebellion, Dama and Mechele. Since these two localities are within a short distance from Dilla town, reports soon began arriving about the activities of the tenants. Accordingly, the landlords in Dilla town began to discuss what action they should take to stop the situation slipping out of their control.

As they had planned the tenants began harvesting the ripe coffee beans from their farms without notifying their respective landlords. As this was a major violation of their tenancy agreements, it was sufficient to trigger the crisis. The first incident happened on the night of 5th of February 1960 when a group of 60-90⁹³ tenants gathered at the farm of a man called Guja Gurarcha to carry out their clandestine harvesting task. The landlord of the farm where this activity took place was named Bāqälä Gäda. An informer leaked the information to his son that the tenants had started to harvest the coffee secretly. As soon as he received this information Bāqälä Gäda passed it to fellow landlords in Dilla town and other nearby areas. A group of armed landlords decided to take immediate action against what they called an illegal action by their tenants. They marched to Andida in Mechele around midnight, where they found that a sizeable number of tenants from the local area were picking coffee beans at the farm. A landlord began to exchange angry words with the tenants and, according to informants, received an unexpected reply. He asked a tenant "How dare you to harvest the coffee from the *rest* of Bāqälä Gäda without my knowledge?" To which the tenant replied "The land is mine and the coffee is the fruit of my labour. Therefore I have the right to harvest it without telling anybody." This man, who came forward to confront the *balärests*, was killed instantly by a bullet fired by the landlord.

⁹³ There is no accurate data regarding the number of people who lost their lives on either side. Estimates vary from one informant to another. According to *Hayicha* Dänbela the number of tenants who died was 84, while 4 or 5 landlords were killed. Interview with *Hayicha* Dänbela Abe, Andida, 30 April 1999.

Informants said that his name was Gabyhu. He is still remembered among the local people as the hero of the Mechele uprising.⁹⁴

The violence continued for some time, until it became obvious to the rebel tenants from the damage sustained on them that their preparations had been inadequate to withstand the scale of response shown by the landlords. The landlords had many advantages over the tenants. Apart from the advantage conferred by their own weapons, they had also managed to gain the support of the government security forces as the tenants' action was immediately classified as illegal.⁹⁵ The tenants were held responsible for what had happened and regarded as criminals. Their effort to carry on fighting the landlords was a last attempt to express their desperation. It was an unequal confrontation, which was easily quashed by the combined firepower from landlords and the intervening government forces. In addition, the Mechele landlords had been supported by fellow landlords from areas where there was no crisis, but who had doubtless sensed that a similar situation might arise in their own backyards. The sympathisers came from areas within Gedeo such as Bulé, Wānago, and Yirga Č'āfe and also from distant places such as Shashāmāne, Yirga Alām, Alāta Wāndo, Č'alālāqetu, and Hagārā Maryam to fight in support of the Mechele landlords. As a result the Mechele and Dama tenants' uprising was over in a matter of days.⁹⁶

⁹⁴ Interview with Gote Bādāsse, Andida, 28 April 1999; and Tāqābo Shota, Sisota, 29 April 1999.

⁹⁵ Eric R. Wolf, *Peasants* (Englewood Cliffs (USA): Prentice-Hall, 1966), 106-109.

⁹⁶ Interview with Bora Hessa, Grissa, 13 July 2004.

The suppression and settlement of the crisis

The rebellion was short-lived and the final engagement lasted no more than three hours. The government was involved in the conflict in two different capacities, firstly in using its security forces to suppress the rebellion, and secondly in attempting to find a long-term solution to the problem. Compared with other peasant rebellions which took place in other parts of Ethiopia during the same period, the Gedeo peasant uprising did not raise any major concerns for the government, even though the level of destruction of life and property was considerable. The next task facing the authorities was to assess the damage and to determine where responsibility for the crisis lay. By doing this, the government had already made its position clear, i.e. that it regarded the conflict as a local problem between tenants and landlords and that therefore a solution should be sought in accord with this fact. The government also felt that this crisis had not been due to its own failure to address the issue before it got out of hand; rather it was the result of a particular land distribution policy, namely the introduction of *qäläd*, which had taken place much earlier.

Immediately after the rebellion was quashed, the government established a task force with the objective of studying the root causes of the problem and providing a solution, which would address demands from the tenants and avert future conflict.⁹⁷ The task force was led by an important government official, *Afä-negus* (lit. mouth of the king) Eshäte Gäda, who was delegated by the Emperor himself.⁹⁸ Although Eshäte Gäda's immediate task was to stabilise the situation, by the time he arrived in Dilla the destruction of rural villages and lives had

⁹⁷ For similar approach by the government in other peasant uprisings in Ethiopia see Gebru, *Power and Protest*, 180-193.

⁹⁸ Interview with *Hayicha Dänbela Abe*, Andida, 30 April 1999.

already reached huge proportions. His orders did however bring the violence to an immediate end. In addition to the destruction caused by government security forces and the landlords, villages which had not even taken part in the rebellion were sacked and looted by hooligans from nearby Dilla town. The peasants suffered indiscriminately and severely.⁹⁹

The task force started its work by assessing the scale of the damage in terms of both human life and property. Although there were conflicting figures the number of peasants killed by both government forces and the landlords was certainly over 100. No statistics were gathered as to how many people were wounded, either severely or slightly. The most visible consequence of the destruction was that peasants whose homes and property had been destroyed flocked to Dilla in the hope of getting government aid as well as help from the urban residents.¹⁰⁰

The task force started its work by announcing that the peasants should go back to their villages and resume normal life. In addition, an amnesty was granted to those who were still in rebellion and in hiding, since continuing to hunt them down would gain them sympathy from other tenants which eventually might lead to the uprising spreading to other parts of Gedeo. The taskforce's approach in this regard worked very well and as a result most tenants capitulated and agreed to present their demands once again through the legal channels. The taskforce imposed the condition that both sides have legal representatives so that their issues could be handled in a fair and transparent manner. Accordingly, the tenants appointed a man called *Ato Bälay Wäldä Kidan* and the landlords were

⁹⁹ Interview with Morkäte Jarsso, Andida, 28 April 1999.

¹⁰⁰ Interview with T'äqäbo Shota, Sisota, 29 April 1999.

represented by *Ato Taddässä Dilnäsahu*. Both sides were asked to present their account of the events which had led to the conflict and the particular demands that they wished the government to address.

Some informants also recalled that a traditional mediation effort was also launched in tandem to the legal one. In this informal reconciliation attempt both sides were required to send representatives. According to the informant the representatives were selected along ethnic lines, i.e. Gedeos (tenants) and the Amhara (landlords). In addition, both sides agreed that some input was necessary from another neutral ethnic group. Gurage representatives agreed to take part for this purpose.¹⁰¹

The objective of the mediation was to try to heal the wounds caused by the conflict. Both sides agreed to try to make some changes so that the established landlord-tenant relationship could resume as normal without conflict. The tenants' representatives asked the landlords to lift some of the burdens on the tenants. Tenants particularly wanted landlords to stop charging them what was known as *yä'leza margäfia*, a nominal fee which tenants were normally requested to pay to the assessors when they entered in their farm to calculate the *erbo*.¹⁰² In addition, the tenants also demanded that landlords should limit the amount of free labour services they required from them, and they proposed that the landlords should abolish practices such as using them for building work. However the mediation effort did not achieve much, mainly because the tenants also proposed a number of other changes which the landlords did not wish to address. For instance, among the issues which caused a major rift was a demand from the tenants that, since

¹⁰¹ Interview with *Hayicha Dänbela Abe*, Andida, 30 April 1999; and *Jibicho Gälano*, Dama, 30 April 1999.

¹⁰² Interview with *Gote Bädässé*, Andida, 28 April 1999; and *Morkäte Jarsso*, Andida, 28 April 1999.

they were the ones who had suffered more damage in the conflict, the landlords should pardon them *erbo* payments for four years. This was immediately dismissed by the landlords, who felt that if they granted such a concession the tenants might never pay *erbo* again in the future. The mediation effort collapsed over such disagreements. The only option left was to await the outcome of the legal process.¹⁰³

Following the rebellion, the task force started its main work by gathering vital information about Mechele and Dama, focusing especially on the landlords of these two areas. All landlords were asked to give information about their land holdings. The task force felt that by studying the history of land tenure systems in the areas where conflict had occurred they could understand the root cause of the problem. They also felt that such an approach would help them to provide a better blueprint for future decision making. The document produced by the task force contained valuable information about the nature of land tenure in those particular areas. The information gathered contained the following key data: the *balabat* of the *rest*, the *balärest*, the type of tenure, the date of the first occupation, and evidence which showed that the land belonged to that person (most people produced their tax receipts as evidence of land ownership). This provided an information resource containing names of hundreds of landlords in the area, most of whom were affected by the uprising.¹⁰⁴

This piece of evidence clearly shows the nature of land tenure (*yätiklue aynät*). Entries were either *madäria* or *rest* and no other form of tenure was mentioned.¹⁰⁵ In addition there was another crucial column in which the holders of

¹⁰³ Interview with *Hayicha* Danbala Abe, December 25, 1996.

¹⁰⁴ DAAA, 60/52 (Dilla, 1952 E.C.).

the land had to declare from where it had originally been obtained. (This reveals that the government did not have a centralised record system for land ownership, making it is hardly surprising that land had always been the subject of controversy and disputes.) Nearly 75 percent of the registered landlords declared that their land was originally given to them by *Däjäžmach* Balcha, while a few claimed that they had been given to them by *Ras* Däseta. The rest claimed that they had inherited from their parents; these were second generation landlords, as some of them indicated that the land had been originally given by to their parents by Balcha.¹⁰⁶ Landlords were also asked to state the year in which they had acquired their land; in this respect the information shows a great deal of variation. The earliest date given was 1902 E.C. (1910) but the most common year was 1909 E.C. (1917). This tallies very well with two important events in the history of Gedeo, the years for the introduction of *qälad* and also of the governorship of Balcha who was the chief architect of *qälad* in Gedeo.¹⁰⁷

Another aspect of the register was that each of the registered *balärests* was asked about the size of their land, in *gasha* units of measurement. Out of approximately 200 *balärests*, about six individuals owned 2 *gashas* of land. More than 80 percent owned only one *gasha* and a few *balärests* owned less than one *gasha* of land.¹⁰⁸

After registering all the landlords of the area, the next duty of the task force was to assess the scale of destruction. Each tenant household named their

¹⁰⁵ Interview with Worera Č'umburo, Shegädo, 6 July, 2004.

¹⁰⁶ Interview with T'äqäbo Shota, Sisota, 29 April 1999.

¹⁰⁷ DAAA, 60/52 (Dilla, 1952 E.C.).

¹⁰⁸ DAAA, 60/52 (Dilla, 1952 E.C.).

landlord. Then the task force imposed what they believed was a proportionate penalty on both landlords and *haychas* (i.e. office holders; the title is traditional) according to the degree of their involvement in the conflict. It is evident from the size of the fines imposed on landlords, as well as what was stated by the task force, that the landlords were held responsible for escalating the crisis and that their violence against the tenants was felt to have been disproportionate. However, they were not held individually responsible. Rather, the penalties were levied equally without any attempt to identify individual culpability. The logic was very crude and the payment was 1000 *birr* from each landlord on whose land destruction occurred no matter the number of people killed or houses burnt. It was paid to the government as a penalty. Landlords were not individually questioned as to what sort of role they had played in the conflict, but were all made equally responsible.¹⁰⁹

Since the tenants were the ones who had suffered the greater loss, both materially as well as in terms of human life, additional penalties were not imposed on them. Tenants were not regarded as being liable for any of the action they had taken, but the *haychas* were forced to carry the blame. Each *haycha* was made to pay 500 *birr*. The *haychas* were made responsible in accordance with the number of deaths caused and houses burnt. The task force justified their making the *haychas* responsible for the action of tenants by stating that it was that within their power to prevent and forbid tenants from taking part in such a violent uprising. This was rather unfair, because there was no evidence to show that they had played a role in the crisis; it was another blatant example of shifting the blame.¹¹⁰

¹⁰⁹ Interview with Banjaw Kassa, Andida, 30 April 1999.

¹¹⁰ The *haycha* had no power to stop tenants taking action because even before the incorporation this office did not have any executive power. As one *haycha* said, his title was purely

All the *haychas* within the *restä gult* of Princess Tänaññä Wärrq were made responsible at the beginning, but later some of the *haychas* of villages not destroyed appealed against the indiscriminate decision of the committee. However, due to the involvement of a large group of people in the insurrection it was impossible for the government to charge individuals separately according to their personal level of involvement.¹¹¹

In its final phase the task force examined the causes of the uprising and the demands presented by the peasants. The tenants did not change their demands but reiterated them to the task force, saying that their problem was the oppression of the landlords, and that they wished to own the land they had been cultivating for years and to pay taxes directly to the government. The task force reached the conclusion that the main source of the problem was land shortage rather than exploitation or the landlords. It produced the proposal that, in order to avoid future crises, the best solution would be to devise a resettlement scheme in an area where land was abundant. According to this proposal, tenants who were willing to leave their home areas would be given a generous amount of land. As a result of this they could achieve their dream of being independent landlords in their own right. The government chose not to challenge the landlords (*balärests*) who were powerful and had close connections with the hierarchy.

Although the tenants had been defeated, their action had at least prompted the government to find a solution to the crisis. The government wanted to resolve the crisis by finding a solution which would offend neither side. In this spirit the

traditional, and the only benefit he had as a *haycha* was to be offered free coffee when he passed through the villages. Interview with *Hayicha* Dänbela Abe, Andida, 30 April 1999.

¹¹¹ For instance the *haycha* Shalo Godana was penalised 500 *birr*, as were the other *haychas* where destruction had been caused due to the uprising, but he was later pardoned after he successfully appealed against the decision when it was discovered that the village for which he was responsible had not been affected by the conflict.

tenants were told that the government would not issue a new law which would allow them to take over land from their landlords, but rather would be urged to accept the task force's proposal. Informants claimed that the proposal originated from the Emperor himself. It was sent in the form of a personal message to the tenants; "I will give half a *gasha* of land to each of you in Hagärä Maryam which you can settle and cultivate, so that you can be *balärests*, like the *Agämjas* (people from Agämja, Balcha's place of origin) who were given land by Balcha; likewise you can proudly say that we have been given land by Haile Sellassie". My informants recalled that about 500 *gashas* of uncultivated land was allocated for resettlement by the victims of the Mechele and Dama uprising.¹¹²

The resettlement was not welcomed initially, because it was not in the interest of the Gedeos to relocate.¹¹³ It had been proposed by the government as a solution to the crisis, but the tenants had never been consulted as to whether such an option was acceptable or viable. It was difficult for them to accept a compromise solution that had never been part of their initial demands. It can therefore be said that there were fundamental differences between the way the government and the peasants viewed the crisis. Since the peasants who protested against the *balärests* had not identified their problems as being related to land scarcity, the proposal seemed alien and unrelated to their concerns. There was a great deal of ambivalence about this offer on the part of the tenants and the differing views about the origins and resolution of the crisis made the implementation even more problematic. The desire to own a large piece of land

¹¹² Interview with Jägo Jilo, Grissa, 22 July 2004; Bora Héssa, Grissa, 13 July 2004 and Morkäte Jarso, Andida, 28 April 1999. For a discussion of resettlement programme from the perspective of settlers see Alula Pankhurst, *Resettlement and Famine in Ethiopia: The Villagers' Experience* (Manchester: Manchester U.P., 1992), 18.

¹¹³ Cohen and Dov Weintraub, *Land and Peasants*, 58-61.

and to be independent was an obvious attraction,¹¹⁴ but the decision to move to a place where there had been no previous history of Gedeo settlement was a very difficult one to take. Informants told me that the tenants were given the chance to make their own decision and that if they felt ready to leave, they could go to the *Awraja Gizat* Office at Dilla to fill in a form and await authorisation. In order to encourage more people to opt for resettlement the government added some incentives, such as allowing them to keep their households in Gedeo as a second home.¹¹⁵

However, settlers who opted for resettlement soon began to express their disappointment with the manner in which the scheme was handled. Above all they felt that what the government had promised failed to materialise. They blamed the officials in charge of the scheme. Some said that after voluntarily choosing resettlement, they were forced to return home because they were given land unsuitable for farming.¹¹⁶ Despite reluctance on the part of the peasants to take part in the scheme, a sizeable number of people finally decided to settle in the new areas.¹¹⁷ Ironically, my interviews with the peasants revealed that in retrospect they felt the scheme had been generally successful, and they admitted that had it not been for a programme of this kind Gedeo would by now be inundated with inhabitants. As one informant said, Gedeo by now would have been overwhelmed by a population surge and finding a place to farm or even burial spaces for the

¹¹⁴ Interview with Ararso T'arro, Mechele, 16 December 1999. This informant also told me that other tenants from Mechele who did not take part in the conflict but who wanted to resettle in Agärämaryam were given the same opportunities as tenants who had been directly affected by the conflict.

¹¹⁵ Interview with Jägo Jilo, Grissa, 22 July 2004; Worera Č'umburo, Shegädo, 6 July, 2004; and T'äqäbo Shota, Sisota, 29 April 1999.

¹¹⁶ Interview with Shalo Dube, Shegädo, 6 July, 2004.

¹¹⁷ Interview with Bädessa Rufo, Grissa, Č'äbiča, 9 July 2004.

dead would be a serious challenge. Many other peasants are currently buying land in this area because they are concerned about the future of their children on account of the intense competition for land in Gedeo.¹¹⁸ From what peasants are beginning to observe with regard to their ecology, this concern appears to be well founded. Although not as seriously threatened as neighbouring territories such as the Guji Oromos, Gedeo, which has never before been vulnerable to natural calamities such as drought and famine, now shows increasingly signs of fragility.

The current government has initiated a new round of resettlement for the Gedeo peasants, whom they believe cannot be helped except by providing land elsewhere, to alleviate continuing land shortage. The current programme has been less successful because although people are no longer strongly against resettlement programmes as they were previously, the peasants were not consulted. Under the new proposals peasants have been also asked to settle in areas where there was no history of previous Gedeo settlement.¹¹⁹ According to one informant, if the current resettlement scheme had been in Agärä Maryam, where a sizeable and successful Gedeo community already existed, there would be huge demand, so much so in fact that the government might not be able to satisfy it.¹²⁰

¹¹⁸ Interview with Täfara Ayiše, Grissa, 14 July 2004; and Alāmayāhu Bāqāte, Grissa, 15 July 2004.

¹¹⁹ This was one of the consequences of the ethnic boundary drawn by the then government in 1991. According to the new scheme as people of Southern Nations and Nationalities Peoples Administration (SNNPA) the Gedeo were not allowed to settle on the land which belonged to the Oromos. Consequently any land which could be given to the landless Gedeos had to be found within the boundaries of SNNPA. Ironically, a great deal of Gedeos are still purchasing land in the Oromya region where the 1960s settlement of Gedeos has been successful.

¹²⁰ Interview with Bägäjo Bonja, Č'i š'u, 28 November 1999.

Conclusion

Based on my reading of the source materials and from the reminiscences of peasants who participated in the movement, at the outset the Mechele peasant protest was not intended to be violent. The peasants' goal was very clear: they wanted the government to intervene and take action. However, all efforts made to have their grievances redressed by officials were to no avail. Local officials, who had a vested interest in safeguarding their own livelihoods and those of people in similar situations thwarted every one of the tenants' efforts. Although the higher officials in Addis Ababa showed sympathy and an understanding of the peasants' demands, they were nevertheless unable to enforce their orders. Although it is clear that the system was slow and inefficient, officials never anticipated that this would have such grave long-term consequences. Thus, the problem had been brewing for many years. Failure on the part of the system to address this clearly contributed to the crisis.

Judging from the issues raised by the protestors both before and after the rebellion, it can be seen that the tenants had a large number of objectives, although it is doubtful whether they planned it this way from the start. Their major objective was to improve their lot by becoming landowners themselves. If everything went as planned these demands would have been met; however after the rebellion was crushed forcefully they knew that they had been overly ambitious, and were forced to compromise. Later they raised secondary demands when they were offered an opportunity to mediate with their enemy through a traditional mediation effort (*shimglena*) launched in parallel with the legal process. In their manifesto the tenants pointed out that it was possible to continue with their previous landlord-tenancy relationships by ameliorating at least some of its

bad practices, such as the nominal fee (*yäteza margäfia*). The mediation effort failed because the landlords felt that tenants' demands were excessive.

The landlords approached the crisis from a different perspective; they did not expect the level of violent reaction the tenants had shown, and when it happened they panicked. They had underestimated the peasant's organisational capabilities as well as their determination to confront their landlords openly; it was this misapprehension which turned a peaceful protest into a bloody confrontation. Although the tenants knew that the landlords were very pugnacious, they felt that by organising themselves they would improve their bargaining position and that this might yield some modest results if not all that they might wish for. They felt that by showing defiance and strength they would compel either the landlords or the government to do something about their demands.

The above is an attempt to examine the Mechele peasant uprising from the perspectives of the two best known theories of peasant rebellion. These theories were developed by examination of very different peasant uprisings in other parts of the world; the question arises as whether they can shed any light on the complex realities behind the peasant rebellion in Gedeo. As already indicated, however, the moral economy approach does not greatly help in understanding the Mechele peasant uprising in Gedeo. One of the serious weaknesses of this approach to understanding the Mechele rebellion is that it places great emphasis on the patron-client relationship. Although the relationship between tenants and landlords in Gedeo possessed some aspects of the patron-client relationship, the basic reality in Gedeo was different. The tenants never regarded the landlords as patrons and protectors; rather they wanted to be free of people they saw as parasites who simply exploited them.

For their part, the landlords in Gedeo showed no interest in their tenants' welfare. Moreover, they lacked the knowledge needed to support their tenants in maximizing production by offering input such as better seeds and fertilisers. This also affected relationships in a negative way. The inability of the landlords to actively participate in the production process made peasants feel that the landlords were nothing but exploiters. In reality, most of the landlords in Gedeo had no leverage either to influence the market or to invest in improving agriculture. From the tenants' viewpoint, if they severed their relationships with landlords, they would lose nothing; indeed their condition would be improved. There was nothing to bind them to their landlords; in Gedeo landlords had never even held occasional feasts to forge relationships and possibly create the feeling that the landlords would at least protect them in hard times.

Rural crises, whether from the collapse of the market or the onset of a famine, did not occur in the weeks before the uprising. Gedeo did not experience any kind of ecological shock or market crash which threatened to push the peasants' standard of living to below what might have been a minimum subsistence level according to the moral economy theory. Neither the state nor the landlords increased their basic demands from tenants either in the form of tax or land rent, which would have affected the livelihood of the tenants and their families. According to the moral economy proposition a subsistence crisis is the underlying factor in creating rural unrest, but this was not the case in Gedeo.

The political economy theory, by contrast, provides a more adequate explanation of the crisis created by the 1960 Mechele peasant rebellion in Gedeo. While not every factor suggested by this approach applies to the situation of the Gedeo peasants, some points are clearly applicable to their conditions. Firstly, the

peasants were rational and acted in the best interest of themselves and their families. The Mechele peasants acted to protect their interests by confronting the landlords. They acted rationally, initially trying all legal avenues to achieve their demands. In addition, the rebellion was in no way a spontaneous protest. The peasants made all possible preparations to minimise any violent eventualities, as they were fully aware of the nature of the enemy they were confronting and the potential force they might bring to bear.

At the time when the peasants of Mechele initiated their collective action against the local landlords, other places where a similar agrarian relationship existed remained indifferent. If exploitation explained the protests, it should have occurred in all of these places or at least have spread easily into those areas, as Gedeo is geographically small and communication was not a major problem. However the protest was localised even within Gedeo because, although the landlord-tenant relationship existed in most of the *qäläd* regions of Gedeo, the incident which triggered the Mechele protest was a circumstance peculiar to that area. This corroborates the theory advanced by the political economy approach. The peasants clearly demonstrated rationality and when they protested it was to protect their own individual and family interests rather than for sake of village or community.

Did the Mechele peasant uprising achieve anything? Important changes were made or at least attempted by the government, but it is difficult to say that any of these changes were direct consequences of the uprising. In addition, many attempted measures were blocked. For example, the government attempted to introduce a tenancy bill in parliament. This undoubtedly came about as a result of the growing pressure after several peasant uprisings had occurred across the

country during this period. However, the bill unsurprisingly was blocked as parliament was dominated by landlords.¹²¹

The resettlement scheme, which was initially accepted with great reluctance by the Gedeo peasants, was the most important, unintended, and unpredicted achievement of the uprising. It is now cherished in Gedeo as one of the best legacies of Emperor Haile Sellassie's regime. Eventually the 1974 revolution and subsequent land reform addressed the tenancy problems of peasants in most of Gedeo and indeed of many other peasant communities in the south of Ethiopia. However it remains debatable to what extent one can make a connection between a small and localised peasant protest in one of the southern "peripheries" of the country and the Revolution, which was largely an urban affair which started in Addis Ababa at the very centre of the empire.

¹²¹ Bahru, *A History of Modern Ethiopia*, 195; See also Cohen and Weintraub, *Land and Peasants*, 85.

Conclusion

It has been the premise of this dissertation that, in gaining an understanding of the nature of land and tenancy disputes, we acquire insights into the inner workings of communities such as that of the Gedeos. In fact, the picture one can gain by analysing dispute documents is clearer than that furnished by other kinds of historical sources. This is because both land and labour are crucial resources, central to the survival of any rural community. Hence, any problem which arose in association with these two issues was defended as vigorously as possible by deploying every type of evidence which was available to the disputants. The sources also have the added advantage of showing the complex nature of the land tenure system, the structure of power, how government institutions operated at grassroots level and how the resource allocation process was divisive. By utilising underused but crucial historical sources, this study has shown that there is an immense potential for further micro-level investigation which could serve as a cornerstone for theory formation.

Contention about land issues has had a very long history in this part of Ethiopia. We have seen how Gedeo has never been a land-abundant society; this has been the case not only in recent times, but also during the earlier period, and the history of Gedeo in general is characterised by the struggle for this crucial resource. When the Gedeo came under direct Ethiopian administration at the turn of the 19th century, the rivalry between the different clans over land reached its climax. The advent of the Ethiopian state increased pressure on the local communities because of the huge demand for more resources in order to support its large army in the area. Despite the strain which the incorporation posed on the

Gedeos, they managed to support the state and its functionaries, thanks mainly to their well developed system of agriculture.

The state imposed the *gäbbar* system with two major objectives in mind; to extract resources from the local people, and to administer them in its own way. However, it should be remembered that the state did not need to invent a different scheme of administration in the incorporated areas. Rather by recruiting and co-opting local elites it made many adaptations without disrupting the existing local power structure. Despite the crucial role the *gäbbar* institution played, existing knowledge about it and how it functioned was limited and one-sided. For example, the existing works fail to provide the reason why it was able to operate; the use of force alone is not sufficient to explain this. This dissertation has argued that the key to the success of the system was its recognition of the land rights of the Gedeo households. Since the government was not interested in controlling land at this stage it did not abolish *outiba*, which was the indigenous land tenure system of the Gedeos. This helped to reduce opposition against the government and thus enabled the state to extract resources which were of crucial importance for empire building and consolidation. Undoubtedly the system was coercive and burdensome for the Gedeo households upon which it was imposed forcefully. Its impact was enormous at individual household level, because the household economy whose principal function was to support its members had to generate extra resources to meet the demands of the state and its functionaries.

We have also discussed incorporation from the perspective of the local people, because the presence of a powerful and well-organised state did provide opportunities for some groups. Intra-clan as well as inter-ethnic conflicts were more damaging for smaller ethnic groups like the Gedeo than for the Gujis who

were larger and more powerful. Immediately before the incorporation the Gedeos had weakened themselves by internal clan warfare, and in addition, there was an increasing threat from their neighbours. Once the state made its presence felt in the region, clan warfare was significantly reduced. Some of the conflicts which continued after the incorporation, such as Sidama vs. Gedeo, were resolved with Balcha's successful intervention. He not only brought to an end the rivalry between the Gedeo and Sidama in the Lägädara River area but also decided that the river should serve as a common boundary between the two. Balcha's mediation, which was sealed with a traditional ceremony involving the slaughter of a large amount of cattle, produced one of the most enduring ethnic boundaries in the region and is still respected by both sides. The conflict along the Guji/Gedeo boundary was resolved in a different manner, whereby Balcha eliminated the contention by labelling that area undesignated land and subsequently imposing *qälad* on it.

The introduction of *qälad* was another issue which this dissertation addressed, because it is not only fundamental to understanding the history of Gedeo until the 1975 land reform, but also it provided an opportunity to challenge some of the existing assumptions. This dissertation has argued that, contrary to widely held views, the state did not involve itself in the wholesale nationalisation of land, as this would have had no advantages and would have galvanised opposition. The state's main objective was to provide economic security for its functionaries without damaging the existing economic and social fabric. Thus, it distributed land which it felt was undeveloped, uncultivated, and economically marginal to the local people before the area came under its direct control. From the Gedeo perspective, this land was the most natural direction of expansion and

perhaps the only breathing space which could satisfy their demand for land, as the core areas had become increasingly unable to contain the ever-growing population. When Balcha imposed *qäläd* he did so because he had no other means of rewarding and supporting his functionaries, and the only viable option available to him was to rely on the age-old practice of land granting. In addition, the *gäbbar* system had already reached its limits and was no longer able to fulfil the needs of the state and its dependents.

The imposition of *qäläd* gradually bred a feeling of alienation and eventually antagonism on the part of the local people. Disputes therefore became very common in Gedeo, in both the pre- and post-liberation period. The Gedeo elite opposed the regional governors, feeling that *qäläd* was not only inappropriate, but also being conducted without their consent. This was unlike the case of the *gäbbar* system, where their services were crucial for its successful introduction. Although the regional governors were able to force the imposition of *qäläd*, the impact of the struggle shaped local relationships until 1974. It was in this atmosphere of animosity and division that Ethiopia entered the most critical phase in her long history. When Haile Sellassie faced the threat of Italy in 1935 he led a more deeply divided people than Menilek did in 1896. This disunity suited the interests of Italy; the task of administering the south through the “divide and rule” principle was easier to achieve than in other areas of Ethiopia during the occupation.

The post-war era was the most formative period in the history of Gedeo. Many changes took place; there was also, however, a great deal of continuity, especially in relation to land tenure. The modernisation effort of Haile Sellassie acquired greater momentum during this period. A highly centralised bureaucratic

structure, which was controlled from the capital, enabled the state to generate more revenue than before. However, these changes did little to improve rural relationships which continued to deteriorate. Although the successful development of the coffee economy was a positive attribute of the period, on the negative side competition for the available land intensified, and as a result people used every available opportunity to gain access to this vital resource. The government mainly focused on extracting revenues and showed little interest in dealing with the question of land and tenancy problems.

Although land litigation had been an endemic problem in Ethiopia, as litigation could be started on the flimsiest of pretexts land ownership rights were highly insecure. By being able to access valuable documents, such as land tax receipts, easily and fraudulently, individuals managed to initiate litigation on spurious grounds. The prevalence of disputes hampered the smooth and straightforward transfer of property between individuals. Hence, the transfer of land through direct sale became difficult. This was why, rather than using sale as a medium of transfer between individuals, they tended to conduct their transactions as “inheritance” in the hope of avoiding litigation. Nevertheless, security of land ownership remained unattainable.

Despite its prevalence both in Gedeo and in many other parts of Ethiopia, the topic of land disputes has not been the subject of a thorough scholarly investigation. Scarcity of land has often been cited as a major cause of competition for land, but this nevertheless does not yield a complete explanation as to why land ownership has always been contentious. Even though this dissertation did not aspire to give an adequate answer to this question, it has been

possible, however, to indicate some of the areas which have the potential to provide some answers.

The main one is the question of property rights. Property rights in the Ethiopian context were defined broadly (*rest, outiba*), without clearly delineating the rights and responsibilities of the individual land holders. A number of grey areas were left, and the ambiguities created openings for manoeuvre and contention. The other problem was the presence of multiple forms of land tenure systems. This meant that the various indigenous land tenure systems were allowed to operate according to their own rules and principles. The government did not take any measures to simplify these complex systems, either through major land reform or other means; therefore, it was not adequately informed about the types of tenure systems which existed in the country or how they operated.

Landlord-tenant relationships were another difficult area. None of the government's measures addressed the issue in practical terms, and as a result, a highly polarised landlord-tenant relationship continued to be the norm. The tenancy bill the government attempted to introduce floundered in a parliament which was dominated by landlords. Therefore, tenancy relationships continued to be forged privately in uncontrolled and unregulated ways. The assumption has been made that the absence of written agreements were a major reason for the tenant's plight. This dissertation has shown however that this was not the case. Tenants who had written tenancy agreements were no better off than those who had not, as these agreements were not bilateral, but only drawn up to protect the interests of the landlord rather than the tenants.

The courts, which were re-organised as part of major bureaucratic reforms by the government in the post-war period, played a central role in land and

tenancy disputes. This dissertation has provided several examples of cases in the hope of illuminating how issues were dealt with legally as well as understanding the root causes of the problem. The litigation documents show that disputants were not discriminated against because of their social or economic status. In fact, a close look at the process of litigation shows that even the people who theoretically benefited (landlords) did not gain as much as assumed. This is particularly true in relation to the lack of effective enforcement of legal decision.

Ultimately the increasing insecurity of land ownership rights in the area of Mechele precipitated a major crisis. There were conflicting developments preceding the conflict. On the one hand, tenants were expecting to be free and independent landowners in their own right, like their counterparts in the *outiba* zone of Gedeo, because some tenants had been allowed to purchase the title from their landlord; this was done, for example, by some tenants within Tānaññä Wārq's *gult*. On the other hand, because of their own precarious existence, small landlords, especially *mädäria* land holders, attempted to tighten their grip on their land. Eventually a crisis erupted. The 1960 Mechele peasant uprising, which had started as a peaceful protest, was a watershed in the history of the highly polarised landlord-tenant relationship. The use of force by the landlords and the security forces precipitated a violent conclusion. Intervention by the government did not bring about a lasting solution, because the post-crisis period was even worse.

The rural land proclamation of March 1975 finally brought a halt to the conflict. By eliminating all pre-revolutionary land and tenancy court disputes, the land reform decree improved the status of tenants by allowing them to control the land which they had been cultivating for their former landlords. Future research may reveal what it achieved and what it failed to achieve because there is a

deficiency of information on how it was applied at ground level. However, there are already indications that the reform was far from complete. For example, it did not grant Gedeo women equal rights to own land, unlike their counterparts in northern Ethiopia. In addition, since land re-distribution did not occur as it had in many other places, some peasants in Gedeo ended up owning more land than others, which was contrary to one of the basic principles of the reform.

Despite these anomalies there is no doubt that the proclamation addressed many of the longstanding problems faced by the Gedeo peasants and many others in different parts of the country. The removal of landlords from the contested lands had solved one of their problems; however, it did not answer the other longstanding issue of Gedeo peasants, i.e. the need for more land.

Gedeo currently faces twin problems. One is an unprecedented population growth, and the other is ecological vulnerability. Population growth and the lack of access to new land mean that for the Gedeo, the opportunities the incorporation had created by the beginning of the 20th century are no longer available. The solution of extending the physical space to cater for Gedeo's growing population from land-scarce areas might not be easy, because ethnic boundaries have been less likely to be flexible since 1991. The 1997 incident between the Gedeos and Guji was the consequence of such an inflexible ethnic boundary. This not only resulted in the death of many Gedeos and the destruction of their property, far bigger than that caused by the 1960 uprising, but also damaged the history of an amicable coexistence between two previously peaceful neighbours, who had not had a history of violence, other than a few minor incidents. It appears that contention about land will remain for the foreseeable future, as most of the

measures taken so far have brought only temporary relief rather than lasting solutions.

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Butecha Biliqe, Sugale, 15 June 2004.
Dado Gälgälu, Grissa, 21 July 2004.
Däkäle Dogoma, Grissa, 14 July 2004.
Dämäro Šäbora, Sisota, 9 July 2004.
Dogola Dägoma, Č'äbicha, 9 July 2004.
Doye Biftu, Sisota, 24 July, 2004.
Etenäshe Alämayähu, Grissa, 18 July, 2004.
Fäyisa Bado, Mäkonissa, 18 June, 2004.
Galgalu Wasse, Grissa, 22 July 2004.
Gashu Bädasse, Grissa, 22 July 2004.
Gobäna Lätiti, Grissa, 15 July 2004.
Hirba Kälecha, Grissa, 14 July 2004.
Hirba Qorč'é, Grissa, 14 July 2004.
Jägo Jilo, Grissa, 22 July 2004.
Kole Soläle, Sugäle, 15 June 2004.
Maryam Fäläqä, Shaqua, 23 July 2004.
Mohammäd Nuer 29 June, 2004.
Oudo Bäqäte, Grissa, 15 July 2004.
Shalo Dube, Shegädo, 6 July, 2004.

Shao Robe, Qome, 30 June 2004.
Shät'ät'o Bäriso, Shegädo, 6 July, 2004.
Taddässä Jibicho, Sisota, 7 July, 2004.
T'éko Jäbo, Grissa, 16 July 2004.
Täfara Ayishe, Grissa, 14 July 2004.
Woke Bädo, Grissa, 14 July 2004.
Worera Č'umburo, Shegädo, 6 July, 2004.
Wudo Jibicho, Grissa, 21 July 2004.

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