



REFERENCE GUIDE

“Heirs to the same grace”

Women’s Land Rights from the perspective of Ethiopian Christianity

A guide on theology and tradition

2025

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Abbreviations

AU	African Union
BDPfA	Beijing Declaration and Platform for Action
CEDAW	Convention on the Elimination of All Forms of Discrimination Against Women
EECMY	Ethiopian Evangelical Church Mekane Yesus
EOTC	Ethiopian Orthodox Tewahedo Church
EPRLAUA	Environmental Protection, Rural Land Usage and Administration Agency
FDRE	Federal Democratic Republic of Ethiopia
GIZ	Deutsche Gesellschaft für Internationale Zusammenarbeit
IGAD	Intergovernmental Authority on Development
NRS	National Regional State
NWP	National Policy on Women
SNNRP	Southern Nations, Nationalities and Peoples Regional State
SWEPR	South West Ethiopia People Region
RLAUC	Rural Land Administration and Land Use Committees
UDHR	Universal Declaration of Human Rights
VGGTS	Voluntary Guidelines on the Responsible Governance of Tenure of Lands, Fisheries and Forests
WLR	Women Land Rights

1. Introduction

Despite strong provisions protecting women's land rights (WLR) in Ethiopian law at national and regional levels, as well as widespread joint titling, customary and social norms prevent many women from understanding and exercising rights of control over land, claiming and protecting rights to inheritance and marital property, and participating and leading equitably in land-related decision-making and land governance. Simultaneously, in a time of rapid modernisation, urbanisation and male out-migration, the traditional arguments for patrilocal and patrilineal land inheritance are no longer undisputed. Women have begun to challenge - covertly or overtly - the male dominance of land control. Therefore, there is a growing tension between the legal policies that aim to strengthen women's land rights in Ethiopia, the growing awareness of women about these rights, and the traditional community norms and the customary law, which in turn affects the social system, reaching even into marital relations.¹ How can this structural transformation happen in a way that leads to equality and cohesion rather than control and conflict?

Christian Churches could play an important role in this. By grounding WLR in Christian principles, they can contribute to fostering social acceptance and address barriers like the exclusion of women from customary law institutions. They are in the unique position to foster social change from within the communities, by harnessing Biblical teachings to transform attitudes and influence customary practices, narrowing the gap between federal law and community norms. This is why the Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ), inspired by a similar endeavour recently undertaken by the Intergovernmental Authority on Development (IGAD) on Islamic norms on WLR in the Somali Community², has granted funds to Landesa to systematically explore the potential of this approach. As partner Churches in this project, the Ethiopian Orthodox Tewahedo Church (EOTC) and the Ethiopian Evangelical Church of Mekane Yesus (EECMY) hold significant cultural sway in Ethiopia. EOTC membership is estimated at 43% of the Ethiopian population, concentrated in north-western Ethiopia and Addis Ababa. Evangelical Christians make up a further 23% of the population and are also influential in rural areas, particularly in western, southern and south-western Ethiopia, with EECMY being the single biggest Church. Engaging both the EOTC and the EECMY primarily at the local level, and in particular involving priests and pastors who have direct contact with the community, could provide allies for WLR. These church leaders are in a strategic position to influence and educate community members on the importance of gender justice in the context of land rights. They can also influence the interpretation and application of customary law, which is a major obstacle to women's access to and control over land.

This guide therefore reviews relevant provisions in the Bible and other global and local documents related to WLR, as well as empirical evidence from Tigray, SWEPR and Amhara regions. The aim of this guide is to map the different perspectives on WLR and related questions from the perspective of Ethiopian Christianity, as a basis to explore the potential of Church leaders to be advocates for the promotion and protection of these rights, and to influence the application of customary norms in their communities towards gender justice in relation to land.

1 Girma Hundessa. 2018. "Land Formalisation vs. Custom-based Property Relations in Ethiopia: Examining complexity of competing norms of property relations in Land in Oromia." Unpublished PhD Thesis: Addis Ababa University.

2 IGAD - 2024 - Reference Guide on Women's Land and Property Rights in the Somali Community

This document is based on a multi-faceted qualitative study with theologian experts nominated by the partner churches (EECMY and EOTC) and community members, that will be quoted in the following to exemplify certain arguments in their own words.

Our Information Gathering Methodology

After intensive preparatory desk study on Christianity and WLR, purposive sampling techniques were used to include church leaders with theological expertise from both EECMY and EOTC, as well as community members from different regional states. Both interviews and questionnaires were used to collect data in local languages from a total of 30 people. About 15 questionnaires were administered to national and regional church leaders from EECMY and EOTC based on their availability. In addition, 15 in-depth interviews were conducted with people from different categories (e.g. older men, youth and women) in Tigray, SWEPR and Amhara on the constraints related to WLR. Evidence from the study participants was triangulated to ensure the validity of the overall evidence. Data analysis was carried out using the thematic method based on questionnaire and interview notes and audio recordings. After a detailed description, the data were analysed according to the patterns and themes that emerged from the initial analysis. The results were evaluated in a 2-day validation workshop.

2. Women's Land Rights in Ethiopia

Land is a key resource that configures human relations. It is a valuable object of property and the basis for livelihood strategies - agro-pastoralism and agriculture. The way in which land is understood as property can vary depending on these livelihoods, actors' perceptions and the social organisation of society as a whole. Different levels of law (e.g. customary, religious, national) may set different terms of use and control for the same land. Different actors such as donors, policy makers, investors, and farmers may also have different understandings about the ontology of land, access to and control over a particular parcel. For example, among the Bench³ in south-western Ethiopia People's Region (SWEPR), land is deeply embedded in social structures such as the clan unit, which restrict WLR despite their legal right under state law. This means that women may have land rights recognised by state law, but customary practices and lack of enforcement limit their ability to benefit from the land. Of course, a body of Ethiopian laws (including the Constitution, Land Policy and Proclamations) recognize WLR, although in practice there has been a lack of enforcement. This section therefore examines the global, regional and national policy and legal frameworks, as well as customary regimes, that allow or deny WLR.

2.1. Global and Regional Policies and Legal Frameworks on Women's Land Rights

WLRs are human rights, similar to the right to life, work, education and development. Like other human rights, gender equality, including with regard to land, must be constantly fought for, protected and promoted. An important goal of gender equality is to effectively respect, protect and promote the human rights of both women and men and to take the necessary measures to enable all people, regardless of gender, to fully enjoy these rights. Gender equality is recognised as both a human right and smart economics - both essential for sustainable development and a pillar of social transformation.⁴ The promotion of human rights is a widely agreed goal and thus provides a useful rallying point for addressing violations of women's human rights, including gender-based violence and WLR. Several international and regional frameworks explicitly protect women's land rights, including several frameworks adopted and ratified by the Government of Ethiopia.

A. Global Frameworks

The Universal Declaration of Human Rights (UDHR): Adopted by the United Nations General Assembly in 1948, Article 17 of the UDHR recognized the right of everyone 'to own property alone as well as in association with others', and stipulates that 'no one shall be arbitrarily deprived of his (her) property'. The recognition of the right under the UDHR has influenced subsequent developments in human rights that have impacted WLR at several levels.

Convention on Economic, Social, and Cultural Rights (CESCR): This Convention guarantees several core human rights related to land, including rights to food, housing, an adequate standard of living,

3 The "Bench" are an ethnic group that largely inhabit the Bench Shako zone of the South West Ethiopia People Region (SWEPR). Named after its people, Gidi Bench is a *woreda* (district) in the Bench Shako zone where the Ethiopian Evangelical Mekane Yesus (EECMY) has a stronger presence and dominance.

4 World Bank. 2012.

and cultural participation. It is under CESCR that we find the most detailed articulation of land and human rights, in General Comment No. 26. This General Comment declares that land should be understood as akin to a human right for people living in rural areas, given the inseparability of rights to land, food, housing, life, and other rights.

Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW): This Convention requires States to take necessary measures to ensure women's rights in property matters including land. Article 14 of the Convention calls for equal treatment of women in the context of agrarian reform. Article 15 of the Convention requires States to grant women equal rights in the conclusion of contracts and the administration of property and to treat them equally at all stages of proceedings before courts and tribunals. And Article 16 requires States to take measures to "eliminate discrimination against women in all matters relating to marriage and family relations" and to ensure that spouses have equal rights in the "ownership, acquisition, administration, enjoyment and disposition of property".

Beijing Declaration and Platform for Action (BDPfA): BDPfA calls for the promotion of women's equal access to and control over productive resources, including land. It also serves as a benchmark for assessing the status of women and governments' efforts to support women's empowerment.

The Voluntary Guidelines on the Responsible Governance of Tenure of Lands, Fisheries and Forests (VGGTS): The VGGTS reaffirm the principle of gender equality and call on states to "ensure that women and girls have equal tenure rights and access to land." The guidelines also provide that indigenous peoples and other communities with customary tenure systems who exercise self-governance over land, fisheries and forests should promote and provide equitable, secure and sustainable rights to these resources, with particular attention to ensuring equitable access for women. The effective participation of all members, men, women and youth, in decisions concerning their tenure systems should be promoted through their local or traditional institutions, including in the case of collective tenure systems.⁵

B. Regional Instruments

Regional human rights instruments offer an explicit and enforceable regime of protection of property rights. The African Union (AU) has developed several policies that promote inclusive land tenure and use in relation to WLR.

The African Charter on Human and Peoples' Rights (Banjul Charter, 1981): Article 14 of this Charter provides that the right to property shall be guaranteed and may be interfered with only in the interest of public need and in accordance with the provisions of appropriate laws. Article 18 of the Charter also requires the State to ensure the elimination of all forms of discrimination against women.

Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (Maputo Protocol, 2003): This Protocol requires state parties to enact laws that promote WLR. In particular, Article 19 states that the state must "promote women's access to and control over

⁵ IGAD - 2024 - Reference Guide on Women's Land and Property Rights in The Somali Community.

productive resources such as land". States must also ensure the participation of women at all levels in policy development and include a gender perspective in national development plans.

Declaration on Land Issues and Challenges in Africa (2009): This commits member states to implement policies and laws that promote equitable access to land and secure land tenure rights, including for women.

Agenda 2063: The Africa We Want (2013): This Agenda calls for the empowerment of women, including by ensuring their access to and control over productive resources such as land.

2.2. Domestic Legal and Policy Frameworks of Ethiopia

International and regional laws and policies have provided a framework for Ethiopia to develop and strengthen its law and policies to address gender inequalities in land rights. In this regard, Ethiopia is a party to most international and relevant regional human rights instruments, including the UDHR, CESC, CEDAW, and the African Charter on Human and Peoples' Rights. According to Article 9 (4) of the FDRE Constitution, all international treaties ratified by Ethiopia are an integral part of the law of the land. Below are brief overviews of important law, proclamations and policies that have direct relevance for WLR in rural Ethiopia.⁶

A. Policy and Law at Federal Level

National Policy on Women (NWP): The 1993 NWP was the first of its kind in Ethiopia to address various socio-economic, legal and cultural issues that constrain women. The policy document emphasised women's rights to own property and benefit from their labour, and promoted women's access to basic social services. The three main objectives of the NWP were: - to create the conditions for the acceleration of gender equality so that women can participate in the political, social and economic life of their country on an equal footing with men; - to create the necessary conditions for rural women to have access to basic social services and to ways and means of reducing their workload; and - to progressively eliminate prejudices and customary and other practices based on the idea of male supremacy and enable women to hold public office and participate in the decision-making process at all levels.

The Constitution: The 1995 Constitution of the Federal Democratic Republic of Ethiopia enshrined gender equality in the social, legal, economic and political spheres of Ethiopia. It stipulates, under its Article 34, that women have equal rights with men while entering into, during and after marriage. As per this provision, women have a right to get equal shares in the division of common properties, including common landholdings. With regard to the prohibition of discriminatory practices, Articles 35 (1) and 35 (7) of the Constitution on Women's Rights establish gender equality and also guarantee women's right to "acquire, administer, control, use and transfer property ... and to equal treatment in the inheritance of property".

⁶ Ethiopia's land tenure system presents many features; any proper understanding of the tenure system can be approached from three angles: 1) The regulatory regime: tenure is constitutionally/legally governed - while the workings of informal and customary systems also influence access to land; 2) The category of users: which features private holding, communal holding, and state holding; 3) Tenure duration: the periods of holding rights is defined differently concerning various classes of persons having landholding or lease holding.

Rural Land Administration Laws: An important piece of legislation for understanding WLR at the federal level in Ethiopia is the Federal Rural Land Administration and Land Use Proclamation.⁷ This proclamation emphasized the need for equitable access to land for women and men. It also introduced provisions for joint land certification for married couples. Article 5 of the proclamation established the cardinal principles in relation to the entitlement (acquisition and use) of rural land by different sections of the society. It reads:

- Any citizen of the country who is 18 years of age or above and wants to engage in agriculture for a living shall have the right to use rural land;
- Any holder of rural land shall be given a holding certificate prepared by the competent authority which indicates the size of land, land use type and cover, level of fertility and borders, as well as the rights and obligations of the holder.

Under the Proclamation, women are recognised as having the same land rights as men. They are guaranteed equal rights to acquire, use and control rural land in Ethiopia. The Proclamation also gives special attention to women, explicitly stating that “women who want to engage in agriculture shall have the right to get and use rural land.”⁸ The Proclamation also provides for the registration of rural landowners and the issuance of certificates in their names to protect their security of tenure. In cases where land is jointly held by spouses, the Proclamation provides for a certificate of holding to be issued in the name of both spouses. This shows that the Proclamation guarantees de jure women's security of tenure both during and after marriage and provides the legal basis for both spouses to be equally involved in a decision to transfer jointly held land.

However, the government has recently amended the previous Proclamation (No. 456/2005) in the Rural Land Administration and Use Proclamation (No. 1324/2024). Article 6 of this revised proclamation states: "Where one of the spouses does not have joint or private holding, he [she] shall have the right to access land, like any landless person. The land granted shall be registered as a private holding of such a person". Article 7 further clarifies that "Where the landholding is acquired during their marriage and both spouses do not have private holding, it will be registered as common property of both spouses". This actually allows women to get land from their in-laws for the land they were supposed to get when they were married.

Civil Code of 1960: Despite some of its pitfalls in protecting WLR, the Civil Code remains to be a core law governing private property. Article 652 states that property acquired during marriage is joint property of the spouses. Article 837 states that the sex of an heir shall not affect his rights of inheritance. There are, however, articles that limit WLR. For example, Article 641 states that "the common residence (after marriage) shall be chosen by the husband", while Article 842 declares that the children of the deceased shall be the first to inherit land, thereby limiting widows' inheritance rights.

Revised Family Code: The Ethiopian revised family codes at Federal and State level are enacted on the basis of the FDRE constitution. The Tigray Region Family Code of 1998, later revised in 2007 (Proclamation 116/2007), served as a model for the Federal Revised Family Code of 2000, which in

7 FDRE. 2005. Rural Land Administration and Land Use Proclamation (Proclamation No.456/2005). Addis Ababa, Federal Negarit Gazettea.

8 Ibid. Article 5 (1).

turn served as a model for other Regional Family Codes, including Amhara's Family Code (Proclamation No. 79/2003) and the Southern Nations, Nationalities and Peoples Regional State (SNNPR) Family Code (Proclamation No. 75/2004). The primary purpose of this legal set-up is to protect the right of women to property before and during marriage and upon its dissolution. It recognized the equal rights of spouses in the use and administration of land. The Family Code also introduced important provisions against the violation of women's rights and discrimination in marriage, divorce and child rearing. For example, it stipulates that, upon divorce, each spouse has the right to claim his or her private property, but common property is divided equally between spouses.

B. National Regional State (NRS) Rural Land Law and Governance

The FDRE constitution gives all NRS governments the power to administer all land within their respective regional territories by stipulating that States have the power "to administer land and other natural resources in accordance with Federal laws". In addition, the 2005 federal land proclamation laid a framework for the institutional establishment of rural land governance, conferring effective administration and measurement of rural lands by the 'competent authorities established at all levels.' The legislation depicted that regional states should 'establish institutions at all levels that shall implement rural land administration and use systems and shall strengthen the institutions already established'.⁹ The regional states revised proclamations and established (or rearranged) the institutions for rural land governance in their respective regions.¹⁰ This section provides detail for the NRS laws relevant to WLR under this project.

Amhara: The Amhara National Regional State Rural Land Administration and Use Proclamation, as amended (No. 252/2017), recognises the equal rights of women and men in land use and control. This proclamation provides equal rights to all farmers residing in the rural areas of the state to receive rural land free of charge without discrimination on any other grounds, including gender, as long as they are engaged in or wish to engage in agricultural activities. It also required the inclusion of both spouses' names on land certificates. However, Proclamation 51/2007 on the Implementation of the State System of Rural Land Administration and Utilisation imposed conditions on widows' land rights. Article 11 of the Proclamation states that a widow has the right to use her husband's land for two consecutive crop years before the will of her deceased husband takes effect. In cases where there is no will, a wife can continue to use the land for life if she continues to live in the same *kebele* until she remarries. When a widow remarries, she is expected to give up her deceased husband's land.

Tigray: This NRS introduced its land Administration and Land Use Proclamation that prohibits land for sale, exchange, mortgage or perpetual lease. However, the transfer of land by way of gift and/or inheritance to children or parents is permitted. In fact, certain legal provisions in regional laws undermine security of land tenure, as it requires residency on one's holding. For instance,

9 FDRE. 2005. Rural Land Administration and Land Use Proclamation (Proclamation No.456/2005). Addis Ababa, Federal Negarit Gazette.

10 Administratively, regional states are divided into zones, each of which is further subdivided into *woredas* (districts). Every *woreda* is composed of *kebeles*, which in some places are subdivided into units, such as *kushet* in Tigray. Practically, *kebele* administrations play a key role in rural land administration in close interactions with *woreda* state structures and customary settings.

landholders including women through marriage who are absent from the locality for more than two years risk forfeiture of their landholdings.¹¹

South West Ethiopia Peoples Region (SWEPR): The SNNPR, of which SWEPR was a part prior to its establishment in 2021, issued the Rural Land Administration and Utilisation (Proclamation No. 110/2007). Article 5/6 of this proclamation deals extensively with WLR. It states that 'women who wish to engage in agriculture shall have the right to acquire and use land'. It also states that during marriage, spouses have equal rights to use their common land and that land certificates must include the names of the spouses. It also mentions that women heads of households have the full right to use their land holdings.

C. Rural Land Governance/ Enforcement: Formal Avenues

The institutions responsible for handling and resolving land disputes can be broadly categorised into state and customary structures. The state structures for resolving land disputes are the administrative structure (*kebele* administration) and the hierarchical state courts, while elders and religious leaders in all regions also deal with land disputes in customary settings.

The Federal Rural Land Use and Administration Proclamation outlines the procedures for resolving rural land disputes, which the regional states have also incorporated into their land laws. According to this Proclamation (No. 456/2005: Art. 12):

Where dispute arises over rural landholding rights, effort shall be made to resolve the dispute through discussion and agreement of the concerned parties. Where the dispute could not be resolved through agreement, it shall be decided by an arbitral body to be elected by the parties or decided in accordance with the rural land administration laws of the region.

On the basis of this federal law, the regional states have enacted their own proclamations and regulations, assigning the role of resolving land disputes at different levels to different bodies, including the parties to the dispute, local elders, religious leaders, administrative bodies and formal courts. Regular courts (first instance, high and supreme) are the formal avenues for resolving rural land disputes, have binding power and can deal with all land-related disputes. However, administrative bodies are also involved in the resolution of rural land disputes. In addition, customary elders and religious leaders work alone and/or in coordination with the formal avenues to resolve land disputes.

Procedurally, for example, land disputes between farmers in SWEPR are resolved as follows: First, the claimant initiates his/her dispute with the *kebele* administration, which coordinates the parties to settle their land case with the help of customary elders. A party who is dissatisfied with the decision of the elders has the right to take the case to the *woreda* court. The aggrieved party also has the right to appeal to the Zonal High Court and beyond. Anyone aggrieved by a decision of the Zonal High Court may appeal to the Supreme Court of the region, whose decision is final and

¹¹ TNRS. 2014. Rural Land Administration and Use (Proclamation No. 239/2014).

binding. If it is believed that there is a fundamental error of law in the decisions made, the case shall be considered by the Regional Supreme Court of Cassation.¹²

In Tigray, a consolidated legal system exists so that the local functionaries of the state undertake their responsibilities heavily drawing on the legal frameworks. The highest body that is mandated with rural land administration including land registration and certification is the Environmental Protection, Rural Land Usage and Administration Agency (EPRLAUA).¹³ At *woreda* levels, the rural land administration and use offices (also known as 'Desk') are mandated to oversee rural land use and administration. The lowest 'formal' rural land governance structures at work are: the *Tabiya* Rural Land Administration and Land Use Committees (RLAUC) and the *kushet* RLAUC. Each of these committees is staffed by five farmer members, three men and two women. This shows the representation of women in land governance at the grassroots level.¹⁴

The Tigray government established the Rural Land Adjudication body at the *Tabiya* level. This grassroots level justice platform is accountable to the *woreda* council and the *woreda*/first instance court. Three farmers give judicial services in the committee, while three reserve farmers are members in the committee. This *tabiya* level court is mandated with first instance jurisdiction over all rural land related disputes except as relating to investment lands. In Tigray, the rural land law recognizes customary dispute resolution mechanism as a primary step the parties should follow - before they initiate a case with the *Tabiya* rural land adjudication Committee.¹⁵

Similarly, in Amhara, parties to land disputes are supposed to resolve their land disputes through negotiation and/or mediation by the *kebele* administration and elders. If one of the parties disagrees with the elders' decision, the case is referred to the district court and beyond.¹⁶

In summary, the land proclamations, policies and laws of the federal government and the regional states have attempted to address the issues of WLR. However, the enforcement of these laws has been uneven across regions, and challenges remain in achieving truly inclusive and gender-equitable land governance in Ethiopia. Studies in rural Ethiopia show that women contribute about 70 percent of food production, but their access to farmland, credit, extension services, agricultural inputs and technologies is limited.¹⁷ Gender norms and biases embedded in social structures (e.g. patriarchy, patrilineality, patrilocal, marital relations) continue to limit women's ability to benefit from their formal land rights.¹⁸ The protection of WLR must go beyond formal rights through legislation and certification. Enforcement of the law and changing discriminatory customs and practices that limit WLR are equally important.

12 SNNRP. 2007. Rural Land Administration and Utilization Proclamation (Proclamation No.110/2007).

13 TNRS. 2014. Rural Land Administration and Use (Proclamation No. 239/2014).

14 Ibid. Art. 7.

15 TNRS.2024. Rural Land Adjudication/Judicial Committee Proclamation (Proclamation No. 240/2014).

16 ANRS. 2017. The Revised Rural Land Administration and Use Determination Proclamation (Proclamation No.252/2017).

17 MoANR. 2017. Gender Equality Strategy for Ethiopia's Agriculture Sector. Addis Ababa.

18 Girma Hundessa. 2018. "Land Formalisation vs. Custom-based Property Relations in Ethiopia..." Addis Ababa University.

2.3. Culture, Land and Women Land Rights

Land can be understood from different perspectives, by different actors and in different cultural contexts. In traditional societies, land tenure can be embedded in different ways in the social organisation of the society, such as kinship, economic, religious, social and political systems. This is particularly true in the Amhara, Tigray and SWE regions of Ethiopia.

How is the concept of land understood in Amhara, Tigray and the Bench?

In Tigray, land is seen as the backbone of the rural economy, having a spiritual dimension. An elderly informant¹⁹ said: 'For us, land, especially agricultural land, is a matter of life and death, because it is impossible to live without agricultural land'. Stressing the economic and spiritual dimension of land, another informant²⁰ said: 'When we live and when we die, we live on/in the land. So it is impossible to live without land during life and after death'. For them "land is like gold".²¹

Land is also a precious resource in Amhara, where evidence shows that it is impossible to live in rural areas without land. Land is conceived as a fusion of economic, religious and state-society relations, as expressed in the following quote: 'Land means life. Land is our livelihood, our main source of income. We pay government taxes only when we get income from the land. We cultivate our land to protect it from erosion. We spread manure on the land to maintain its fertility and care for it.'²²

The Bench in SWEPR see land not only as a resource from which they can derive material benefits, but also as something that determines their very existence as a group. Land issues are part of a complex web of traditional clan politics and are the basis of rural livelihoods. People produce products such as coffee, maize, *enset*, banana, pepper, cabbage, tomatoes and fruit for their subsistence and income from land. Farmers also informally (customarily) sell their piece of land when they face difficulties, such as illness and poverty. Since the sale of land is not supported by either state law or customary norms, women's involvement in the sale depends on the nature of the household itself. A woman informant said: 'When it comes to selling land, women are as involved as their husbands in making decisions about the sale'. Similarly, a male informant added: 'If my wife refuses, I cannot sell land', emphasising that the Christian family discusses with each other as opposed to social norms that limit women's decision-making on land issues.

In SWEPR, property relations in terms of use, benefit and control over land-related resources are highly gendered. While crops and vegetables grown in small quantities in the home garden are controlled by women, those produced in large quantities and their sale are controlled by men. In addition, men own large livestock such as oxen for ploughing and fattening for sale, while women may own poultry and dairy products. However, a woman's ownership of livestock depends on a number of factors, including her marital status. For example, if she is a widow, she may own and control oxen to help her plough the land and benefit from the land.

¹⁹ Interview, Tigray, 2025.

²⁰ Interview, Tigray, 2025.

²¹ Ibid.

²² Interview, Amhara, 2025.

How are land rights embedded in clan and/or kinship networks under the customary system?

In SWEPR, the Bench are organised into extended families, lineages and clans, which shape an individual's relationship with the land and with each other. Access to key resources such as land and its products follows a patrilineal system of descent based on a person's membership of a particular clan. Clans are represented by clan leaders (all males) who are responsible for regulating the behaviour of clan members in relation to property. Control of key resources, such as land, is in the hands of male members of society as part of a patrilineal inheritance system. As reported by informants "women cannot control the crops and vegetables, let alone the land, because such decisions require consultation with their husbands. In contrast, men do not need permission from their wives to sell products from the land".²³ Access to land is embedded in and an integral part of the social relations between clans, which are based on a patrilineal system. This concept of land rights continues to function to this day, limiting WLR.

In Tigray and Amhara, kinship (both through descent and marriage) plays an important role in the configuration of property in land at the family level. Marriage is a moment when intergenerational property transfer takes place. The groom's and bride's parents contribute resources such as land and livestock to enable the married couple to establish an independent household. Upon marriage, the male's parents usually give the couple land for a house as a gift.

Traditionally, how are the 'bundle of rights' to land acquired?

Land rights are acquired by virtue of being a member of a clan/family or via other means of transaction, such as gifts, inheritance and purchases.

Among the Bench, there is a bundle of rights over land held by a particular family, the smallest unit of a clan. In this bundle of rights, a man controls the land, and his wife and children have access and use rights. Women are still excluded from receiving land through inheritance because of the strong link between land and clan/patriarchy among the Bench. According to the customary inheritance norm of the Bench, land is given to all male siblings and female siblings are not allowed to inherit the land of their natal family or their deceased husbands. On the one hand, girls and female siblings do not receive land as an inheritance from their natal family, as they are considered outsiders to the clan of their natal family once they marry. On the other hand, a widow cannot control her deceased husband's land because it is given to the deceased's son, even if he is a minor. However, a widow can continue to use the land until her son is old enough to take control of the land. If a widow has no son, the deceased man's brother or close relative will marry her and control her land with her consent. If she doesn't want to accept the offer, she can continue to use the land but cannot marry a man of her choice without giving up the land. If she decides to marry another man of her choice, she is expected to leave the land to her late husband's family.²⁴

Historically, Tigray and Amhara have had a bundle of land rights that allowed for WLR. One of these is the right of *rist*, which is privately held and equitably claimed by both men and women. In this right, every Tigrayan and Amhara had access to land by birth through inheritance in the community.

²³ Interview, SWEPR, 2025.

²⁴ Ibid.

The other is *gult*, which could be loosely described as the right to collect taxes and tribute and to administer the land. This right of control was granted to state agents who regulated the relationship between the state and the peasants at the local level. Thus, Tigray and Amhara had multiple gender inclusive tenure systems before they were abolished in 1975.²⁵

Currently, land allocation or bequest is a common practice in Tigray, depending on the category of land and the associated tenure system. In the rural context, there are generally three types of land: 1) residential land, which is owned by married couples; 2) arable land, which is owned jointly by spouses, with children having the right to inherit; and 3) grazing land, which is owned communally by village members.²⁶ Husbands and wives own the land jointly and have equal decision-making power. They are expected to discuss issues related to the transfer of farmland, including rent. In addition, all siblings, regardless of gender, have equal rights to access their family's land. The transfer of land from parents to children takes place through a customary bequest during the couple's marriage and/or through inheritance upon the death of the parents.²⁷

In Amhara, women can receive land from the family of their birth, although their control over the land of their in-laws or husbands is always contested. One study²⁸ shows that in marital disputes between husbands and wives, elders (male decision-makers) tend to side with men against women when investigating divorce cases, because elders are very reluctant to allow women to share property equally with men. Parents usually give land as gifts to all their children at weddings and through inheritance. However, patriarchy continues to limit the equitable distribution of land from parents to their children, as illustrated by the following case, as reported by an informant:

Case 1: Women have equal say over land, but male-biased inheritance persists

I got one timad (0.25 ha) of land from my parents and my husband also had one timad of land from his parents. We each received land from our respective parents when we got married. As our land was small, my husband and I also leased land for farming by mutual agreement. My husband could not do anything on our land or the land we were tenants of without my permission. Yet If my husband died, I could not inherit his land because I was not registered on his land ownership certificate. I could only claim his land if I had a baby for him, as the baby had a legal right to inherit his father's land [...] It is possible to inherit land from one's parents, although the land given to female siblings is less than that given to male siblings. Again, this is based on the decision of the parents.²⁹

Overall, the prioritisation of children in inheritance and the restriction of a widow's control over her land is prevalent not only in customary norms and state law, but also in religion.

25 Mitiku Haile et al. 2005. Land Registration in Tigray, Northern Ethiopia. Research Report 2: Mekelle University.

26 Rural Land Administration and Use (Proclamation No. 239/2014).

27 Interview, Tigray, 2025.

28 <https://books.openedition.org/cfee/488?lang=en>

29 Interview, Amhara, 2025.

How can community forces ally with WLR when state laws deny such a right?

Although Ethiopian law and policy are favourable to WLR, there is still a gap in the land rights of widows. This is particularly the case if they have no children. Evidence from Tigray shows that the *Tabiya* Land Administration was about to take over the land of a woman whose husband died after 11 years of marriage. As the widow, who had no children, had no legal right to use her late husband's land, the government authority was in the process of transferring the land (0.5 ha) to other people who were registered and awaiting government land allocation. But the elders, including the clergy, mobilised the local community to keep the land in the widow's hands, even though state law denied her this right. They protected her from eviction and, through legal lobbying, allowed her to continue living on the land.

2.4. Women's Access to Justice on Local Level

In Ethiopia, pluralistic elders and/or religious leader-based dispute resolution mechanisms operate to resolve land disputes. They operate in the same social space as state structures and interact with each other in a variety of contradictory or complementary ways. However, the function of customary dispute resolution varies according to time, place, culture and the enforcement of state law. In Tigray, for example, elders and religious leaders strongly reconcile state law with custom to enable WLR. In SWEPR, field evidence shows that customary norms continue to influence elders' decisions on WLR. In Amhara, 'Women are excluded from participation. They have no right to select decision makers or to be selected to resolve disputes.'³⁰ In all regional states, women are rarely selected as elders to resolve land disputes, which raises an issue of gender justice.

A. Customary Law Practices and the Role of Clergy

How is customary land inheritance effectuated?

Inheritance is a key mechanism of land transfer from father/parents to children. However, it is highly gendered in Ethiopia.

In Tigray, land inheritance is a full transfer of land to siblings after the death of the parents. Parents could informally give land to their son and spouse upon marriage, but the formal and complete transfer of this land could only take place after the death of the parents. This means that siblings could hold and use their gift land informally, but they could only get a land certificate for their holdings through inheritance after the death of their parents. All siblings, regardless of gender, have equal rights to their parents' land and all are entitled to inherit upon the death of their parents. The following case illustrates informal land gifting, formal inheritance and women's land rights.³¹

Case 2: The intersection of informal land gifts, formal inheritance and WLR

The Parents had about 1.25 ha of land, which they acquired through a government land grant for which they had a land title. They had five children, two of whom were girls. During the Parents' lifetime, one of their sons and one of their daughters married and set up a house of their own. Each of them was informally given 0.25 ha of land by their parents. Meanwhile,

³⁰ <https://books.openedition.org/cfee/488?lang=en>

³¹ Interview, Tigray, 2025.

the married couples received land through the government's land grant system and returned their gift land to their parents. Two siblings, a boy and a girl, also married and each received (informally) 0.5 ha of land from their parents at the time of marriage. Ten years ago, both parents died. They left an unmarried boy with 0.25 ha of land, including a house and garden. After their parents' deaths, all three siblings formalised their land through government legislation and received land ownership certificates.

In SWEPR, land inheritance follows patrilineal descent. Women assume a marginal social position with regard to land rights. They do not have equal rights as their male counterparts with inheritance. Unlike the sons, daughters do not inherit the land of their deceased parents. Thus, land remains under the control of men. Similarly, among the Amhara, persistence of patriarchal norms and traditional land inheritance practices that favor men continue limiting WLR.

How do elders deal with land issues, and in how far are clergy involved?

Elders-based customary settings play a practical role in settling land disputes, but they are all male-dominated forums. Their functions vary according to time, place and culture. Clan leader-based land dispute resolution is widespread among the Bench in SWEPR. Land dispute resolution through the use of elders and priests operates in both Amhara and Tigray.

In Tigray, there are two customary institutions for land dispute settlement: the first is *ni'gorebet shimgelena* (neighborhood elders which may or may not involve priests), which is a council of elders at the village level that mediates land cases upon request and/or with the consent of the disputants. The second is the *Abbo Gereb*, or Council of Elders, which largely resolves inter-communal/ethnic conflicts (i.e. disputes between Tigrayans and Afars). This council consists of male elders (e.g. community leaders, priests) who are elected by adult men from both sides of a land dispute. Procedurally, when a land dispute arises between groups, *Abbo Gereb* deliberates on their land disputes and resolves the dispute.³²

Among the Amhara elders and priest-based councils called *shimgelena* play an important role in settling disputes over property including land. Procedurally, when disputes arise, there are two ways of bringing them to the elders and/or the clergy. One way is for the aggrieved party to appeal to the community gathered in the church. Then the relatives or neighbours of the parties persuade the disputants to choose elders, who may be clergymen, to help them resolve the dispute. The other way is for the elders/clergy to intervene directly and mediate the dispute. The intervener (often the clergy) then allows the parties to choose their respective male elders for *erk* (reconciliation). Elders are chosen for their qualifications and experience, and because the parties believe they can help. The criteria for selection include prestige, popularity in the community and maturity. Women are excluded from serving as elders in the elders council. They are not only excluded from being selected to resolve disputes but their rights to select elders to get their dispute settled is limited.

However, the government has introduced a modified customary system called *dem-adiq* (literally 'blood dryers') or peace committee, in which women act as elders to resolve disputes. The committee is made up of mediators from adult and elderly men, youth people, women and religious

32 Shimelis G & Tadesse G. 2008. "Customary Dispute Resolution in Tigray Region: Case Studies from Three Districts." In Alula P & Getacher A (eds.), pp. 2017-236.

leaders. This committee is a permanent body selected with the advice of government officials and is ready before the dispute arises.³³

In SWEPR, among the Bench society, plural settings for dispute settlement operate. The most common ones include *tomo* (spiritual-based indigenous dispute resolution) and *shimgelena* (dispute resolution based on elders, including religious leaders).

At the *tomo* (named after a clan of the Bench) forum, male elders chosen for their 'purity', respect and knowledge of local customs act as mediators to resolve disputes, often incorporating spiritual elements to create peace within the community. Although this system is strong in its truth-telling, 'accessibility' and the creation of social harmony through reconciliation, it still fails to address gender justice in relation to WLR, and their role in the *tomo* process is also invisible.³⁴ Yet this mechanism of dispute settlement is now in a state of decline among the younger generation as a result of their acceptance of the new religion, Protestantism and modernisation.

Like in Tigray and Amhara, *shimgelena* operates within the Bench society. Elders, clan leaders and religious leaders generally referred to as elders, settle land disputes of various kinds. Women are completely excluded from serving as elders. For male elders, several criteria are used to qualify as an elder, including:

- *Age*: people of an older age are preferred as they are likely to have wisdom, knowledge of the culture and self-control in the face of temptation.
- *Ability*: People with a convincing level of ability.
- *Charisma*: respected people whose judgments are accepted.
- *Bloodline*: people of "good" bloodline, especially in relation to their clan.
- *Religious leaders*: especially when the two parties to the conflict are of the same religion.³⁵

In SWEPR, religious plurality (such as Indigenous, Protestant and Orthodox) allows different religious leaders to serve as elders, making consensus on ensuring justice for WLR difficult. However, disputants who belong to the same religion can choose their elders from their respective religious group to deal with their land case.

- The elder is the judge of conscience; it does not matter whether he is a woman or a man
- It does not hurt if women participate in mediation

B. Women's Access to Justice / Barriers

In Ethiopia, women's access to justice is hampered by several barriers, such as the gendered informal justice system as described above, unavailability of courts in rural areas, bias in judicial institutions, affordability issues, social stigma and lack of awareness. Gender inequalities are also reflected within the legal systems themselves, where most professions including judges, lawyers, judicial officers are dominated by men.

33 <https://books.openedition.org/cfee/488?lang=en>

34 Wondimu, T. 2021. "Ethiopia: Tomo - Indigenous Conflict Resolution Mechanism of the Bench Community." *Conflict Studies Quarterly* (36).

35 Bisract G. 2018. "Traditional Conflict Resolution Mechanism in Kaffa of Ethiopia". Bolton University (72): 128- 142.

How does the informal justice system affect WLR?

In the rural setting, customary (informal) institutions continue to play an important role in settling rural land disputes. However, in customary systems, elders and religious leaders for land dispute settlement are largely men, and the involvement of women as elders is invisible. Although male elders are generally aware that women have the same legal land rights as men, the customary norms of land tenure on which they rely strongly influence their decisions, thus affecting women's rights to land. Traditionally, bypassing elders' decisions and going to the state court to seek justice is also seen as hurting the elders and the community as a whole. Thus, social pressures that limit women to an informal system to settle their land case is a hindrance for WLR.

Since the customary system is still strong in the Bench society, women have low access to the state court for their land rights. Rather, guided by the patriarchal customary norm, "local elders see the case of men, but close to see the case of women"³⁶, excluding women's right to acquire land through inheritance. Although women can get land through state law, there is pressure and social sanctions on women who try to get land through inheritance through state law. For fear of such social exclusion, women usually do not go to the state court to secure their legal land rights.

How does inaccessibility of formal courts hinder women's justice for their land rights?

At the *kebele* level, the formal justice system is largely absent. Rather, rural land disputes are largely resolved by either local elders and/or government-appointed farmers. All regional states require the active involvement of elders, including priests, to deal with land cases at the *kebele* level before the case is taken to the formal *woreda* court. In Tigray, the Rural Land Law recognises customary dispute resolution mechanisms as the first step that parties should follow - before taking a case to the *Tabiya* Rural Land Adjudication Committee.³⁷ These forums have a hybrid nature as they operate both within the socio-cultural context of the community and attempt to take account of state law. On the one hand, the persistence of informal land dispute resolution continues to limit women's ability to benefit from their land rights. On the other hand, the remoteness of the *woreda* court consumes women's time, energy and money, limiting their access to justice in relation to WLR. In addition, land cases take several days to resolve, requiring frequent travel to and from the court. As women have domestic responsibilities, including childcare and food preparation, they find it difficult to overcome these challenges to attend their land case in court.³⁸

How knowledge and awareness level affect WLR?

Women's access to and control over land is hampered by a lack of legal knowledge and awareness among members of society, including women. In some regional states, this is due to inadequate dissemination of information on the legal and policy frameworks that support WLR. It is also due to women's lower participation in rural land decision-making at the family and community levels due to continued gender biases that prevent women from knowing their land rights. In the Amhara region, married women do not know the boundaries of the land they hold jointly with their spouses. As a result, when asked by the court where the land is, they are unable to provide the exact

36 Interview, SWEPR, 2025.

37 Berihsu S, et al. 2015. "Farm land conflict and its socio-economic consequences in Tahtay Qoraro, Tigray, Ethiopia." *International Journal of African and Asian Studies* 9 : 44-55.

38 Interview, Amhara, 2025.

location. Land administration experts are also not transparent and are unwilling to provide clear information when requested by women. In Tigray and SWEPR, portraying women as weak and servants of the domestic matter prevents them from knowing the legal land rights.

To achieve gender justice in relation to WLR, women need access to information and a good understanding of the policies and laws that affect their rights. Judges, land administration experts and community members also need to change their attitudes towards WLR and adopt gender-responsive approaches to justice and land administration services.

How corruption and financial constraints affect WLR?

Women largely lack the financial capacity and partners/supporters to protect their land rights both legally and informally. Evidence from Tigray and Amhara shows that men usually bribe judges at different levels of state structures to get a decision in their favor, unlike women who usually follow the formal procedure for their land case. Women typically do not engage in this type of activity for a variety of reasons. These include financial constraints, lack of knowledge about corruption and social pressures that keep women from engaging in such practices. Men, who are financially able and can drink with and bribe the officials/judges, are therefore more likely than women to obtain personal favors for their land cases. Since the land administration offices and courts are overwhelmingly dominated by men, it is also difficult for women to speak informally to experts/judges about their land cases. In addition, the majority of women lack the money to pay for both lawyers and bribes, which usually results in them losing their land cases before the state structures.

3. Women's Land Rights in Ethiopian Christianity

This chapter is primarily based on extensive questionnaires that were filled out by selected theologians of the partnering Churches. It does, however, not state anyone's official teaching, but rather maps the theological discourse on WLR, highlighting where different approaches are possible or prevalent.

The consensus of theologians does not necessarily mean that their churches also agree, nor does it have dogmatic authority like in Islam, where the consensus of scholars plays an important role.

3.1 Theological Orientation: Land, Justice and Gender

3.1.1 Religion's Relationship to Law and Culture

The theologians agreed that the Church respects the "laws of the land", meaning that they acknowledge the legitimacy of secular state law in general. Often, reference is made to Jesus' statement in Matthew 22:21: "So give back to Caesar what is Caesar's, and to God what is God's."

This passage is interpreted as implying the existence of a civil or state sphere that functions independently, yet in accordance with divine principles. Additionally, Romans 13:1-2 reinforces this principle: "Let everyone be subject to the governing authorities, for there is no authority except that which God has established. The authorities that exist have been established by God." This provides a theological basis for respecting state structures. This recognition does not mean that the Church should remain indifferent to legal injustices but rather that it should discern when to uphold state laws and when to advocate for changes in alignment with biblical justice. Ultimately, for Christians the divine laws are of superior importance.

Similarly, religious norms are also considered superior to merely *cultural* norms and traditions, meaning they are expected to overrule culture due to their higher normative authority. Culture is manmade, but the Bible is from God. This distinction provides an opportunity to challenge harmful cultural practices by using religious arguments, which may be more persuasive to communities than secular women's rights discourses and are less likely to provoke backlash. In fact, the Old Testament presupposes the existence of a customary law of the people of Israel and scholars argue that the whole legislation of the Old Testament can only be understood as commentary and modification to it.³⁹ For example, Ruth 4:7 discusses "the custom in former times in Israel concerning redeeming and exchanging", telling us how property was traditionally transferred — not by written contract, but by a public ritual involving a sandal. The Torah did not create this ritual but recognized and regulated it within its legal provisions. Similarly, the practice of paying a brideprice (Ex 22:16-17), Levirate marriage (Deuteronomy 25:5-10) or slavery (Exodus 21:1-11) are presupposed by the Old Testament, and usually be modified by adding ethical modifications, and protective measures

39 Cf. Levine, Étan, who tried to show in her study on "Biblical Women's Marital Rights" how Biblical law was improving the situation of women in a very pragmatic way, within the limitations of what was socially possible. In: Proceedings of the American Academy for Jewish Research, vol. 63, 1997-2001, pp. 87-135. American Academy for Jewish Research. [Biblical Women's Marital Rights on JSTOR](#)

(especially for women, the poor, and vulnerable). For the Bible, it is without question that the authority of divine laws is above such customary laws, and in this line argue theologians today:

- "For the clergy, norms, traditions, and cultures must be subordinate to the Bible, rather than the other way around. While not all traditions are inherently harmful, each must be evaluated and measured against Scripture." (EECMY theologian)

Scripture supports this hierarchy, as seen in Acts 5:29, where Peter and the apostles declare, "We must obey God rather than human beings." Similarly, in Matthew 15:3, Jesus challenges the Pharisees by asking, "Why do you break the command of God for the sake of your tradition?" These passages affirm the precedence of divine commandments over cultural traditions. At the same time, the theologians in the study regretted that in practice people often prioritize cultural traditions more than religious teachings. Addressing this, and transforming the culture so that it is in line with the gospel, is a pivotal part of the Church's mission:

- *The church is a new society, called out of the world, and meant to live within it as salt and light. This often requires challenging customary practices that contradict the divine will. However, people frequently adhere more to their cultural traditions than to the Scripture they profess to follow. Even theologians and religious leaders at times make compromises. Consequently, one of the greatest challenges remains applying the teachings of Jesus in daily life.* (EECMY)
- *Its primary task is to teach believers about the eternal inheritance that they hope to inherit, the kingdom of heaven. But since its followers on earth teach that everyone should be given their due, regardless of gender, race, or age, it also teaches that land ownership rights should be given equally to both sexes. However, in Ethiopia we see unjust and male-biased inheritance practices being implemented not because of church doctrine, but because of cultural and social customs.* (EOTC)

At the same time, theologians acknowledge that there is wisdom in customary law, as it seeks to balance different interests in society with practical realities of the community. Thus, the Church should seek to integrate positive elements of indigenous culture into her practice and thought. Furthermore, the church should not oppose culture radically, even when there are elements in it that she cannot accept. Theologians pointed out the way Paul does not directly demand the abolishment of slavery in his letters, yet encourages slaveholders to treat them well or even free them. His teachings clearly undermine the ideological foundations of slavery by affirming the equal dignity of all believers in Christ and all men.⁴⁰ Taking him as an example, theologians suggested pursuing "organic" or gradual cultural change over time rather than aiming towards a cultural revolution.

40 In his letters, Paul acknowledges the institution of slavery as a social reality of his time without explicitly calling for its abolition. Instead, he offers guidance to both slaves and masters, urging slaves to obey their earthly masters with sincerity, while instructing masters to treat their slaves justly and fairly. However, Paul's theology introduces a profound shift in how individuals are to be viewed within the Christian community. In Galatians 3:28, he asserts that in Christ there is neither slave nor free, emphasizing a radical spiritual equality that transcends social hierarchies. His letter to Philemon further illustrates this principle, as Paul appeals to a Christian slaveholder to receive his runaway slave Onesimus "no longer as a slave, but better than a slave, as a dear brother." Although Paul does not demand Onesimus's freedom, he subtly challenges the norms of his time by reframing the relationship through the lens of Christian love and kinship.

3.1.2 Interpreting the Old Testament

Interpreting the Old Testament has always been a challenge for Christian theologians. A significant proportion consists of legal discourses, and the meaning of these for Christian life and doctrine is subject to theological debate since the first days of Christendom. There were even demands to erase the books of the Old Testament from the Christian Bible altogether. Against such demands, the church fathers testified that the Old Testament was fully considered to be "Word of God". Its texts are understood as expressions of divine truth, but shaped by the cultural and historical context of ancient Israel - and directed towards them. The prophets truly heard the word of God, but they were only able to express it in the epistemological, structural, and normative categories of their own culture.

- "Anytime and anywhere, the divine ruling remains valid. However, the challenge is that we, as human beings, are often blinded by our ego and self-centeredness. Understanding the divine ruling, the original plan of God for humanity, and the teachings of the New Testament is profoundly important." (EECMY theologian)

At the same time, it is also established since the first days of Christianity, that the legal provisions of the Old Testament do not simply apply 1:1 to Christian, when the Apostles decided in what is known as the first Council decided that non-Jewish converts to Christianity would need to be circumcised and generally would not have to abide to Israelite law with the exception of a few (Acts 15:1–29). So, what is their meaning and significance today?

Theologians in the early Church developed different approaches for interpreting the Old Testament, for example *typologically* or *allegorically*, seeing them as foreshadowing the deeper spiritual truths revealed in Christ.

- Typology sees people, events, or institutions in the Old Testament as prefigurations (or "types") of what is fulfilled in the New Testament. For example, the story of Jonah being three days in the belly of the fish is seen as a "type" of Jesus' death and resurrection after three days. Typology emphasizes the continuity between the Old and New Testaments.
- Allegory interprets Old Testament stories symbolically to reveal hidden spiritual meanings. For example, the crossing of the Red Sea is interpreted allegorically as a symbol of Christian baptism and liberation from sin. The focus is less on historical meaning and more on finding spiritual truths.

The enduring value of the Old Testament, for the early Church, therefore, lies in its role as a foundation for understanding Jesus's mission and identity, and as a testimony to God's ongoing relationship with humanity. Another way of relating the Old with the New Testament is the idea of foreshadowing. So, certain ideas or divine revelations were included *in nuce*, or in its essence, in the Old Covenant, but were only brought to full fulfillment in and through Christ. This applies also to Old Testament laws, that ultimately were all summarized by Jesus in the double-command to love God and the neighbor like oneself and transcended in his ultimate sacrifice that rendered the ritual sacrifices in the temple superfluous (cf. Hebrews 7:67 & 10:10).

- *Many of the Old Testament laws were foreshadowed and prophesied for the New Testament laws, and then fulfilled in Christ. For example, the commandment in the Old Testament,*

"Thou shalt not commit adultery," is now changed to "Whoever looks at a woman with lust commits adultery," which protects her from being raped in the spirit of fornication. (EOTC theologian)

Thus, the laws of the Old Testament for Christians have a teleological⁴¹ character, insofar they guided the people of Israel towards the coming of Jesus Christ. In the New Testament, "the law" (greek: *ho nomos*, ὁ νόμος) usually refers to the Mosaic Law — the commandments and regulations given through Moses, including moral, ritual, and social laws, often connected to the idea that it provides a system of rules and practices ("works") that justify a person in front of God (Romans 3:20) - an exercise that was rendered futile by the ultimate sacrifice of Jesus Christ.

"So the law was our guardian until Christ came that we might be justified by faith." (Gal 3:24)

Based on this and similar passages, the early Church developed the idea of a "divine pedagogy" to relate Old and New Testament. This concept refers to the belief that God gradually educated humanity throughout history, revealing divine truth in stages suited to people's capacity to understand. The Old Testament, in this view, was part of God's plan to prepare humanity for the fullness of revelation in Christ. Church Fathers like **Irenaeus of Lyons** and **Augustine** emphasized that the law, rituals, and narratives of the Old Covenant were not arbitrary rules but part of a divine teaching method—training the people of Israel, instilling moral awareness, and setting the stage for Christ's redemptive work. Irenaeus, for instance, spoke of God acting like a wise parent, guiding humanity from infancy to maturity. The legal provisions of the Old Testament were therefore seen not as eternal requirements, but as temporary tools—appropriate for their time—that ultimately pointed beyond themselves to Christ. This pedagogical reading allowed the early Church to honor the Old Testament as the Word of God while reinterpreting its laws through the lens of the Gospel.

One example where the theologians demonstrated this approach was the provision on female prisoners of war in Deuteronomy 21:10–14. This law requires that a man wait a full month before marrying a captive woman, during which she is to mourn her family. He is forbidden from treating her as a sex slave or selling her, and if he later decides not to marry her, she must be granted her freedom rather than being returned to captivity or enslaved. Understood within its ancient Near Eastern context, where wartime rape, slavery, and brutality were the norm, these provisions offered a significant degree of protection to the woman, recognizing the captive woman's humanity and even elevating her status to that of a wife. However, from a modern ethical standpoint, the notion of taking a woman captive and then marrying her remains deeply troubling. Thus, it's important to read this law not as an ideal, but as a reflection of God accommodating human sinfulness in a fallen world, and guiding them into the right direction: the recognition of every human's full dignity.

Jesus himself applies this logic in his discussion on divorce with the Pharisees in Matthew 19:3-8. Here, the Pharisees approach Jesus to test Him on the issue of divorce. Jesus responds by pointing them back to the creation narrative, saying:

⁴¹ Teleological means something is oriented toward a goal, purpose, or final outcome. In theology or philosophy, a teleological interpretation looks at things in light of their ultimate purpose or fulfillment. The word teleological comes from the Greek word τέλος (*telos*), which means end, goal, or purpose, and the suffix -λογικός (*-logikos*), meaning related to reasoning or study.

Haven't you read, that at the beginning the Creator 'made them male and female,' and said, 'For this reason a man will leave his father and mother and be united to his wife, and the two will become one flesh'? So they are no longer two, but one flesh. Therefore what God has joined together, let no one separate. (Matthew 19:4-6, NIV)

The Pharisees then challenge Jesus, asking why Moses permitted divorce if marriage was intended to be undissolvable. Jesus replies: "Moses permitted you to divorce your wives because **your hearts were hard**. But it was not this way **from the beginning**." (Matthew 19: 8, NIV). By referring to the beginning ("genesis"), he most likely refers to the period before the fall of man, where God's plan for humanity has been revealed. And in God's original plan, a human's love is an undistorted image of God's love: unconditional and eternal. Jesus also stressed on many occasions the primacy of love over law, making clear that true faith was not merely about rule-keeping but about the heart's alignment with God's will. He openly acted against key laws, such as those regarding the Sabbath (Mark 2:27-28) and fasting (Matthew 9:14-17), demonstrating that mercy and human need take precedence over legalistic adherence (Matthew 12:7). At the same time, Jesus himself mostly kept the laws of the scripture of his time, he even aggravated some of them in his teachings (e.g. Matthew 5:21-33), and insisted that not a jot should be taken away from it, claiming in a paradoxical way that he had not come to abolish the law, but to fulfil it (Matthew 5:17-18), stressing the enduring significance of the Old Testament while simultaneously indicating its teleological character - as before his coming it was unfulfilled.

Consequently, participating theologians emphasized the necessity of reading the Old Testament in light of the New Testament to discern the enduring moral and theological principles in and behind its commandments and stories. For this, the cultural context of that time must be considered and critically examined, ensuring that its influence does not obscure the underlying theological principles applicable today. This approach allows for an understanding that transcends rigid legalism, focusing instead on the overarching themes of justice, mercy, and God's will for humanity. For an example see the section on gender equality below. Thereby, the various types of text in the Old Testament may require different theological approaches. This applies even more to the writings of the New Testament, where most theologians were reluctant to apply the idea that these writings would also need to be interpreted in the context of their culture, especially the Gospels that contain the words of Jesus Christ himself.

3.1.3 Land as God's Creation and Gift to Humanity:

The Bible narrates the creation of the land in its very first verse (Gen 1:1), and it was handed over to humanity as a gift and inheritance from God in Genesis 1:26-28, a text that can be considered foundational for the whole Bible.

So God created mankind in his own image, in the image of God he created them; male and female he created them. God blessed them and said to them: "Be fruitful and increase in number; fill the earth and subdue it. Rule over the fish in the sea and the birds in the sky and over every living creature that moves on the ground.

In the following, land continues to play a pivotal role, and has various spiritual dimensions be it as the "Garden Eden", the "Promised Land", the "Heavenly Jerusalem" or the "Kingdom of God". Both Adam and Eve, men and women are created from the same Land. (Gen 2:7), but through the fall of

man their relationship to their origin was distorted and therefore they will have to make their living from it “through painful toil” (Gen 3:16). Nevertheless, land is a space for the glory and worship of God, a testimony and even itself a subject of worship, when the Psalm 96 for example lets “the earth be glad” and “the fields be jubilant” (Psalms 96:11-12).

For the LORD your God is bringing you into a good land; a land with streams and pools of water, with springs flowing in the valleys and hills; a land with wheat and barley, vines and fig trees, pomegranates, olive oil and honey; a land where bread will not be scarce and you will lack nothing. (Deuteronomy 8:7-8).

The promise of God for a “good land”, originally directed towards the people of Israel, is understood in an eschatological way as a promise to every Christian, that “the righteous will inherit the land and dwell in it forever.” (Psalm 37:29), meaning at the same time the coming kingdom of God, which is at the same time a return into the lost garden of Eden.

3.1.4 Human Stewardship for the Land

With regards to ownership, the foundational principle in Scripture is that ultimate ownership of all land belongs to God. Humans are seen as stewards and temporary residents rather than absolute owners.

“The earth is the Lord’s, and everything in it, the world, and all who live in it.”(Psalm 24:1)

Leviticus 25:23, spoken in the context of the Jubilee laws states that land must not be sold permanently, “because the land is mine and you reside in my land as foreigners and strangers.”

At the same time, while absolute ownership is denied to humans, the Bible acknowledges the right to possess and use land. Land in the Old Testament is naturally sold, traded, inherited or bequeathed under the assumption that it is a private possession. As mentioned above, God gave the land as a gift to humanity (Gen 1:28) to subdue it and rule over it. Thereby, the verbs “subdue” (כבש, *kavash*) and “rule” (רדה, *radah*) do not imply exploitation but responsible governance. The verb *kavash* is also used in contexts where land is brought under control for productive use (e.g., Numbers 32:22, Joshua 18:1), while *radah* often signifies just and wise leadership, as seen in Psalms 72:8, where the ideal king “rules” with righteousness. These terms, when used in divine contexts, do not describe oppression but rather stewardship, similar to how God governs humanity with justice and care (e.g., Psalm 103:19, Revelation 5:10). This reinforces that the biblical mandate given to humanity over creation is one of responsibility, not domination. This understanding is also supported by the second account of the creation of humans in Gen 2, Genesis 2:15: “The Lord God took the man and put him in the Garden of Eden to work it and take care of it.”

Here, the words “work” (abad, עבד) and “take care” (shamar, שמר) similarly suggest cultivation and protection, not reckless use. Thus, stewardship in the biblical sense refers to the responsibility given by God to humanity to manage and care for His creation. This includes both an environmental and a social dimension. Environmentally, stewardship implies responsible use and protection of natural resources, as seen in Genesis 2:15: “The Lord God took the man and put him in the Garden of Eden to work it and take care of it.” Socially, stewardship involves justice, care for the marginalized, and responsible management of resources for the common good, as highlighted in Micah 6:8: “He has

shown you, O mortal, what is good. And what does the Lord require of you? To act justly and to love mercy and to walk humbly with your God." In Proverbs 22:28, God emphasizes the importance of respecting property boundaries and not infringing on the land ownership of others. Additionally, Luke 16:10-11 underscores the importance of faithfulness in stewardship: "Whoever can be trusted with very little can also be trusted with much, and whoever is dishonest with very little will also be dishonest with much."

These passages illustrate that stewardship extends beyond material possessions to encompass ethical and just governance of both natural and social resources. Not living up to this divine task results in harm, as Isaiah laments:

The earth is defiled by its people; they have transgressed the laws; they have overstepped the decrees and broken the everlasting covenant. Therefore, a curse has consumed the earth, and its inhabitants must bear the guilt; the earth's dwellers have been burned, and only a few survive. (Isaiah 24:5-6)

In Hosea 4, it is even the earth itself that is mourning:

There is no truth, no loving devotion, and no knowledge of God in the land! Cursing and lying, murder and stealing, and adultery are rampant; one act of bloodshed follows another. Therefore, the land mourns, and all who dwell in it will waste away with the beasts of the field and the birds of the air; even the fish of the sea disappear.

The Bible on many occasions even cautions the reader that possession / wealth is not a goal to aspire to for itself, but instead of a blessing may become a curse. The Bible warns against greed, land grabbing, and injustice in land distribution, like the concentration of land in the hands of a few at the expense of others (Isaiah 5:8, Micah 2:2). In the end, all men die, and then it matters how they have put their means to use for others. Jesus spells that out drastically in the Parable of the rich fool (Luke 12:16-21), who said to himself after becoming wealthy from his land: "You have plenty of grain laid up for many years. Take life easy; eat, drink and be merry." But God said to him, 'You fool! This very night your life will be demanded from you.'" Instead, Jesus reminds his followers to hoard treasures for the heavenly kingdom rather than for enjoyment on earth. Too much focus on earthly wealth is harmful. Along the same line, Jesus teaches that attachment to wealth is a barrier towards entering heaven (Mat 19:24) and that ultimately the poor will inherit the earth (Mat 5:5). Consequently, the Acts of the Apostles report how early Christians gave away their possessions to share with the community, emphasizing communal living and generosity (Acts 2:44-45, Acts 4:32). Overall, the New Testament underscores the need for spiritual detachment from material possessions.

3.1.5 God's Justice and Human Justice

It is one of God's main characteristics in the Bible, especially in the Old Testament, that He is just, and justice is central to His nature, particularly in advocating for the marginalized and those without a voice. Numerous biblical passages emphasize God's commitment to justice:

- Deuteronomy 10:18 – "He defends the cause of the fatherless and the widow, and loves the foreigner residing among you, giving them food and clothing."

- Isaiah 1:17 – "Learn to do right; seek justice. Defend the oppressed. Take up the cause of the fatherless; plead the case of the widow."
- Micah 6:8 – "He has shown you, O mortal, what is good. And what does the Lord require of you? To act justly and to love mercy and to walk humbly with your God."

These passages—among many others—demonstrate God's unwavering concern for justice and His call to protect those who are vulnerable in society.

- "God is justice. He stands with women. He hears and responds to the violence and the suffering of the marginalized. In my opinion, this also includes the dismantling of oppressive patriarchal traditions." (EECMY)

However, justice in the Bible is not always understood as mere legal or formal justice (see above what was discussed under the primacy of religion over customary law). In fact, the biblical idea of justice is beyond legalism. It includes wisdom. Divine justice transcends human justice. Jesus himself has taught on many occasions a kind of justice that irritated the people around him, even his disciples. He even dismantled the principle of retributive justice—a core element of basically every human justice system—when he teaches:

"You have heard that it was said, 'Eye for eye, and tooth for tooth.' But I tell you, do not resist an evil person. If anyone slaps you on the right cheek, turn to them the other cheek also." (3. Matthew 5:38-39)

Echoing Isaiah 55:8-9 - that God's thoughts are not our thoughts, and his ways not ours - the New Testament redefines what true, divine justice is. It would fall short to call it anti-legalistic, as Jesus himself stated that he had not come to abolish the law, but to fulfil it (Mat 5:17). And this fulfillment ultimately lies on the cross, where "mercy triumphs over judgement" (4 James 2:13). Instead of applying retributive justice, God rather sacrifices his son to atone the sins of humanity (Rom 3:25-26).

Consequently, clergy are called to look towards this divine justice when they are involved in community matters. Their role is explicitly not the role of a judge, and this is also not how the council of elders is seen by the people. It's not a court. It's not about justice in a legalistic sense. It's about re-establishing peace and harmony in the community.

- "Based on the principles of equality and fairness, they [the clergy] should focus on teaching and persuading rather than merely enforcing rules and regulations. This approach fosters healthy relationships among the people and contributes to the well-being of society as a whole." (EECMY)

Of course, this does not mean that justice in a legalistic sense is not connected to this.

3.1.6 Gender Equality, Inequality and Complementarity

The relation of the genders—or rather sexes—in the Bible is complex, and often depends on a number of assumptions about the interpretation that are not directly found in the scripture itself. Consequently, different theological schools may come to the conclusion that the Bible promotes equality, inequality or complementarity. The contributing theologians all leaned towards a

complementarian interpretation of the Bible, mostly invoking both the equal creation of man and woman in Genesis and the mystical analogy between man and woman, on the one hand, and Christ and the Church, on the other.

That men and women were created together in the image of God (Gen 1:27) signifies that both sexes reflect divine nature. The duality of the sexes is widely understood as intentional by God the Creator, holding a spiritual significance. Gen 2:18 gives as a reason for the creation of the woman that "it is not good for the man to be alone" the woman therefore is created as a "suitable helper" - whereby the word helper (*ezer kenegdo*, עֵזֶר כְּנֶגְדּוֹ), does not indicate inferiority, but, in fact, *ezer* is often used to describe God as a helper (e.g., Psalm 33:20, Psalm 70:5). This implies that the woman is not created as subordinate, but as a partner of equal dignity and strength, since the term *ezer* describes vital, supportive roles—including that of God Himself. Later in Genesis, when Adam and Eve disobey God and eat the fruit of the forbidden tree and are consequently expelled from paradise ("the fall of man"), God tells Eve (the text says only "the woman") that her husband will rule over her (Gen 3,16). That this statement—that is not a command—is given in the context of the fall, is actually crucial. It signifies that male superiority is not God's original design, but a consequence of sin. Going back to this original design is an interpretation technique of the Old testament that is applied by Jesus himself in the discussion on divorce with the Pharisees discussed above (Matthew 19:3-8). From this perspective, the passages leading up to the fall of men gain superior importance. While some theologians, especially in the West, interpret any kind of gender inequality as contradicting God's original plan, others point out the asymmetries between the sexes that can be found in Genesis even before the fall, which they interpret as expressions of complementarity. What they all agree on, is that the rule of man over the woman is **not** God's plan, especially as Jesus has come to heal the wound that was caused by the fall of men, and to restore the original plan God had for his creation (Gal 3,23-29). Consequently, Jesus treats women and men alike, demonstrating utmost respect for their dignity and breaking many societal norms of his time. He spoke to them, touched them, and allowed them to travel with him through the country.

- "God is the God of justice; partiality has no place with God. From the creation and salvation accounts, God sees both men and women as His image and likeness, giving them equal responsibility, albeit with different roles." (EECMY)

Overall, the gospels do not appear to give much importance to the difference of genders. However, some differences can be observed. Men and women among Jesus' disciples fulfilled different roles - most importantly, all the apostles were men - a fact that many theologians attribute significance to, as Jesus otherwise seemed to care little about social conventions discriminating against women.

- John 4:4-26 (NIV): It was highly unusual for a Jewish man to speak to a Samaritan, let alone a woman, in public. Jesus broke both ethnic and gender norms by engaging with the Samaritan woman, discussing profound theological truths, and revealing himself as the Messiah to her.
- Mark 5:25-34: A woman suffering from chronic bleeding, considered ritually unclean under Jewish law, touched Jesus' garment in a crowd. Instead of rebuking her for making him unclean, Jesus publicly affirmed her faith and healed her, restoring her to the community.

- John 8:1-11: When a woman was brought to Jesus for committing adultery, the law dictated that she should be stoned. Jesus instead addressed the hypocrisy of the accusers, saying, "Let him who is without sin among you be the first to throw a stone at her." This not only saved her life but also exposed the double standard that punished women while ignoring the male counterpart's role in adultery.
- Luke 7:36-50: At a Pharisee's house, a sinful woman anointed Jesus' feet with her tears and perfume. Touching a rabbi, especially as an unclean or sinful woman, was taboo. Jesus accepted her act of devotion, forgave her sins, and commended her faith, ignoring societal judgment.

Unlike in the gospels, in the letters of the New Testament one can find numerous passages that distinguish between men and women and assign different roles to them explicitly. Some Western theologians interpret this fact as an indicator for a patriarchal influence that is distorting Jesus' original teachings of gender equality. This view was refuted by the theologians. Firstly, they saw it as contradicting to the divine inspiration of the scripture. Secondly, it would imply that already the apostles, including St. Paul and the early Church completely misunderstood Jesus' intention, an assumption that in many ways is highly problematic from a dogmatic and ecclesiological perspective. Finally, a key argument is: if Jesus had wanted, he could have and would have assigned equal roles to men and women in his fellowship - something he did not do. Ultimately, all the apostles were men. For the Orthodox Church, like for the Catholic Church, this constitutes the practice of ordaining exclusively men into priesthood.

Apart from this controversial topic, the paradigm most Christian Churches follow today, and is often summarized with "equal dignity - different roles" continued in the early church, as documented in the letters of the New Testament (e.g., 1 Corinthians 11; 1 Peter 3,1-8). Here, the dichotomy of sexes is seen as relevant for structuring both the daily life, the life of the Church, and even the spiritual realm. For example, the relationship of male and female, as Paul indicates, mirrors the relationship between Christ and the Church (Ephesians 5:25-32); this also is a relationship of non-equals, but this difference is transcended through sacrificial love. In I Corinthians 11 Paul discusses this relationship on the example of wearing veils in the Church, a practice that was prevalent at the time in both Jewish and Graeco-Roman cult, saying:

But I want you to realise that the head of every man is Christ, and the head of the woman is man, and the head of Christ is God. [...] A man ought not to cover his head, since he is the image and glory of God; but woman is the glory of man. For man did not come from woman, but woman from man; neither was man created for woman, but woman for man. [...] Nevertheless, in the Lord woman is not independent of man, nor is man independent of woman. For as woman came from man, so also man is born of woman. But everything comes from God. (1 Corinthians 11:1-10)

In conclusion, the theologians rejected both interpretations that justify patriarchal male superiority but also those who support equality of the genders in every aspect. Consequently, the theologians in the study agreed that equal dignity upholds the foundational worth of both sexes in God's design. Commandments of the Old Testament that appear to enshrine gender inequality or male superiority need to be interpreted in line with this plan and in the light of the New Testament.

Finally, it's important to note that the Bible—similar to what was said before about wealth and land ownership—also cautions the reader that sex and the differences it highlights ultimately do not matter for God and therefore should also not matter too much for his people. When St. Paul writes that "there is neither Jew nor Gentile, neither slave nor free, nor there is neither male nor female, for you are all one in Christ Jesus" (Galatians 3:28) he clearly relativizes the significance of ethnicity, social status as well sex and gender for the Christian identity. These things—while by no means irrelevant—should however not define the identity of a Christian, nor should others see a person only through that lens.

3.2 Biblical Perspectives

3.2.1 Women Landownership in the Bible

The most obvious way to approach the question of WLR in Christianity is to search the Bible for stories related to women and land. Thereby, almost all of such passages are to be found in the Old Testament, many of which have some legal implications or at least take place in front of a cultural and legal framework that is presumed by the authors. The customary law of Israel (see above) clearly favors men, and even though the modifications through the Mosaic law and the prophets overall improve their legal position, women remain disadvantaged with regards to land ownership. Most fundamentally, property rights are generally passed through male heirs (patrilineal).⁴² Nevertheless, women in biblical Israel appear in different relations to land and land rights:

- Women owning or controlling land
- Women inheriting land
- Women receiving land as dowry
- Widows carrying land rights for their children

A prime example for women that apparently owned and controlled land in their own right is the Proverbs 31 woman (Proverbs 31:10–31), who engages in economic activities, purchases land, and ensures the well-being of her household - and is celebrated for that. Overall, women's land ownership is not very uncommon, even though in this case the context implies that she still has a husband. Yet, the woman is celebrated for her economic agency and ability to manage land and resources. Also, other women in the Old Testament displayed social and economic agency.

- Abigail (1 Sam 25:2–43) – Managed her household's wealth and negotiated land-related matters.
- Rahab (Josh 2:1–24; 6:22–25) – Negotiated her family's security, likely ensuring land rights in Jericho.
- Tamar (Gen 38:1–30) – Asserted her rights for inheritance and protection through legal and social means, subverting society's expectations towards her.

42 Benjamin, D. C. 2017. "The land rights of women in Deuteronomy: In memory of John J. Pilch (1937–2016)." *Biblical Theology Bulletin: Journal of Bible and Culture*. DOI: [10.1177/0146107917697901](https://doi.org/10.1177/0146107917697901).

These examples highlight that women could manage, negotiate, and benefit from land ownership, even when male dominance in property rights was the norm, and is discussed primarily with regards to questions of inheritance. However, the default was that a man would control the land, even if a woman would have a legitimate legal claim.

The question if daughters can inherit land from their father is also discussed in the Old Testament. The rule was that, in the absence of a son, a man's estate passed to the nearest male relative (agnation), with the consequence that the man's name was extinguished. Against this background, Numbers 27:1-11 discusses the request of the daughters of Zelophehad, who successfully petition Moses to receive their father's inheritance, establishing a legal precedent for female inheritance. This was sanctioned directly by God, giving it significant weight. Correspondingly, Job (Job 42:15) bequeathed his daughters with land, and Caleb (Jos 15:16-19) gave it as a dowry. Achsah's story is not only significant as it—similar to the daughters of Zelophehad above—highlights a woman actively asserting her land rights, after she was not content with the land she had received as a dowry from her father. Her request for springs of water to accompany the arid land she was given shows that a daughter's right to inheritance is not merely quantitative (getting land) but also qualitative (good land). The ruling achieved by Zelophehad's daughters has an interesting aftermath. A little later in the book of Numbers (Num 36:2-12) the male leaders of Zelophehad's tribe expressed concern that allowing women to inherit land could lead to land being transferred outside the tribe through marriage. After consulting God, Moses introduces an endogamy law: Women who inherited land had to marry within their father's tribe (*endogamy*) to keep land holdings stable within tribal boundaries.⁴³ Theologians agreed that this commandment was given to the Israelites for the time they lived in the promised land, and therefore does not apply to the situation today - even though the conflict scenario is similar to common WLR conflicts in Ethiopia. They suggested focusing in the interpretation on the fact that women are raising questions around their land ownership and they are rightfully doing so.

Next to the concern about ensuring ownership of the tribe over the ancestral land, the Old Testament is also very much concerned with the continuation of the bloodline. It is considered of utmost importance that a man somehow gets a legitimate heir that can take over his land. For this, children with other women other than the legitimate wife can be acknowledged (e.g. Genesis 16:1-4) or non-biological children can be adopted (Ruth 4:13-17). Thereby, widows played a crucial role in protecting and transmitting land rights to their children, in a similar way as described in the case study above in Section 2.3. A special case is the *levirate*, where a brother of a deceased heirless man marries his widow to produce legitimate offspring for him, as seen for example in the famous story of Tamar (Gen 38). In 2 Sam a woman appeals to the king to spare her only son from punishment as this "put out the only burning coal I have left, leaving my husband neither name nor descendant on the face of the earth" (2 Sam 14,7). This highlights that widows were key figures in land management, safeguarding property until their children could assume full inheritance. Upon failure, they could lose their claims to the land, like Naomi and Ruth (Ruth 1-4). Their story also highlights clearly how widows were very vulnerable, and often appear to live in precarious economic situations

43 Josiah, U. G. 2021. "Land inheritance as 'justice' for women." In J. Kügler, R. Gabaitse, & J. Stiebert (Eds.), *The Bible and Gender Troubles in Africa* (pp. 147-168). BiAS – Bible in Africa Studies (Vol. 22). This is very interesting insofar as limiting women's choice for marriage is still found as a solution in some societies that practice women inheritance.

(Deuteronomy 24,19-21; 1 Kings 17,8-16; 2 Kings 4,1-7, Luke 18,1-8). Multiple passages in the Bible appeal to the reader to protect them and their rights (Deuteronomy 27,19).

In summary, the Old Testament contains a vast number of commandments or stories with a relationship to WLR, many of whom somehow aimed to protect and promote women's rights to land, but none of whom promote actual equality of men and women with regards to land. How are they to be interpreted?

The fact that the above passages mainly from the OT do not display equality did not deter the theologians from concluding that the Bible does not prohibit female land ownership:

- "There is no single passage that prohibits women from owning land." (EECMY theologian)

The theologians pointed out that many of the legal provisions in the Old Testament need to be understood as specific to the time and place of their creation, and its target group, the Israelites. Their culture, that is the implicit background of the whole OT, is not meant to be authoritative for today's Christians (see above 2.2). Furthermore, similar to Jesus' approach to OT legislation, the theologians go back to the creation (Genesis) to establish the equality of men and women and reason that justice among equals can only be equality, at least with regards to land rights - even though unequal distribution of labour / roles is seen as possible and natural. Finally, they point out that in Genesis 1:26-27 the earth is bestowed to **both** men and women, jointly addressed by God **in the plural**.

- "Therefore, excluding women from land ownership and agricultural activities is a denial of the potential that God has given them to use and a denial of the testimony of the Bible that women are fully capable and exemplary." (EOTC theologian)

The often argument in Ethiopia that a woman was responsible for the fall of mankind and therefore all women are excluded from inheriting land has no foundation in the Biblical texts, and is also theologically completely unrelated. But as it is very widespread and is also applied such as women leadership (see below) it needs to be taken into account.

3.2.2 Joint Ownership and Decision Making in Marriage

Another way to approach WLR is by examining the norms and values associated with marriage. Marriage not only holds significant theological and biblical importance in Christianity, but also, in a very practical sense, serves as a central factor in many WLR-related challenges. In other words, does denying a wife a voice in marital decision-making or excluding her from joint ownership align with the biblical vision of marriage?

A foundational concept of Christian marriage is the call to leave one's father and mother, unite with one's spouse, and become "one flesh" (Genesis 2:24). This idea is reaffirmed by Jesus himself and by early Christian teachings (Matthew 19:5; Mark 10:8; 1 Corinthians 6:16; Ephesians 5:31). The nature of this union has been a subject of theological debate over centuries. For example, St. Augustine, whose teachings greatly influenced Western Christianity, defined marriage as a sacred, God-ordained union characterized by procreation, fidelity, and an indissoluble bond, mirroring the relationship between Christ and the Church. In contrast, his counterpart in Eastern Christianity, St.

John Chrysostom (known in Ethiopia as Yohannes Afework), emphasized marriage as a partnership of love and mutual sanctification, in which husband and wife support one another in virtue and spiritual growth. He viewed marriage not merely as a legal or procreative institution, but as a means of attaining holiness.

Over time, teachings such as those of St. Augustine—often simplified into a legalistic framework—along with literal yet decontextualized biblical interpretations, have reinforced patriarchal structures and ideas of male superiority. One of the most frequently cited passages in this regard is St. Paul’s instruction that a wife should submit to her husband because he is the head of the household (Ephesians 5:24). However, in recent decades, the centrality of love has gained increasing emphasis in Christian theological discussions on marriage. The core idea is that God is love (1 John 4:8), and human beings, created in God’s image as male and female, are called to embody this love by transcending self-centeredness and forming a perfect union—becoming one. Some theologians even draw parallels between this union and the mystery of the Holy Trinity. The sacrificial nature of marriage is highlighted by St. Paul in his Letter to the Ephesians, where he compares the “mystery” of spousal relationships to Christ’s relationship with the Church. Accordingly, a husband is called to love his wife “as Christ loved the church and gave himself up for her” (Ephesians 5:25).

While the themes of unity and love suggest strong egalitarian implications, the concept of male headship—mentioned by Paul just one verse earlier in Ephesians 5:24—introduces an element of hierarchical structure. Most theologians in the study acknowledge this tension by distinguishing between equality in dignity and inequality in marital roles (see **Section 3.1.6**). The belief in equal dignity is derived from the joint creation of men and women in the image of God (Genesis 1:27), whereas differences in roles and responsibilities are supported by scriptural references that reflect distinct roles for men and women in early Christian communities.

While this perspective may seem somewhat abstract, it has far-reaching implications for the Christian understanding of spousal relationships, particularly in their everyday challenges. Theologians participating in the study largely agreed that decision-making within marriage should be based on mutual consent. In cases of disagreement, couples could seek guidance from pastors, spiritual mentors, or trusted friends. Additionally, the expectation that household responsibilities fall solely on women was widely rejected, even though this remains a common practice in Ethiopia—and in many regions, women’s domestic labor is further compounded by agricultural work. One theologian expressed his concern clearly by calling it an “unjust custom”, that would not be in line with Church teaching:

- “They are one flesh now. [...] Since they are one flesh, the strength and weakness of one is the strength and weakness of the other.”

This same theologian further elaborated that the implications of this unity extend beyond household responsibilities to include ownership and inheritance:

- “In general, even their property and inheritance belong to each other. They have no right to act independently, even with regard to themselves. [...] If a husband truly loves his wife, he gives himself to her, not just his property.” (EOTC theologian)

Thus, there appeared to be a general consensus that unequal distribution of property within marriage contradicts the fundamental principles of Christian marriage.⁴⁴ This mutual obligation extends beyond the marital relationship itself. All theologians agreed that, upon the death of the husband, the wife and children should have the primary claim to the couple's property. This view is strongly supported by biblical teachings, which repeatedly emphasize the protection of widows and orphans—sometimes in starkly forceful terms:

Woe to those who make unjust laws, to those who issue oppressive decrees, to deprive the poor of their rights and withhold justice from the oppressed of my people, making widows their prey and robbing the fatherless. What will you do on the day of reckoning, when disaster comes from afar? (Isaiah 10:1-2)

Although many Protestant and Orthodox churches differ in their views on the sacramental nature of marriage and, consequently, on divorce, the theologians agreed that a husband's and father's responsibilities extend beyond the dissolution of the marriage.

- *A Christian husband is responsible for financial support even in the case of divorce. There must be fair division for the sake of the wife and children's wellbeing. Children have a right to parental support including financial and emotional, right to relationship, right to stability and care, inheritance and love. And this has a Biblical ground in 1Timothy 5:8 where it says: "Anyone who does not provide for their relatives, and especially for their own household, has denied the faith and is worse than an unbeliever.(EOTC theologian)*

Theologians generally acknowledged that the question of divorce is a "messy" one, as a lot of different constellations raise different questions that may require different solutions, depending on the situation of the children or when a spouse enters a new marriage.

3.2.3 The Value of Kinship Ties and Communal Claims to Land

The primary challenge women face in securing their rights after their husband's death often arises from competing claims by the deceased husband's kin, meaning relatives that are not part of his household, respectively the nuclear family of father, mother and children. In some cases, these claims are even reinforced by a will, reflecting the broader societal expectation—prevalent in many Ethiopian communities and across Sub-Saharan Africa—that individuals prioritize loyalty to their extended kin, even at the expense of their wife and children. However, such attitudes were refuted by the theologians, stressing the importance of marriage and nuclear family as a "micro-Church".

- "Kins should be secondary, for the Bible clearly states the man leaves his father and mother and cleaves to his wife. Thus, when the relatives become more important than wife and children, that marriage contradicts the biblical ideal of marriage." (EECMY theologian)

Theologians also pointed towards the example of Jesus, who distanced himself from expectations of his kin and redefined family relations stating that "whoever does God's will is my brother and sister and mother" (Mark 3:35).

44 Even though some theologians stated that exceptions may be justifiable under specific circumstances, like ownership of companies.

- “This passage implies that kinship in the Kingdom of God transcends biological relationships, encompassing all who follow God's will.” (EECMY theologian)

Certainly, Jesus himself did not place significant importance on kinship ties. On multiple occasions, he called his disciples to detach themselves from familial bonds, as seen in his striking statement: *“If anyone comes to me and does not hate father and mother, wife and children, brothers and sisters—yes, even their own life—such a person cannot be my disciple.”* (Luke 14:26). These statements of Jesus appear to be in a certain tension with other statements of his, where he for example affirms the OT command to honour mother and father (Matthew 15:4; 19:19 et al.) and the centrality of marriage. Therefore, modern interpreters continue to debate the implications of Jesus' radical stance on kinship for contemporary Christian life. Many conclude that his words should be understood as a call to spiritual freedom—the freedom to prioritize the kingdom of God above all else. Simultaneously, many theologians also stressed the positive side of family relations, also to the extended family. They evoked the theological idea of the body of Christ, the Church, where different members belong together and work together.

Another relevant aspect is the communal claim to land within the boundaries of a community, which often forms the basis of disputes between a widow and her deceased husband's relatives (see Section 2.3). In fact, the very same concerns raised by the men who approached Moses after the daughters of Zelophehad were granted the right to inherit their father's land—approximately 2,500 years ago—continue to be voiced today. While theologians generally expressed an understanding of the desire to keep land within the hands of the local community or tribe, they rejected its relevance as a justification for limiting WLR.

- “In the Old Testament for the Israelites and in the rural areas of Ethiopia [keeping the land within ownership of the clan] was and it is still extremely important. But from a theological perspective, it should not be a big deal.” (EECMY theologian)

3.2.4 Women as Judges and Decision Makers

A final aspect relevant to WLR is the biblical perspective on women as judges and decision-makers, particularly in contrast to customary law, which is typically applied by a council of elders that excludes women—often with negative consequences.⁴⁵

While jurisdiction and decision-making in the Bible, particularly in the Old Testament, were also predominantly male-dominated, there are notable exceptions. One theologian pointed out that the daughters of Zelophehad should be commended for their bravery to bring their quest for land before Moses, even though the law of Israel stood against them, making them an encouraging example for all women that are working fearlessly for their own and all WLR.⁴⁶ Moreover, Jesus frequently disregarded many societal conventions regarding women (see Section 3.1.6). The most

⁴⁵ Furthermore, they also regulate gender relations in marriage, including physical punishments, forced marriages, and clan-enforced reconciliation. Therefore, any impact would probably also have an impact on the domestic violence interventions. See Abebe, B. 2021. *Christian value and social culture: Evangelical Christian attitude towards women domestic violence among the Gudji Oromo Evangelical Christian community: In the case of Adola Parish of the Adola Genale Synod of the EECMY* (Master's thesis). Mekane Yesus Seminary, Addis Ababa, Ethiopia.

⁴⁶ Cf. Kelebogile T. Resane, Daughters of Zelophehad – Quest for gender justice in land acquisition and ownership, *Theological Studies, African Journal* (2021).

prominent example - yet not the only one - of a woman in a position of authority and decision-making is Deborah. Her story, found in the Book of Judges (chapters 4–5), illustrates her role as a judge (*shofet* in Hebrew), a title that at the time encompassed not merely legal arbitration but also charismatic leadership, military command, and prophetic authority. Unlike modern judges, biblical judges did not preside over formal courts but were divinely appointed or recognized leaders who guided Israel during times of crisis. As a judge, Deborah settled disputes, exercised wisdom, and led the nation—even into battle. Other examples are Miriam, who was a prophetess and leader alongside Moses and Aaron who is explicitly counted as one of the three leaders sent to Israel in Micah 6:4, Huldah (2 Kings 22:14-20), Esther, or Priscilla (Acts 8:18-26). Additionally, Luke 11:31 and Matthew 12:42 refer to the Queen of the South as a bearer of wisdom. These examples demonstrate that God calls women to leadership and entrusts them with responsibilities traditionally assigned to men.

Nonetheless, the exclusion of women from leadership positions remains justified in many Christian communities in Ethiopia, also through specific scriptural interpretations. One common argument cites Eve—viewed as the archetypal woman—as the first to sin, thereby causing humanity’s fall. Because she tempted Adam, some claim that her decisions—and by extension, those of all women—are inherently prone to error. Yet, sin entered the world through both Adam and Eve, as both suffer from the curse. Paul even refers to Adam as the one primarily responsible (Romans 5:12). Consequently, the theologians in the study strongly rejected this reasoning.

- *The notion that a woman is incapable of leadership is fundamentally flawed. This misconception not only undermines women’s abilities but also perpetuates a harmful narrative that leads to their marginalization. Such misguided beliefs create an environment where women are viewed as sources of error and weakness, rather than as capable leaders.* (EECMY theologian)

Also, other arguments that are commonly evoked to exclude women from priesthood do not apply on this question, as the Orthodox Church clearly distinguishes between spiritual and social leadership, and the Elders who apply customary law exert the latter. Consequently, the theologians largely agreed that women should not be barred from participating in the Council of Elders or from contributing to the application of customary law.

- “Judgeship is a responsibility learned through experience, not one assigned by natural gender. According to church doctrine, there is no law prohibiting any position of responsibility, except for the secret inner service required by the priesthood in the temple.” (EOTC theologian)

The same theologian even suggested that priests should encourage women's participation by teaching that their inclusion in the council would enrich the decision-making process with the wisdom and maternal compassion that women often bring. Reference for women’s capacity to

leadership can also be made to some saints such as Saint Walatta Petros⁴⁷ or female figures of the Ethiopian history, such as Queen Makeda (the “Queen of Sheba”) or Empress Zewditu.⁴⁸

3.3 The Role of Clergy in Land Disputes

As noted above in chapter 2.4, clergy are often part of the council of elders responsible for applying customary law in land-related disputes. But what do the Bible and their Church teachings say about their role in these situations? The theologians emphasized that clergy must align their arguments with their Church’s teachings and uphold fundamental biblical principles.

All theologians agreed that spreading the Gospel by preaching the Word of God is their primary responsibility. As one EECMY theologian put it, they are called “*to show the direction and tell them the truth without compromising the Word of God.*” This commitment to truth is closely tied to their commitment to justice—two values frequently mentioned together. Clergy are expected to guide their communities toward divine justice, which goes beyond strict legal interpretations and instead shows compassion, particularly toward the most vulnerable members of society (see Section 3.2.5). As another EECMY theologian emphasized, they must lead “*in love and through conviction*”—and by example.

- “The clergy should be a voice for the voiceless widow. This is what is expected of him. If his position is overruled by others, he should support the widow in taking the case to the legal court.” (EECMY theologian)

Theologians often referred to the image of the *Good Shepherd* to describe the role of clergy in their communities. This analogy underscores their responsibility for the spiritual well-being of the people, leading them “*towards quiet waters*” and guiding them “*on the right path for His name’s sake*” (Psalm 23). However, theologians agreed that their responsibility extends beyond the spiritual realm, emphasizing a commitment to the holistic well-being of the community.

- The clergy must be a model in safeguarding the Word of God, as he is a Good Shepherd. As leaders responsible for both the soul and the body, they must take a stand against injustice and the abuse of women, guiding others through the testimony of the Holy Scriptures. (EOTC theologian)

Another suggested role model was Moses, especially as he appears in Num 27, where he listens to the complaints of Zelophehad’s daughters, and brings them before God, demonstrating both receptiveness to his people’s problems and humility as he felt he cannot decide himself. Therefore, an ideal clergy should reflect these virtues: being an intercessor, a listener, and an advocate just like Moses. As the representatives of God in the society, it is also their responsibility to remind the Elders of theirs, for example by educating them about Lev 19:15 where it says: “Do not pervert justice; do not show partiality to the poor or favouritism to the great, but judge your neighbour

47 A prominent female monastic and leader of anti-Catholic resistance during the Jesuit mission period. She is especially venerated for her courage, spiritual leadership, and commitment to Orthodox faith during a time of intense pressure to convert to Catholicism.

48 According to Ethiopian tradition, Makeda, the Queen of Sheba, is revered as the wise and powerful founding mother of the Solomonic Dynasty, while Empress Zewditu (1916–1930) was the first woman crowned as Empress regnant, ruling Ethiopia in her own right and marking the most prominent female reign in modern Ethiopian history.

fairly". In line with this, it may also be their duty to challenge cultural norms where they lead to injustice or contradict God's will in other ways - even though they should generally respect traditional and cultural norms and custom.

4. Statements of Major Christian Churches on WLR

4.1 The Ethiopian Orthodox Tewahedo Church (EOTC)

The issue of land and related land rights has been the focus of religious and social life of humanity since the creation of human existence. In Ethiopia, there are laws and proclamations to protect women's land rights. But still, in some places, there are customary norms, attitudes, and teachings continuing to deny women control over land, inheritance, and equitable participation in land-related decision-making. These dynamics, compounded by biased social systems, limit women's economic independence and perpetuate gender inequality. Consequently, the EOTC has developed canonical and theological teachings that protect WLR, that have contributed to preserve these basic rights in the Christian communities for centuries. These teachings are expressed in the Holy Bible as fundamental principles and foundations to the witness of our Orthodox Church.

Biblical Foundations

"Land" also plays a significant role in the Holy Bible and has various spiritual meanings. Starting from the creation stories to promises made by God, the land is often used as a symbol or representation of blessings, abundance, and divine favor. The land we are living on today is created by God—it is the first creation—and both Adam and Eve were created from the same land (Gen 2:7). When God gave right, responsibility, and authority to human beings over the creation and particularly over the land, He did it equally for men and women (Gen 1:26–30). When He gave the people of Israel the land of promise, He did it for all children of Israel, without discrimination. And in 1 Peter 3:7 the husband is reminded to honour his wife, for "being heirs together of the grace of life."

Human Rights

In line with this, the EOTC does not see any conflict between the Bible and human rights—on the contrary. Humanity is a word developed in Orthodox doctrine as the utmost reflection of natural human dignity. The humanity of the Son of God is human glorification and the foundation of all Christian doctrine. God has glorified and dignified human beings by taking human flesh from the Holy Virgin Maroth of God. In line with this, respecting humanity has underscored this moment as a fundamental step towards our positive attitude to one another. All human beings are not a mere accidental creation or being but a divinely designed and highly glorified creation. Consequently, human rights are not a secular or recently coined concept; they are deeply rooted in the teachings of Orthodox Christianity. We are called to respect and uphold the inherent dignity of every person, reflecting the love and justice of God in the world. The Bible guides us in understanding our responsibility toward each other and how we should treat one another. "To crush underfoot all prisoners in the land, to deny people their rights before the Most High" (Lamen 3:34). Thus, the Ethiopian Orthodox Tewahedo Church affirms the universal rights to non-discrimination, equality, life, freedom, and equitable access to all of creation—including land—regardless of gender, social status, race, or ethnicity, aligning both with biblical teachings and international human rights standards. EOTC has issues a number of documents that affirm the alignment of its teachings with fundamental human right conventions.

Women's Rights

Based on the biblical and canonical teachings of the EOTC, which are basically founded on the Apostolic Tradition and life of the early church, a woman has the right to flourish and grow within the boundaries God created for her. Men do not have the right to inhibit that growth and freedom, as has been done in the past and is still practiced in many parts of the world (Colossians 3:19). A woman has the right to fair treatment because women are “joint heirs of the grace of life” (1 Peter 3:7). This includes equal opportunities to own property (Proverbs 31:16), including land, receive an education, make personal decisions for herself, receive equal pay for equal work (Deuteronomy 24:17), and marry or not marry as she chooses (Numbers 36:6). A woman has the right to serve the Lord according to her gifts and within the boundaries God set for His Church (Titus 2:3–5; 1 Timothy 3:11).

Canonical Teachings

In light of this, the EOTC has always affirmed the rights of women to land, as it has manifested in its teachings.

The Canonical Collection of the EOTC, *Fitha Negest*, in its various passages, describes the rights of women in the Church and in society. In its first part, which deals with spiritual participation and ecclesiastic affairs, it does not discriminate against women in their right to undertake all ecclesial matters except priesthood. In the same way, the second part, which deals with all social affairs including family law, debt, and civil administration, gives us the position and teaching of the Church. Accordingly, the article dedicated to inheritance in the Ethiopian land system is Article 42:

Land Right during Inheritance for Wife

- Article 42, sub-article 1318: The wife shall inherit together with other heirs, and all her children (boys and girls), all of them equally without any discrimination.
- Article 42, sub-article 1319: If a man is deceased, his brothers and his mother shall also give opportunity.
- If a man is deceased, his brothers and his grandmother shall also give opportunity.
- Also, to transfer inheritance is accepted.

Children (Sons and Daughters) during Inheritance

- Article 42, sub-article 1321: For the first-degree heirs, sons and daughters are to be the first to inherit their family possession equally. Those who are his mother, father, and brothers are also in line with the heirs.
- Article 42, sub-article 1322: Brothers and sisters from the father's side shall inherit. Brothers and sisters from the mother's side shall also inherit.
- Article 42, sub-article 1323: The children (sons and daughters) of the brother of the deceased shall inherit according to their rank.

In all the lines of inheritance, women are not excluded; their share is not diminished. The steps are clearly articulated; justice is at the center of this jurisdictional document. The right of inheritance also includes the right to transfer, and women are not prohibited from transferring their possessions. This implies that they have the right to own property as well as to transfer it.

Wife from Her Husband and Husband from His Wife

While the above provides law articles regarding family inheritance, the following articles also discuss how a wife can inherit from her husband and a husband from his wife:

- Article 42, sub-article 1334: Husband and wife are one; they are joined by God, they are one and the same and equal. Hence, the law orders us to be just. Even if they don't have joint children, they shall inherit.
- Article 42, sub-article 1338: Even if the wife did not have a child from her husband and he dies, she receives half the inheritance.
- Article 42, sub-article 1339: Even if they did not marry but were betrothed and one dies, half of what he gave her shall be hers.

It can be concluded from the long list of inheritance protocols and detailed case studies in the canonical collection and ecclesial conception that women are not excluded from inheritance or property division in various marital situations (whether legally or socially recognized, with children born before or after marriage, or in cases of betrothal and marriage without children).

It is also very important to note that the issue of inheritance is directly and indirectly related to the spiritual meaning of marriage, the meaning of land, and justice. The Church provides all reasoning to defend both its theology and its rooted conception of social justice. These legal documents were in use in Ethiopia for many centuries until the introduction of the Penal Code in the 20th century.

Property Claims during Divorce

- The right to claim property during divorce is also attested in Article 24:948. This article discusses how property shall be claimed from both sides equally, with various detailed scenarios in the continuous articles.

In the Custom of the Society

- In most cases, biblical-based or Christian culture did not suppress women's land rights. However, there are various customs that prohibit this natural and human right.
- The Christian Orthodox Tewahedo culture is based on the Holy Bible and the Holy Canons. Therefore, it is our duty to correct and advocate against such attitudes for a stable society and justice.

In all cases, the property share includes land, fixed assets, and movable properties. Considering Ethiopia's agricultural society and dependence on land, the law has tried to be fair and flexible for numerous social phenomena.

Orthodox Leaders for Justice and Equality

Our Lord Jesus Christ tells us to serve others. Whatever we do for others is also a service rendered to Him that will bring eternal reward. "The King will reply, 'Truly I tell you, whatever you did for one of the least of these brothers and sisters of mine, you did for me'" (Matt 25:40). Again, in Proverbs 31:8, we are told to stand for the poor and those who cannot speak: "Speak up for those who cannot speak for themselves, for the rights of all who are destitute." We need to stand for justice: "Is not this the kind of fasting I have chosen: to loose the chains of injustice and untie the cords of the yoke, to set the oppressed free and break every yoke?" (Isaiah 58:6). And "Defend the weak and

the fatherless; uphold the cause of the poor and the oppressed” (Psalm 82:3). “This is what the Lord says: ‘Do what is just and right. Rescue from the hand of the oppressor the one who has been robbed. Do no wrong or violence to the foreigner, the fatherless, or the widow, and do not shed innocent blood in this place’” (Jeremiah 22:3).

Therefore, the EOTC remains committed to advocating for women’s land rights—for the good of women and the good of all Ethiopia.

4.2 The Ethiopian Evangelical Church of Mekhane Yesus (EECMY)

The Ethiopian Evangelical Church of Mekane Yesus (EECMY) affirms that WLR are a matter of justice, equality, and social transformation. While Ethiopia’s constitutional framework now recognizes women’s right to own, inherit, use, and transfer land, the reality on the ground remains deeply influenced by cultural and traditional barriers that hinder women from exercising these rights. Many communities continue to adhere to patriarchal customs of male land ownership and inheritance, creating a significant gap between legal principles and social practices. This gap demands both legal enforcement and cultural transformation, areas where the Church can play a pivotal role.

The biblical perspective on land ownership is foundational to understanding the relationship between faith and women's land rights. In the Old Testament, God is depicted as the ultimate owner of the land, with humans as stewards rather than absolute possessors. While land inheritance was predominantly patrilineal, there were clear instances where women were granted rights to land, notably the daughters of Zelophehad (Numbers 27:1-11). Their case established a precedent that allowed women to inherit property in the absence of male heirs. Additionally, Proverbs 31:16 describes a capable woman who buys and manages land, demonstrating that women could exercise economic agency. However, despite these instances, Old Testament inheritance laws largely reflected the patriarchal structures of ancient Israelite society, in which women’s land rights were conditional and heavily mediated through male guardianship.

With the coming of Christ, the theological foundation for gender equality was strengthened. Jesus' ministry actively challenged societal norms that marginalized women. He openly interacted with women, upheld their dignity, and demonstrated that the Kingdom of God is open to all, irrespective of gender. His encounters with the Samaritan woman at the well (John 4:1-42) and the woman accused of adultery (John 8:1-11) emphasize justice, inclusion, and the rejection of discriminatory social norms. Although the New Testament does not provide explicit legislation on land ownership, its teachings on love, justice, and shared responsibility form a strong ethical basis for advancing gender-equitable land rights. Early Christian communities practiced communal ownership, disregarding rigid gender divisions in economic and social participation.

From a theological standpoint, the God who offers equal spiritual inheritance to men and women does not limit women’s rights to physical inheritance, including land. The principles of equity and justice found in scripture support the view that Christian communities should embrace and promote women’s land rights as part of their commitment to God’s justice. The recognition of equal dignity before God implies that women should not be denied access to land, property, or economic opportunities. Therefore, Christians must consider the implications of equal inheritance in God’s Kingdom when addressing issues of land inheritance and ownership on earth.

However, the struggle for women's land rights does not occur in a vacuum. The historical context of Old Testament land ownership, where gendered property laws were deeply entrenched, shows that cultural transformation takes time. The New Testament provides a vision of equality and shared stewardship, but in societies where traditional customs hold more authority than religious teachings, the practical implementation of these values remains limited. In Ethiopia today, systemic barriers, cultural traditions, and the resistance to change continue to obstruct women's land rights, creating a stark contrast between biblical ideals and societal realities. Bridging this divide requires a concerted effort that integrates scripture-based advocacy, community engagement, and legal reinforcement.

Modern Ethiopian legal frameworks guarantee full gender equality in land ownership, yet cultural and customary practices continue to restrict their implementation. The Old Testament reflects a patriarchal inheritance system with limited exceptions, while the New Testament promotes justice, inclusion, and the economic participation of women. However, cultural resistance to legal change remains a significant obstacle to the realization of WLR. The contradiction between the restrictive traditions of the Old Testament, the transformative message of the New Testament, and the progressive but unenforced legal frameworks highlight the complexity of securing women's land rights.

The role of religion in advancing WLR is both an opportunity and a challenge. While legal frameworks offer clear pathways to equality, their effectiveness depends on cultural acceptance and implementation. Religious perspectives, particularly within Christianity, provide moral and ethical arguments that can support women's empowerment and influence policy. The intersection of legal rights, religious values, and traditional practices requires a multidimensional approach. Addressing the barriers to WLR demands strategic efforts in legal education, theological training, and community-based advocacy. Awareness and legal reforms must be reinforced with grassroots initiatives that educate communities on the economic and social benefits of securing land rights for women—not only as a matter of justice but also as a means of ensuring stability and growth.

In conclusion, women's legal entitlement to land is supported by the scripture, yet the dominance of patrilineal inheritance traditions continues to challenge this right. However, the teachings of Jesus and the practices of the early Christian community clearly defy patriarchal structures. Women, like men, have the right to inherit land and manage property. We conclude that no biblical law prohibits women from owning land. Therefore, the EECMY recognizes that WLR should be integrated into its teachings, pastoral work, and advocacy. Promoting women's land rights is not merely a social or legal matter but a spiritual and theological imperative that aligns with the biblical call for justice, stewardship, and equality in God's creation.

5. Recommendations for Addressing WLR Challenges with Christian Actors

Although the legal framework in Ethiopia is largely supportive of WLR, the enforcement of women's land rights remains a challenge due to a number of factors. First, social norms and practices, as well as patriarchal attitudes, continue to limit women's ability to inherit land and to make decisions about land they hold jointly with their spouses. Secondly, lack of knowledge and awareness of legal WLR in rural areas hinders women's ability to claim their share of land. Next, the inaccessibility of the formal justice system in rural areas leads women to abandon their land claims because they are financially weak and overburdened with domestic responsibilities. Finally, male-dominated land administrators and judges, both in state structures and customary settings, make land-related decisions unfair and male-biased.

5.1 Potential for Change Through Cooperation with Religious Actors

To enhance the enforcement of WLR beyond formal land certification, collaboration with religious actors offers a strategic entry point for addressing deeply rooted social norms, customary practices, and legal barriers. Religious leaders hold significant authority within communities and can serve as key allies in shifting attitudes toward WLR. The following approaches outline how engagement with religious actors can contribute to transformative change:

1. **Mobilizing Religious Leaders for Community Advocacy**

Religious leaders, as respected figures in their communities, can play a crucial role in raising awareness of women's land rights and challenging discriminatory norms. By integrating WLR messages into sermons, counseling, and pastoral work, clergy can help shift community perceptions and create greater acceptance for women's legal claims to land. This approach ensures that discussions on WLR are framed within a moral and theological context that resonates with local values.

2. **Influencing Customary Legal Practices through Clergy Training**

Clergy frequently participate in councils of elders and informal dispute resolution mechanisms that govern land matters. Training clergy on gender-equitable interpretations of biblical teachings and their application to land disputes can directly impact the way customary law is applied. By promoting scriptural teachings on justice, unity in marriage, and the protection of widows and orphans they may mitigate male-biased decision-making and achieve more just outcomes for women. Potentially, clergy may even advocate for the inclusion of women into the council itself.

3. **Transforming Social Norms Through Faith-Based Engagement**

Religious institutions have the capacity to reshape societal norms by reinforcing values of justice, stewardship, and family responsibility. By promoting biblical narratives that highlight women's rightful place in decision-making and inheritance, religious leaders can challenge harmful gender norms that restrict women's access to land. Given that many communities consider religious principles superior to cultural traditions, faith-based arguments for WLR can be particularly persuasive. Faith-based discussions in churches and religious study

groups can provide safe spaces for addressing misconceptions and fostering dialogue on gender equality.

4. **Strengthening Women's Representation in Land Governance through Church Networks**

Many faith-based organizations already engage in community development and governance initiatives. Leveraging these structures to promote women's participation in land governance—whether through church-affiliated land committees, women's ministries, or faith-based advocacy groups—can help ensure that women's voices are represented in decision-making processes related to land ownership and inheritance.

By integrating WLR advocacy into religious teachings and practices, the Church can serve as a powerful agent of change, complementing legal and policy efforts to ensure that women not only have the right to land but also the community support necessary to exercise those rights effectively.

The pivotal condition for this is the support of the local clergy, who oftentimes had only access to a very limited theological formation, and therefore are ill-equipped to critically reflect on community norms restricting WLR. Consequently, training clergy on WLR has significant potential to influence the application of customary law and transform community norms in favor of gender-equitable land rights. Given the central role of religious leaders in Ethiopia—both as spiritual guides and as members of councils of elders that oversee dispute resolution—clergy are uniquely positioned to support shifts in social attitudes toward WLR. By engaging with biblical teachings that promote justice, fairness, and stewardship, clergy can advocate for women's rightful access to land without triggering resistance based on cultural preservation arguments. Furthermore, the Bible and Church teachings provide a theological foundation that can legitimize and reinforce these changes, as demonstrated by biblical precedents such as the daughters of Zelophehad. While religious norms are often given precedence over cultural traditions, clergy training can emphasize the primacy of biblical principles over customary practices that discriminate against women, ultimately fostering greater acceptance for women's land rights within religious and social frameworks.

Ideally, this training is accompanied by systematic and long-term community engagement, for example through generational dialogues.

5.2 Theological Entry Points for Promoting Women's Land Rights

This study identified several **key theological arguments** that can serve as entry points for promoting WLR:

1. **Equality in Creation and Divine Bestowment of Land** – Genesis 1:27 affirms that both men and women were created in God's image and "heirs to the same grace", implying equal dignity and agency. The original divine plan entrusted both genders with stewardship over the land (Gen 1:28), constituting the key theological argument for gender-inclusive land rights.

"If women are granted to inherit the kingdom of God it is absolutely right to inherit land on this earth." (EECMY theologian)

2. **Justice and Women's Legal Claims in the Old Testament** – The Old Testament emphasizes justice for all people, with multiple narratives illustrating women's right to inherit and control land. The case of the daughters of Zelophehad (Numbers 27:1-11) set a precedent for women's inheritance rights. While the Old Testament also entails multiple discriminatory legal provisions, these can be deconstructed as culturally contingent and/or were superseded by Jesus' teachings in the New Testament and therefore are not to be considered binding for Christians today.
3. **New Testament Vision of Marriage and Joint Ownership** – Christian marriage is supposed to be based on love and unity. This implies joint decision-making and shared ownership of resources, including land, countering traditional norms that exclude women from land-related decisions.
4. **Priority of the Core Family Over Kinship Obligations** – Biblical teachings prioritize the nuclear family over extended kinship obligations (Gen 2:24, Mark 3:35), challenging customary practices that prioritize a man's extended family at the expense of his wife's rights to marital property.
5. **Women as Leaders and Decision-Makers** – The Bible provides examples of strong and wise women, such as Deborah (Judges 4-5), who exercised leadership and made decisions for their communities. These precedents support the inclusion of women in councils of elders and land governance structures, as these are about social, not spiritual leadership.

"Any priest, regardless of who they are, bases their evangelical teachings on the Word of God—the Holy Scripture. And since the Holy Scripture permits it, no one can prohibit it." (EECMY theologian)

5.3 Limitations of a Religious Approach to WLR

While leveraging Christian teachings to promote WLR is a powerful strategy, it does not fully align with international gender equality standards as enshrined in global women's rights frameworks, or with the guarantees of gender equality specifically with regard to land in Ethiopian legal frameworks at the national level. Theological arguments often focus on complementarity rather than absolute equality, emphasizing men's responsibilities rather than framing women's rights as inherent and autonomous. As one EECMY theologian noted:

- "I suggest that the Church needs to work more on men's responsibility rather than emphasizing women's rights. We can achieve more by focusing on God's purpose for both women and men instead of their individual rights."

This approach may be pragmatic, as it avoids framing WLR as an externally imposed agenda that seeks to change local culture from a perceived higher moral ground. Instead, it grounds the advocacy for WLR within a framework that aligns with Christian ethics and values, reducing

resistance and increasing community acceptance. While it may fall short of full gender equality from a secular legal perspective, it remains a valuable complementary approach that works within the realities of deeply religious societies.

5.4 Core Elements of Clergy Training on WLR

A structured training program for clergy on WLR should include the following key elements:

1. **Contextualizing WLR** – Understanding gender-based land tenure rights at global and national levels, as well as the tensions with customary law.
2. **The Role of Clergy in Customary Law and Councils of Elders** – Starting from understanding the mission of the Church, the dual responsibility of clergy as spiritual leaders and mediators in land dispute resolution is unpacked.
3. **The Primacy of Religion Over Culture** – Establishing that religious principles should take precedence over cultural norms that discriminate against women in land matters.
4. **Commitment to Truth, Justice, and Advocacy for the Vulnerable** – Exploring the biblical mandate for defending the rights of marginalized groups, including widows and landless women (Isaiah 1:17, Micah 6:8).
5. **Techniques for Interpreting the Old Testament** – learning and applying different ways of understanding the scripture, such as
 - Typological
 - Allegorical
 - Contextual
 - Pedagogical
 - Comparing towards God’s original plan
6. **Biblical Perspectives on Land, Women, and Justice** – Examining key scriptural narratives, including:
 - The daughters of Zelophehad as a case study on women's inheritance rights.
 - The absence of biblical prohibitions against female land ownership.
 - Interpretative approaches: Jesus’ reinterpretation of Old Testament laws, the original divine plan for creation, and the foreshadowing of justice in the Old Testament, as well as analyzing implicit gender norms in Old Testament texts and how they should be understood today.
7. **Gender Relations in Christian Marriage** – Exploring biblical teachings on marital roles, particularly:
 - The responsibilities of husbands as loving and sacrificial partners (Eph 5:25).
 - The tension between obligations to wife and children versus obligations to kin.
 - The implications of unity in marriage for joint land ownership.

8. **Discussion of Concrete Case Studies on WLR** – Applying theological perspectives to real-life land rights issues faced by women in Ethiopia.

By equipping clergy with these theological and practical insights, the Church can play a transformative role in shifting social norms and supporting WLR within Ethiopia's customary and religiously informed legal structures.

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