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THE BARRED ROLE OF REGULAR COURTS IN THE ADJUDICATION OF CASES OF DEMOLITION OF INFORMAL HOUSES IN SHAGGAR CITY, ETHIOPIA

*Eshetu Yadeta and Muradu Abdo**

Abstract

In the newly established Shaggar City, rapid peri-urban restructuring has led to large-scale demolitions of residential structures. The paper examines the role of regular courts in adjudicating cases arising out of the demolition of informal houses_ the legal challenges surrounding judicial oversight of these executive actions. The primary objective is to investigate the "justice gap" created when administrative measures bypass the judicial scrutiny guaranteed under the FDRE Constitution. Utilizing a qualitative framework, the paper analyses semi-structured interviews and focus group discussions with legal experts and affected residents, triangulated against Ethiopia's constitutional and legislative frameworks. The study identifies three systemic failures: the use of informal circular letters to restrict court filings; the legislative ouster of jurisdiction via Article 28 of Proclamation No. 721/2011; and the lack of institutional impartiality when grievances are heard by the same administrative bodies executing the demolitions. These findings suggest that demolition often functions as a "final judgment," effectively bypassing the right of access to justice stipulated under Article 37 of the FDRE Constitution. The suspension of judicial oversight erodes public trust in the rule of law. The study recommends a robust adherence to constitutional principles supported by legislative framework to restore the judiciary's power of review over administrative actions.

Key terms: Access to Justice, Administrative Law, Informal Housing, *Judicial Independence*, *Rule of Law*, *Shaggar City*

I. INTRODUCTION

The global landscape of the 21st century is defined by an unprecedented shift toward urbanization, particularly within the Global South.¹ Driven by rural-to-urban mobility, industrialization, and rapid population growth, this transition has outpaced formal urban

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¹ UN-Habitat, *World Cities Report 2022: Envisaging the Future of Cities* (United Nations 2022); see also Mike Davis, *Planet of Slums* (Verso 2006) on the "urbanization without industrialization" phenomenon in the Global South.

governance.² In Africa, and Ethiopia specifically, this has led to a chronic shortage of affordable housing.³ Shaggar City, established in 2023, represents an emerging urbanization process that presents acute challenges to land and housing governance.⁴

In the Oromia Regional State, this trend culminated in the establishment of Shaggar City in 2023—a "Smart City" mega-project spanning 160,000 hectares, formed by the merger of towns such as Sululta, Burayyu, and Sebeta.⁵ The housing crisis or more accurately, housing scarcity in the peri-urban fringes of Shaggar City is a manifestation of "housing logic." This term refers to the rational strategies used by residents to navigate artificial scarcity created by the state's attempt to regulate land markets. In Ethiopian peri-urban centers, the landscape of residency is deeply rooted in individual-level characteristics rather than just administrative directives.⁶ As the formal market in Addis Ababa becomes increasingly unsupportive, a "rational housing choice behavior" emerges where residents—faced with a decline in their socio-economic coping abilities—shift from formal to informal markets to satisfy their basic needs.⁷

This shift is exacerbated by informality, systemic corruption, and administrative mismanagement, where the formal market remains unsupportive of low-income families, effectively neglecting low-income families and forcing them into precarious living situations.⁸ Furthermore, the security of these residents is often determined by "dispositional factors," such as political affiliation and social networks, which create a bifurcated system of "privileged" and "underprivileged" occupants.⁹ Consequently, the mass demolitions in areas like Gurara Abichu represent a collision between the state's territorial logic and the survival strategies of a vulnerable population that has been structurally excluded from the formal economy.

The mass demolitions in areas like Gurara Abichu constitute a "blanket rule" approach. Unlike the South African "Apartheid" system of racial segregation, the Ethiopian context reveals indiscriminate demolitions driven by the "Smart City" and "Corridor Development" (abuwaran maragef) modernization agendas. This revolutionary approach to urban change seeks a "dignified life" through strict adherence to state plans, yet it treats informal housing as a "dead end." Shaggar City serves as a defining test case for this complete shift toward formal housing and real estate projects.

While the administration justifies the city's creation as a necessity for integrated development and modernization, the project has triggered a massive human rights crisis. Between January and August 2023, reportedly tens of thousands of houses were demolished,

² Edgar Pieterse, *City Futures: Confronting the Crisis of Urban Development* (Zed Books 2008). Pieterse argues that formal planning frameworks in Africa often fail to account for the "informal" reality of rapid urban growth.

³ World Bank, *Ethiopia Urbanization Review: Leveraging Urbanization for Resilience and Growth* (World Bank Group 2015). This report details the structural gap between housing demand and state-led supply in Ethiopia.

⁴ Oromia Regional State Administrative Council, Regulation for the Establishment of Shaggar City Administration, Regulation No. 248/2023. This regulation merged several sub-cities surrounding Addis Ababa into a single administrative entity, triggering the governance challenges discussed.

⁵ Shaggar City Establishment Regulation No. 249/2023.

⁶ Debele, E. T., & Negussie, T. (2022). Socio-demographic and socio-economic dynamics underlying housing development of urban residents in Sebeta town, Ethiopia. *Cogent Social Sciences*, 8(1).

⁷ Debele, E. T., & Negussie, T. (2022). Housing logic: Rationalities behind housing choice behavior in coping housing market dynamics among urban residents in Sebeta Town, Ethiopia. *Research in Globalization*, 5.

⁸ Debele, E. T., Negussie, T., & Mulugeta, S. (2024). Institutions' dynamics and homeownership aspirations in Ethiopia. *Discover Global Society*, 2 (46).

⁹ Debele, E. T. (2024). Social networks and dispositional factors determining housing status of urban residents: evidence from Ethiopia. *Housing Studies*, 40 (4).

leaving hundreds thousands homeless and disrupting the education and health of vulnerable families.¹⁰ Under the African Charter on Human and Peoples' Rights (ACHPR), to which Ethiopia is a signatory, state-led demolitions must be a measure of last resort, strictly proportional, and subject to judicial oversight.¹¹ However, in Shaggar City, the state's "Smart City" logic appears to have bypassed these continental standards.

In this climate of indiscriminate demolition, the role of the judiciary is paramount. Central to the rule of law is the question: Can the judiciary remain resilient and protect informal possessors, or will it cooperate with state policy? While empirical literature suggests varied levels of judicial independence in such crises, this paper contributes to the discussion by examining whether the Ethiopian judiciary can maintain neutrality or if it has succumbed to the state's informal housing clearance approach to urban governance.

Shaggar City was established by Oromia Regional State Regulation No. 249/2023, merging five cities surrounding Addis Ababa; Gelan, Xafo, Burayyu, Sebeta, Sululta and one woreda town Kolobo into a single administrative entity spanning approximately 160,000 hectares. Designed as a "Smart City" hub, it serves as the administrative and economic focal point for the Oromia Special Zone.

The demolition of informal houses in Shaggar City has revealed a profound gap in the accessibility of justice in Ethiopia. In a democratic state founded on the rule of law, executive actions—especially those as impactful as the destruction of a home expected to be subject to judicial review. In a well-functioning legal system, massive informal housing might be mitigated by proactive planning; however, where executive action is arbitrary, the court's power of review is essential. Historically, Ethiopian courts lacked clear authorization to check executive actions. With the advent of the Federal Administrative Procedure Proclamation No. 1183/2013, a theoretical framework for judicial review was established, yet its application nationwide remains contested.¹²

The central problem in Shaggar City is the "judicial endorsement of executive will." This is the subordination of judicial independence to executive priority. Although Article 37 of the FDRE Constitution mandates the adjudication of justiciable matters by the judiciary or other organs duly empowered by the law, Shaggar City courts have instituted a procedural bar. Registries reportedly refuse to open files—effectively denying the commencement of a lawsuit—because plaintiffs lack a formal title deed.¹³ This creates a legal paradox: the court requires a document that the state refuses to issue as a prerequisite to hear a claim regarding the state's destruction of the property. This "title-deed requirement"¹⁴ effectively grants the executive branch immunity from judicial scrutiny, transforming access to justice from a fundamental right into a privilege for the titled deed.¹⁵

¹⁰ Ethiopian Human Rights Commission (EHRC) Report (2023), as cited in Dissertation Section 1.1.

¹¹ Social and Economic Rights Action Center (SERAC) v. Nigeria, African Commission on Human and Peoples' Rights (2001).

¹² Federal Administrative Procedure Proclamation No. 1183/2013; Dissertation Statement of the Problem.

¹³ Dissertation Statement of the Problem, p. 8 (discussing "judicial endorsement of executive will").

¹⁴ Title-deed fetishism refers to the court's refusal to recognize any legal interest or possessory right unless it is validated by the very administrative body that is ordering the demolition.

¹⁵ Ibid (discussing "title-deed fetishism" and procedural bars).

The general objective is to examine the role of regular courts in adjudicating cases arising from the demolition of informal houses in Shaggar City. To achieve this, the following specific objectives are pursued:

- To examine the legal and institutional frameworks regulating informal urban houses in Ethiopia, with specific emphasis on their implementation within the Shaggar City administration;
- To evaluate whether the demolition processes in Shaggar City complied with the rule of law and international human rights standards regarding forceful and discriminatory evictions;
- To investigate the procedural and institutional reasons behind the judiciary's refusal to accept applications from informal settlers, including an analysis of the legitimacy of internal administrative directives and jurisdictional ouster clauses; and
- To evaluate the legal status of possessory rights held by informal settlers under national legislation and international human rights case law.

The paper is of multi-dimensional significance. For the judiciary, it provides a normative argument for the justiciability of informal property, challenging the current "judicial abdication." For policy-makers, it offers a rights-based roadmap to "Smart City" development that balances modernization with procedural obligations. For the academic community, it fills a gap in socio-legal literature by interrogating the judiciary as a battleground for social change. Finally, for the evictees, it provides a voice to the legally invisible, arguing that the protection of human dignity is a non-negotiable judicial duty.¹⁶

The study is geographically delimited to Shaggar City, Oromia, specifically focusing on the demolitions occurring between 2023 and 2025. Substantively, the paper is confined to the role of regular courts (First Instance, High, and Supreme Courts) in exercising judicial review over executive demolition orders.

A. Methodology

The paper employs a qualitative research design to critically scrutinize the role of regular courts in adjudicating property-related disputes arising from administrative demolition orders. This approach was selected because the paper seeks to go beyond a black-letter reading of the law, instead interrogating the lived reality of judicial review and the perceived gap in access to justice, access to court in Shaggar City.¹⁷ By focusing on the role of the judiciary on claims over informal holding, the methodology allows for an exploration of the socio-legal dynamics of institutional constraints that purely quantitative data would fail to capture. The design prioritises understanding the procedural interactions between the executive and judicial branches rather than making a purely normative judgment on the act of demolition itself. The research utilized a tripartite data collection strategy:

The primary data for this study was gathered through in-depth, semi-structured interviews with 11 key participants (P1–P11). These participants were purposively selected to include:

- Judicial Officers and Legal Experts: (e.g., P3, P4, P9) to provide insights into court directives, the "title-deed fetishism," and the history of "Courts vs. Kings."

¹⁶ Dissertation Significance of the Study, Section 1.5.

¹⁷ Dissertation Introduction (intent to scrutinize courts building on empirical evidence), p. 1.

- Affected Residents/Victims: (e.g., P5) to document the "catastrophic human toll," the extra-legal administrative nature of demolitions, and the procedural gaps in the Shaggar administration.¹⁸
- A focus group discussion was conducted on August 30, 2025, involving legal practitioners and strategic advisors to examine the underlying causes of informality and the political pressure placed on the judiciary during crises.¹⁹

To ensure legal accuracy, primary accounts were triangulated against a robust archive of legal instruments, including the FDRE Constitution, Proclamation No. 721/2011, Oromia Urban Land Regulation No 182/2016, Oromia Urban Land Directive No. 05/2016, and international covenants such as the ACHPR and ICESCR.²⁰

The study utilizes accounts from 11 purposively selected participants, including legal experts and individuals directly affected by the demolitions. Snowball sampling technique was also used to ensure that individuals with direct experience in the Shaggar City legal landscape were reached.

The data was analysed using thematic content analysis. Primary interview transcripts were coded to identify recurring themes such as Administrative Insulation, Executive Inconsistency, and Procedural Lawlessness. To ensure validity, the findings were triangulated: the registry refusals reported by participants were checked against the jurisdictional limitations set by Article 28 of Proclamation 721/2011.²¹ This process ensures that the identified "Barriers to Justice" are substantiated both by empirical testimony and statutory analysis. "Barriers to Justice" is defined here as the combination of registry-level refusals, legislative exclusion of review, and the "title-deed" requirement that prevents the "legally invisible" from accessing a court.

Given the high-security context and the sensitivity of the Shaggar City project, strict ethical protocols were maintained. All participants were granted anonymity (coded P1–P11), and informed consent was obtained prior to all interviews. The research prioritized the safety of participants who shared their testimonies in relation to demolition of informal houses in Shaggar city.²²

II. THEORETICAL FRAMEWORKS

This study is anchored in a Dual-Lens Theoretical Framework that reconciles economic property theories with human rights-based approaches.

A. The Economic Theory of Capital and Formalization

Drawing on Hernando de Soto's theory of "Dead Capital," this study acknowledges that informal holdings represent significant investments of citizen labor and capital that remain "dead" because they lack formal legal recognition.²³ However, the paper moves beyond De Soto by arguing that the lack of a title deed should not render a resident "legally invisible." The study utilizes Amartya Sen's "Capabilities Approach," asserting that housing is a fundamental

¹⁸ Dissertation Background (claims of evictees regarding denial of access to courts), p. 5.

¹⁹ Focus Group Discussion, Participant 3 (P3), August 30, 2025; Dissertation Section 6.1.2.

²⁰ Dissertation Introduction (contextualizing Shaggar project within ACHPR and FDRE Constitutional standards), p. 4.

²¹ Urban Land Lease Holding Proclamation No. 721/2011, Art. 28; Dissertation Statement of the Problem.

²² Dissertation Significance of the Study (documenting "judicial denial" for the legally invisible), p. 13.

²³ Hernando de Soto, *The Mystery of Capital* (2000), as synthesized in Dissertation Section 1.5.

capability necessary for human development, and its arbitrary destruction is a subtraction from a nation's total wealth.²⁴

B. The "Right to the City" and Constitutionalism

Drawing on Hernando de Soto's theory of "Dead Capital," this study acknowledges that informal holdings represent significant investments of citizen labor and capital that remain "dead" because they lack formal legal recognition.²⁵ However, the paper moves beyond De Soto by arguing that the lack of a title deed should not render a resident "legally invisible." The study utilizes Amartya Sen's "Capabilities Approach," asserting that housing is a fundamental capability necessary for human development, and its arbitrary destruction is a subtraction from a nation's total wealth.²⁶

III. LITERATURE REVIEW

A. The Global and Regional Context of Urban Informality

The literature on urban informality is historically divided between those who view it as a legal failure and those who see it as a market survival strategy. Early scholars like Hernando de Soto argue that informality is the result of bureaucratic hurdles that prevent the poor from converting "dead capital" into formal assets.²⁷ In the African context, this is exacerbated by colonial-era planning laws that remain ill-suited for rapid 21st-century urbanization.

Recent scholarship in the African Human Rights system suggests that the state's response to informality—often through forced evictions—is a violation of the "Right to the City." The African Commission on Human and Peoples' Rights, in its landmark jurisprudence (*SERAC v. Nigeria*), established that even in the absence of an explicit "right to housing," the combined effect of the right to property (Art. 14) and the right to health (Art. 16) forbids forced evictions without due process.²⁸

Recent scholarship identifies that urban residents do not settle "illegally" by random chance; rather, they follow a set of principles known as the "4As": Affordability, Accessibility, Adequacy, and Aptness.²⁹ When the state fails to provide these elements through formal channels, informal housing becomes the only viable "housing logic" for the urban poor.

However, this logic is hampered by Institutional Dynamics. In the Shaggar City context, mortgage accessibility and housing prices play a decisive role in shaping homeownership aspirations.³⁰ The paper has shown that the likelihood of aspiring to own a home decreases significantly as market dysfunctions increase and mortgage services become a tool for the wealthy rather than a social utility.³¹

²⁴ Amartya Sen, *Development as Freedom* (1999); Dissertation Section 1.5.

²⁵ Hernando de Soto, *The Mystery of Capital* (2000), as synthesized in Dissertation Section 1.5.

²⁶ Amartya Sen, *Development as Freedom* (1999); Dissertation Section 1.5.

²⁷ Hernando de Soto, *The Mystery of Capital* (2000); Dissertation Introduction, p. 5.

²⁸ *Social and Economic Rights Action Center (SERAC) v. Nigeria*, ACHPR (2001); Dissertation Background, p. 4.

²⁹ Debele, E. T., & Negussie, T. (2022). Housing logic: Rationalities behind housing choice behavior in coping housing market dynamics among urban residents in Sebeta Town, Ethiopia, *Research in Globalization*, 5.

³⁰ Debele, E. T., Negussie, T., & Mulugeta, S. (2024), Institutions' dynamics and homeownership aspirations in Ethiopia, *Discover Global Society*, 2(46).

³¹ Debele, E. T., Negussie, T., & Mulugeta, S. (2024), Institutions' dynamics and homeownership aspirations in Ethiopia, *Discover Global Society*, 2(46).

B. Land Tenure and the "Anti-Market" Policy in Ethiopia

A critical theme in Ethiopian legal literature is the tension between the state's "anti-market" land policy and the reality of informal land transactions. The 1995 FDRE Constitution incorporates public ownership of land (Art. 40), stipulating that land cannot be bought or sold.³² Critics argue that this policy traps farmers in a cycle of low compensation and motivates them to sell land informally to urban seekers who can pay higher market rates.³³

The literature identifies a "legal trap" in Ethiopian urban land law: Proclamation No. 721/2011 criminalizes "land grabbing" or possessing urban land without government authorization.³⁴ However, the same legal framework has historically allowed for periodic regularization via executive directives.³⁵ This creates what scholars call "executive inconsistency," where the state alternates between treating informal settlers as "criminals" to be evicted and "citizens" to be regularized, often based on political cycles.³⁶

Beyond economic factors, housing status is heavily influenced by social networks and dispositional factors.³⁷ These include political affiliation, informal social networks, and even parental support. Disparities in housing status are frequently observed between those who possess these networks and those who do not, with the latter group facing a much higher risk of displacement.³⁸ This ethicized and politicized housing landscape means that "informality" is often a convenient legal pretext for state land acquisition, targeting those who lack the social capital to defend their property.³⁹

C. The Judiciary as a "Gatekeeper" vs. "Guardian"

The most significant gap in current literature concerns the role of the regular courts. While much has been written on the socio-economic impact of informality in Ethiopia, there is a dearth of research on the justiciability of Informal Property. Historically, the Ethiopian judiciary's power has been limited to adjudicating "justiciable matters," but a "procedural bar" often arises in land cases.⁴⁰

Scholarship on judicial review in new democracies suggests that courts often face pressure to serve executive interests during "modernization" projects. In the specific context of Shaggar City, this is characterized as "Title-Deed Fetishism."⁴¹ By requiring a formal title deed—a document the state purposefully withholds—as a threshold for filing a claim, the judiciary shifts from being a "Guardian of the Constitution" to a "Gatekeeper for the Executive." This practice

³² FDRE CONSTITUTION (1995), Art. 40; Dissertation Background, p. 6.

³³ Dissertation Introduction (discussing anti-market land policy and farmer evictions), p. 7.

³⁴ Urban Land Lease Holding Proclamation No. 721/2011, Arts. 31 & 35; Dissertation Section 1.1.

³⁵ See Oromia Uncertified Urban Land Possession Directive No. 5/2016; Dissertation Section 1.1.

³⁶ Dissertation Statement of the Problem (discussing "executive inconsistency" in Africa), p. 10.

³⁷ Debele, E. T. (2024). Social networks and dispositional factors determining housing status of urban residents: evidence from Ethiopia. *Housing Studies*, 40(4).

³⁸ *Id.*

³⁹ Debele, E. T. (2024). Social networks and dispositional factors determining housing status of urban residents: evidence from Ethiopia. *Housing Studies*, 40(4).

⁴⁰ Dissertation Statement of the Problem, p. 9.

⁴¹ Dissertation Introduction (referencing "title-deed fetishism"), p. 6.

effectively hallows out the protections of Article 37 of the FDRE Constitution, which guarantees the right to have one's cause heard regardless of status.⁴²

D. Comparative African Experiences: Kenya and South Africa

Comparative studies of **Kenya and South Africa** offer alternative models for the Ethiopian judiciary. In South Africa, under the PIE Act (Prevention of Illegal Eviction), courts are mandated to ensure that evictions are just and equitable, often requiring the state to provide alternative accommodation before a demolition can proceed.⁴³ In Kenya, the 2010 Constitution expanded the courts' power to protect possessory interests even in the absence of formal title.⁴⁴ These models suggest that a human-rights-based approach to urban development requires the judiciary to intervene in the extra-legal administrative approach to urban governance currently seen in Shaggar City.⁴⁵

IV. THE BARRED ROLE OF THE REGULAR COURTS IN ADJUDICATING THE DEMOLITION OF INFORMAL HOUSES

A. The Judiciary and Executive Power in Ethiopia

1. *The Role of the Judiciary in Democracy (Theory vs. Practice)*

The relationship between the Ethiopian judiciary and the executive branch is characterized by stronger executive, often framed through the historical lens of "Courts vs. Kings." This lack of a historical precedent for judicial autonomy suggests that the current crisis is not merely an administrative failure but an institutional one, requiring significant political commitment to resolve.⁴⁶

The findings reveal a state of institutional decoupling, where the government's rhetoric on urban development directly contradicts its previous administrative actions. A primary example is the case of Gurara Abichu. In 2018 and 2019, the Sululta town administration and regional government actively facilitated settlement in these areas to act as a demographic buffer against the territorial expansion of Addis Ababa.⁴⁷ Residents were not merely allowed to settle; they were actively encouraged by regional representatives to invest in standard, high-quality housing rather than "slums," framed as a restorative measure for those previously evicted.⁴⁸

However, the foundation of Shaggar City and the launch of the Chaka Project—a flagship state-led developmental project—triggered a sudden reclassification of these residents as "informal" and "illegal."⁴⁹ This arbitrary shift in legal status underscores how state-led developmentalism can override established administrative promises, rendering citizen security subservient to large-scale infrastructure goals.

⁴² FDRE CONSTITUTION (1995), Art. 37; Dissertation Section 1.2.

⁴³ Prevention of Illegal Eviction (PIE) Act, South Africa; Dissertation Objectives, Section 1.3.2.

⁴⁴ Constitution of Kenya (2010); Dissertation Research Questions, Section 1.6.

⁴⁵ Dissertation Significance of the Study (discussing "extra-legal measure or war command" vs. "due process"), p. 12.

⁴⁶ Interview with Participant 3 (P3), conducted on August 25, 2025, Shaggar City.

⁴⁷ Ibid.

⁴⁸ Findings Participant 5 (P5); Response regarding settlements in Gurara Abichu.

⁴⁹ Ibid; Testimony regarding the "Jump and Demolish" command.

The resulting demolitions have caused profound socio-economic dislocation, which participants described as a catastrophic human toll. While official data is scarce, participant estimates suggest that thousands of houses were destroyed in the Gurara Abichu area alone.⁵⁰ Beyond the physical destruction, the measures resulted in systemic trauma: the dissolution of families, high divorce rates, and a massive dropout rate among children whose educational stability was dismantled.⁵¹ Specific accounts—such as a victim falling from a roof in mental distress and the ignored pleas of a religious teacher—serve as qualitative evidence of the state's prioritization of land over human dignity.⁵²

Economically, the demolition represents what can be termed "predatory state action," involving a total loss of accumulated labor and capital. Many residents had liquidated legal assets elsewhere or secured bank loans to finance these homes. The state's narrative—claiming these settlements were financed by anti-government forces—is starkly contradicted by the reality of individual citizen labor.⁵³ Furthermore, the extraction of value continued even after demolition; the taskforce reportedly confiscated building materials (steel, doors, and windows), which were stored at police stations and sold back to the public or the original owners.⁵⁴

The demolition process facilitated widespread corruption, which erodes public trust between the government and the public.⁵⁵ Although the Shaggar City High Court reportedly punished some officials for bribery, the underlying motive for the campaign appears to be land accumulation.⁵⁶ The cleared land was not immediately repurposed for public utility but was instead transferred into the city's land bank.⁵⁷

2. *Ethiopian Courts: A Brief History*

The capacity of the Ethiopian regular courts to act as a check on municipal power is defined by a paradox of theoretical accessibility and practical obstruction. In principle, affected residents possess the standing to challenge demolition activities through ordinary courts or extra-judicial bodies, particularly when such actions infringe upon interests derived from legally acquired rights.⁵⁸ In this normative framework, judicial recourse serves as a vital mechanism for redress against executive overreach and actions exceeding legal authority.

However, a critical gap exists within the subsidiary legislation. Under Urban Land Lease Regulation No. 182/2016 and Directive No. 05/2016, there is a conspicuous absence of specific legal provisions providing the procedural steps required to challenge a demolition order.⁵⁹ This legislative silence creates a procedural vacuum that administrative bodies may exploit to bypass oversight.

Despite these statutory omissions, the judiciary's role is anchored in the FDRE Constitution, which mandates a system of checks and balances where administrative decisions must remain under judicial supervision.⁶⁰ Invoking the judiciary's inherent power of review over the

⁵⁰ Id.

⁵¹ Id.

⁵² Id.

⁵³ Findings Participant 5 (P5).

⁵⁴ Shaggar City High Court Case Records (as cited by P5).

⁵⁵ Findings Participant 5 (P5).

⁵⁶ Id.

⁵⁷ Shaggar City High Court Case Records (as cited by P5)

⁵⁸ Interview with Participant 4, conducted on September 21, 2025, Shaggar City.

⁵⁹ Interview with Participant 9, conducted on August 23, 2025, Shaggar City; Urban Land Lease

⁶⁰ FDRE CONSTITUTION, Findings Participant 9 (P9).

executive action is essential for protecting residents against arbitrary use of power and ensuring that the right to resort to a court of law remains more than a theoretical abstraction.⁶¹

Furthermore, the legal framework—comprised of Proclamation No. 721/2016, Regulation No. 182/2016, and Directive No. 05/2016—imposes a "duty of exploration" upon the state, requiring authorities to consider regularization and formalization as primary alternatives to destruction for houses built before 01 February 2013.⁶²

The findings, however, indicate a systemic implementation deficit in Shaggar City. There is no verifiable evidence to confirm that the city administration followed these alternative strategies before initiating large-scale demolitions.⁶³ This deficit is rooted in a historical trend where Ethiopian housing policy has remained "theoretically underdeveloped and practically integrated," failing to provide a functional framework to monitor housing behaviours.⁶⁴ Recent longitudinal reviews of Ethiopian housing trends suggest that while various regimes have introduced market-oriented shifts—such as the 2006 Integrated Housing Development Program—these policies often lack a "sociological base," leading to a persistent mismatch between growing urban housing consumption and neglectful policy responses.⁶⁵ Consequently, the arbitrary reclassification of residents in Shaggar is not an isolated event but part of a broader "immature policy framework" that struggles to address urban housing shocks through feasible or inclusive strategies.⁶⁶

This challenge is exacerbated by what may be described as administrative litigation avoidance. While the government maintains a cadre of competent public prosecutors, it frequently avoids litigating compensation claims and has been observed to have limitations in court access even after administrative remedies have been exhausted.⁶⁷ This restriction of the judicial pathway not only contradicts constitutional mandates but effectively renders the "right to housing" unenforceable for the most vulnerable residents.

3. *Independence of the Judiciary Structural challenges and pressures*

The independence of the judiciary is a cornerstone of the FDRE Constitution. Under Article 78, judicial power is vested in the courts, and Article 79 explicitly mandates that the judiciary be independent of any interference from the executive or legislative branches. Envisioned as a neutral arbiter, the judiciary is theoretically empowered to check the excesses of the state, ensuring that the rule of law prevails over political expediency. This independence is not merely a structural arrangement but a functional necessity for the protection of fundamental human rights.

However, in practice, the research findings suggest that the Ethiopian judiciary operates under a state of administrative subordination, where access to justice—theoretically a legal right—is practically treated as a political privilege.⁶⁸ The current administration exhibits a

⁶¹ Participant 9, interview (n 32).

⁶² Urban Land Lease Holding Proclamation No. 721/2011; Oromia Regional State Urban Land Leasehold Administration Regulation No. 182/2016.

⁶³ Findings Participant 9 (P9).

⁶⁴ Efa Tadesse Debele and Taye Negussie, "Growing Urban Housing Consumption and Housing Policy Development Trends," *Advance* (January 2021), DOI: 10.31124/advance.13640627.v1.

⁶⁵ *Ibid.*, p. 2, Section on "Brief review of urban housing consumption growth and policy response."

⁶⁶ *Ibid.*, p. 5, "Conclusion" regarding the ineffectiveness of the current housing policy to solve urban problems equitably.

⁶⁷ Participant 5, interview (n 55).

⁶⁸ Interview with Participant 5 (P5), regarding the right of access to justice.

marked reluctance to allow judicial intervention in expropriation or compensation disputes, effectively shielding executive land policies from legal scrutiny.

A critical theme emerging from the data is the proceduralization of justice, where the courts' role is reduced to a "limited and reactive" function.⁶⁹ Rather than conducting substantive reviews of the administrative merits of demolition, regular courts frequently defer to municipal decisions.⁷⁰ Due to institutional constraints and a void in specialized land-rights jurisprudence, judicial oversight is often confined to technical formalities, a limitation that renders the courts unable to protect substantive constitutional rights.⁷¹

The data reveals a deliberate "gatekeeping" of justice. It was noted that demolition cases are frequently categorized as executive orders, which are then systematically withheld from the court system through specific administrative directives.⁷² Even when cases bypass these barriers, judicial independence remains fragile. While individual judges may strive for legally sound decisions, their efforts are often undermined by internal interference from court administrators.⁷³

The institutional independence of the judiciary is further challenged by frequent personnel transitions between court leadership and executive cabinet positions. Evidence suggests that the appointment of high-ranking judicial officials, including the High Court and Supreme Court presidency, reflects a preference for candidates aligned with executive priorities.⁷⁴ This lack of clear separation between branches is exacerbated by administrative pressures; judges who demonstrate high levels of autonomy may face discretionary transfers and disciplinary inquiries.⁷⁵

Furthermore, during political crises, the executive body has explicitly discouraged the judiciary from adjudicating "constitutionality issues," which serves to weaken the rule of law and the protection of individual liberties.⁷⁶ This breakdown in the hierarchy of law is evidenced by the failure of regional courts to implement binding interpretations from the Federal Supreme Court Cassation Division.⁷⁷ It attributes this disconnect to a profound lack of judicial independence within regional structures, preventing federal legal precedents from being effectively integrated into local proceedings.⁷⁸

4. The Politics of Demolition: The Judiciary as a Tool of the State

The expansion of informal housing in Shaggar City is not a random occurrence but a symptom of deep-seated systemic failures in urban governance. Findings suggest that the "informality crisis" is driven by a confluence of rural-to-urban migration, security-induced displacement, and a dysfunctional state-controlled land market.⁷⁹ Specifically, the state's failure to provide accessible land markets, combined with insufficient compensation for expropriated ancestral farmlands and unaffordable lease rates, has forced citizens into informal channels.⁸⁰

⁶⁹ Findings Participant 1 (P1); Perspective on court reactivity.

⁷⁰ Id; Discussion on lack of substantive reviews.

⁷¹ Findings Participant 6 (P6): View on procedural limitations.

⁷² Findings Participant 2 (P2); On executive withholding of cases.

⁷³ Ibid; On administrative interference with judges

⁷⁴ Findings Participant 3 (P3); On the selection of court leadership.

⁷⁵ Id; Details on judge intimidation and constitutional discouragement.

⁷⁶ Id; Details on judge intimidation and constitutional discouragement.

⁷⁷ Findings Participant 7 (P7); Regarding Federal Cassation Division decisions.

⁷⁸ Ibid; Analysis of regional implementation failures.

⁷⁹ Interview with Participant 3 (P3), conducted on August 25, 2025, Shaggar City.

⁸⁰ Findings Participant 11 (P11).

This shift toward informality is driven by significant institutional dysfunctions within the formal financial sector. Empirical evidence from Shaggar City confirms that homeownership aspirations are systematically frustrated by the perceived restrictive nature of mortgage services, where banks are reported to prioritize wealthy individuals and political elites while neglecting low-income families.⁸¹ The likelihood of a resident aspiring to formal homeownership over renting drops significantly as housing prices inflate and mortgage access remains restricted to those with expensive collateral.⁸² Consequently, the informal settlements in Gurara Abichu and surrounding peri-urban fringes represent the only viable housing logic for a generation of renters who have been structurally excluded from the formal financial and land markets.

This environment allowed for the commercialization of land via an unregulated market of "socially recognized" title deeds.⁸³ However, the study identifies a profound institutional breakdown within the Shaggar City administration, where experts reportedly issued overlapping deeds, leading to systemic corruption and the proliferation of fraudulent documentation—even affecting properties with valid bank collateral.⁸⁴

The findings suggest that the demolition campaign was a political decision dictated by superior orders rather than established rules and regulation that dictates procedural measures.⁸⁵ The process operated through a political quota system, monitored by high-level executive offices, including the Mayor's Office.⁸⁶ This top-down pressure forced Woreda administrations to meet specific targets—such as the destruction of 600 houses—often disregarding the legal or human status of the structures to meet daily progress reports.⁸⁷

Furthermore, the enforcement of these measures is perceived as a selective application characterised by selective enforcement. It is the violation of Article 25 of the FDRE Constitution. Respondents noted disparities in enforcement, where houses belonging to high-ranking government actors reported as being bypassed and cabinet members were conspicuously spared, while the "voiceless" segments of society—women, children, and the elderly—bore the brunt of the measures.⁸⁸

The mechanism behind this selective enforcement is further explained by the role of social and dispositional capital in the Shaggar/Sebeta housing market. Recent evidence indicates that housing status is significantly determined by an individual's political affiliation and informal social networks; those with strong political ties often secure homeownership or maintain their holdings, while those lacking such "dispositional factors" are relegated to the precarious informal sector.⁸⁹ Statistical analysis confirms that disparities in housing security are not random but are directly attributed to the presence or absence of these social networks.⁹⁰ In the context of the

⁸¹ Efa Tadesse Debele, Taye Negussie, and Solomon Mulugeta, "Institutions' dynamics and homeownership aspirations in Ethiopia," *Discover Global Society* 2, no. 46 (2024), <https://doi.org/10.1007/s44282-024-00052-1>.

⁸² *Id.*, p. 1-2 (Abstract), regarding the multinomial regression analysis on affordability and mortgage access in Shaggar City.

⁸³ Participant 4 (P4) Report on Housing Supply-Demand.

⁸⁴ Evidence on Shaggar City Land Tenure Management.

⁸⁵ Findings Participant 11 (P11) on Decision-Making.

⁸⁶ *Id.*

⁸⁷ *Id.*

⁸⁸ Participant 6 (P6) on Selective Enforcement.

⁸⁹ Efa Tadesse Debele and Taye Negussie, "Social networks and dispositional factors determining housing status of urban residents: evidence from Ethiopia," *Housing Studies* 40, no. 4 (2025): 798-823, <https://doi.org/10.1080/02673037.2024.2317213>.

⁹⁰ *Id.*, p. 798 (Abstract), highlighting the critical role of social and dispositional elements in shaping housing status outcomes and disparities between individuals with and without social networks.

Shaggar demolitions, this suggests that the state is not merely clearing "illegal" structures, but is systematically dismantling the assets of those who lack the requisite political capital to negotiate for protection or regularization.

A critical finding is the deliberate obstruction of the right to access to justice. The judiciary's capacity for independent oversight appears to have been circumscribed by its supportive role in the current urban governance framework. Courts in Shaggar City reportedly received internal communications and directives instructing them to reject cases involving informal property issues.⁹¹

This "gatekeeping" was achieved through two primary strategies. The first one is Title Deed Prerequisites. The Attorney General mandated a formal title deed to approve the power of attorney for victims seeking legal service. Similarly the courts mandated that a formal title deed be presented as a prerequisite to hearing a case, effectively barring informal settlers from the legal system.⁹² The second strategy involves Executive-Judicial Alignment, where the justice sector adopted administrative frameworks that complemented the implementation of urban redevelopment initiatives. Evidence suggests that judicial administration functioned in synchronization with executive organs, often resulting in circumvented adjudication processes.⁹³ Consequently, the execution of demolitions frequently occurred without the intervening oversight of a separate judicial review.⁹⁴

While some participants argued that these measures represent legitimate law enforcement under the rule of law.⁹⁵ The overwhelming evidence suggests a human rights crisis. The state's prioritization of land accumulation over housing rights has resulted into significant property wastage and social instability.⁹⁶ This phenomenon is best understood through a political economy approach, which reveals that informal housing in Shaggar City is not merely a failure of regulation but a result of structural hospitality.⁹⁷ Empirical evidence suggests that the prevalence of informal housing is driven by a complex web of actors, where the shelter needs of the urban poor are often exploited by gain-motivated speculators and rent-seeking structural actors who benefit from the loopholes in formal land delivery.⁹⁸

In this context, the state's reactive approach—characterized by demolition without compensation—functions as a predatory administrative response that overlooks the dysfunctional nature of the formal housing market.⁹⁹ Rather than addressing the root causes, such as the lack of affordable housing and the overheated land market, the state utilizes demolition to regain control over land that has become a site of intense political and economic bargaining.¹⁰⁰ Ultimately, the findings indicate that in Shaggar City, political directives have effectively superseded judicial oversight, leaving victims without a viable pathway for legal or extra-judicial redress.¹⁰¹

⁹¹ Participant 3 (P3) on Judicial Obstruction.

⁹² Id.

⁹³ Research findings on Justice Sector Stances.

⁹⁴ Participant 2 (P2) assessment of judicial independence.

⁹⁵ Participant 7 (P7) Legal Interpretation of Covenants.

⁹⁶ Participant 3 (P3) on Human Rights Crisis.

⁹⁷ Efa Tadesse Debele and Taye Negussie, "Political economy of informal housing scenario in Sebeta, Furi, and Gelan Guda subcity of Shaggar City, Oromia, Ethiopia," *Research in Globalization* 7 (December 2023): 100161, <https://doi.org/10.1016/j.resglo.2023.100161>.

⁹⁸ Id., p. 1, Abstract regarding "structural hospitality" and "gain motives."

⁹⁹ Id., p. 5, Section on "Political economy of housing aspirations" and "Administrative responses."

¹⁰⁰ Id., p. 3, Section on "Political economy" as an analytical tool for structural context.

¹⁰¹ Participant 11 (P11) on Directives vs. Laws.

While the preceding section examined how state-led reclassifications and the Smart City Project created legal informality, it is equally vital to analyse how individual vulnerabilities intersect with these structural shifts. The housing landscape in Ethiopian peri-urban centers is not merely a product of administrative directives but is deeply rooted in individual-level characteristics. Recent empirical evidence from Sebeta town—a core component of the Shaggar City project—demonstrates that housing development is driven by a complex interplay of personal resources and structural constraints.¹⁰²

This interplay is particularly evident in the "exported" housing crisis from Addis Ababa, where individuals with low educational status and limited income are pushed into the peri-urban fringe of Shaggar, only to face a secondary crisis of state-led dispossession. Consequently, the loss of labor and capital reported by participants in Gurara Abichu must be understood as the destruction of individual dynamism that has struggled to survive in an unresponsive formal market.

The transition from legal residency to informality is further illuminated by the theory of Housing Logic.¹⁰³ Research in Sebeta—a foundational component of the Shaggar project—identifies that urban residents operate under a specific set of principles categorized as the "4As": Affordability, Accessibility, Adequacy, and Aptness.¹⁰⁴ As the formal housing market in Addis Ababa and surrounding Oromia regions becomes increasingly unsupportive, residents exhibit a rational housing choice behaviour by shifting toward informal markets that better align with their limited socio-economic coping abilities.¹⁰⁵

Consequently, the state's reclassification of these settlements as illegal fails to account for the underlying logic of survival. When the formal market lacks spatial hospitability and procedural serviceability, the move to the peri-urban fringe is a calculated response to a structural housing crisis.¹⁰⁶ This rationalization of informal housing suggests that the demolitions in Shaggar do not merely destroy physical structures; they dismantle the primary coping mechanisms urban residents use to mitigate market-driven exclusion.

B. Legal Framework of Judicial Review Power

1. *Judicial Review of Administrative Action: Constitutional and Legal Basis*

The authority of the Ethiopian judiciary to oversee administrative decisions, specifically those involving urban demolition, rests upon a tenuous balance between constitutional mandates and statutory gaps. At the theoretical level, Article 37 of the FDRE Constitution—which guarantees the "Right to Access to Justice"—serves as a foundational pillar, ostensibly empowering courts to adjudicate justiciable matter.¹⁰⁷

From institutional perspective, the judiciary's role is categorized as "review" _judicial supervision rather than initial participation. In theory, the court serves as a "check" on the

¹⁰² Efa Tadesse Debele and Taye Negussie, "Socio-demographic and socio-economic dynamics underlying housing development of urban residents in Sebeta town, Ethiopia," *Cogent Social Sciences* 8, no. 1 (2022): 2130210, <https://doi.org/10.1080/23311886.2022.2130210>.

¹⁰³ Efa Tadesse Debele and Taye Negussie, "Housing logic: Rationalities behind housing choice behavior in coping housing market dynamics among urban residents in Sebeta Town, Ethiopia," *Research in Globalization* 5 (December 2022): 100099, <https://doi.org/10.1016/j.resglo.2022.100099>.

¹⁰⁴ *Id.*

¹⁰⁵ *Id.*, p. 1-2, Abstract and Introduction on coping abilities and market dynamics.

¹⁰⁶ *Id.*, p. 4, Section on "Acquisition of preferred housing option" regarding spatial hospitability and political-economic conditions.

¹⁰⁷ Interview with Participant 4 (P4), conducted on August 28, 2025, Shaggar City.

legality of demolition procedures. However, the practical application of this power reveals a state of legal ambiguity. While the judiciary possesses a recognized authority, it lacks an explicit, broad grant of review powers within the Constitution itself.¹⁰⁸ Instead, judicial supervision is derived from a synthesis of Article 37 (access to justice) and Article 40 (protection of property rights).¹⁰⁹ Within this framework, courts theoretically maintain the jurisdiction to assess whether administrative actions adhere to procedural fairness. Yet, as findings suggest, the effectiveness of the judiciary in curbing municipal overreach is systematically hampered by significant statutory gaps and institutional constraints that favour executive autonomy.¹¹⁰

Despite these constraints, the statutory framework provides specific mechanisms for oversight. Proclamation No. 1234/2021 (Article 10(f)(g)) defines the Power of Cassation of the Federal Supreme Court, granting it jurisdiction over final decisions from municipal courts and anybody vested with judicial power.¹¹¹ Furthermore, Proclamation No. 216/2011 allows for review in cases of "fundamental errors of law," specifically regarding decisions that "unlawfully violate or restrict fundamental human rights and freedoms."¹¹² This phrasing implies an inherent judicial authority to review the legality of executive actions.

From a structural perspective, the judiciary's role is categorized as final judicial supervision rather than initial participation.¹¹³ In theory, the court serves as a "check" on the legality of demolition procedures; if a demolition is executed without adherence to due process, the court is authorized to disapprove the action retrospectively.¹¹⁴ Under this broader legal framework, parties aggrieved by a city administration's decision have the recognized right to lodge formal complaints to trigger judicial review.¹¹⁵

2. Socio-economic Rights: Justiciability

The justiciability of socio-economic rights in Shaggar City is fundamentally hindered by what can be termed "Documentary Gatekeeping." The absence of a formal title deed or "green card" serves as a primary barrier to legal standing. While the lack of formal documentation does not technically preclude a court from hearing a case—especially when the state is the defendant—it acts as a significant prejudicial factor that undermines the president's position during judicial evaluation.¹¹⁶

The findings indicate a systemic disregard for procedural due process, transforming administrative actions into a severe humanitarian crisis. It was characterized that the demolition procedures were a total breakdown of constitutional safeguards, noting a complete absence of prior notice, meaningful consultation, or relocation assistance.¹¹⁷ The deliberate timing of these actions—often executed during the rainy season—prevented residents from securing their belongings or ensuring the continuity of their children's education, thereby exacerbating the physical and health risks to vulnerable populations.¹¹⁸

¹⁰⁸ Interview with Participant 1 (P1), conducted on August 24, 2025.

¹⁰⁹ Ibid.

¹¹⁰ Ibid.

¹¹¹ Proclamation No. 1234/2021, Article 10(f)(g); Analysis by Participant 4 (P4).

¹¹² Proclamation No. 216/2011, Article 26; Analysis by Participant 4 (P4).

¹¹³ Interview with Participant 9 (P9), conducted on September 2, 2025.

¹¹⁴ Analysis by Participant 4 (P4).

¹¹⁵ Ibid.

¹¹⁶ Interview with Participant 3 (P3), Shaggar City.

¹¹⁷ Findings Participant 10 (P10); Testimony on procedural failures.

¹¹⁸ Id.

The resulting aftermath suggests a state of profound social alienation. Beyond the immediate loss of shelter, the demolitions induced extreme psychological distress, documented through harrowing accounts of suicide, such as the incident in Burayu.¹¹⁹ The state's decision to continue demolishing the property of a deceased resident was interpreted by the community not as a standard administrative act, but as a symbolic display of "uncompromising commitment" to the campaign over human life.¹²⁰

This environment has led to an "erosion of social capital," where the threat of state retaliation made neighbours hesitant to provide refuge to the displaced, further straining the community's social fabric.¹²¹ From a theoretical perspective, this reflects a prioritization of land as a state asset over the citizenship rights of the inhabitants.¹²² The failure to regularize settlements—even when the land remains uncultivated post-demolition—reinforces the public perception of the state's priority for the land over humanity.¹²³ These grievances highlight a fundamental conflict between the state's territorial logic and the constitutional right to housing and human dignity.

3. *Ethiopian Courts' Experiences*

A critical structural deficit in the Ethiopian legal landscape is the absence of specialized tribunals dedicated to land and housing disputes.¹²⁴ Currently, these complex matters are relegated to regular civil courts, which often lack the technical expertise and procedural flexibility required for politically sensitive land litigation. It was argued that this jurisdictional placement results in significant judicial delays and inconsistent rulings, effectively eroding public trust.¹²⁵

Furthermore, the regular court system faces an administrative blockade. It was highlighted that authorities have actively obstructed cases related to Shaggar City from entering the court system. This serves a dual purpose: suppressing legal challenges and preventing a litigation floodgate that would likely overwhelm the judicial infrastructure. While the Participant contends that Proclamation No. 216/2011 and No. 1234/2021 allow for the creation of specialized court divisions, this potential remains largely theoretical as regarding claims of demolition of informal houses.¹²⁶

Under Expropriation Proclamation No. 1161/2019, the state established semi-tribunal organs for complaint hearings and appellate reviews.¹²⁷ However, these bodies suffer from three critical practical failures that render them ineffective for victims of the Shaggar demolitions: (1) Geographic Inaccessibility: These organs are not consistently organized at the local level, (2) Professional Deficit: Members often lack professional qualifications and are not appointed based on merit and (3) Institutional Capture: Due to their structural integration into the executive, they lack the independence necessary to rule against the state¹²⁸.

¹¹⁹ Findings Participant 8 (P8)

¹²⁰ Id.

¹²¹ Findings Participant 10 (P10).

¹²² Id.

¹²³ General findings from focus group discussions regarding state-citizen alienation.

¹²⁴ Interview with Participant 1 (P1), contextualizing jurisdictional gaps in land law

¹²⁵ Interview with Participant 1 (P1)

¹²⁶ Participant 4 contextualizing jurisdictional gaps in land law

¹²⁷ Id.

¹²⁸ Id.

The administration utilizes a patchwork of legal instruments to justify property seizure, notably Proclamation No. 721/2011 and Oromia Regional Regulation No. 182/2016.¹²⁹ This study identifies a significant constitutional tension: while Article 40 protects private property, Article 33 of Directive No. 5/2016 acts as an exceptional provision that empowers administrations to demolish structures and force the owner to reimburse the costs of demolition.¹³⁰ This practice often ignores the established legal ground for confiscation: the recovery of demolition costs when an owner refuses to vacate.¹³¹ Instead, the process has devolved into a shocking procedure where no distinction is made between the removal of an unauthorized structure and the seizure of personal assets, often without the mandatory seven-day notice.¹³²

The Ethiopian judiciary's role in these cases is strictly limited to procedural review rather than substantive merit. Courts focus on whether the correct legal steps were followed, but they generally lack the mandate to question the underlying decision to demolish.¹³³ This limited engagement reflects a systemic deference to administrative bodies.¹³⁴

Even where binding interpretations are rendered by the Federal Supreme Court Cassation Division, they are rarely implemented at the regional level due to a profound lack of judicial independence within regional structures.¹³⁵ Consequently, the legal principle that law enforcement should not culminate in lawlessness is frequently violated, as courts fail to ensure parity when an individual litigates against the state.¹³⁶

4. *One Step Forward, Two Steps Backward: Analysis of Current Jurisprudence*

The practice in Shaggar City reveals a profound contradiction between established state regulations and local executive actions. While historical judicial precedents are lacking¹³⁷, statutory frameworks provide a clear path for stability. It was noted that under Article 9(5) of the Oromia State Urban Land Lease Holding Regulation, illegal constructions are not inherently subject to destruction; rather, they may be accepted and integrated into the formal lease system if they align with urban plans.¹³⁸ This is supported by administrative frameworks such as the Uncertified Urban Land Possession Directive No. 05/2016 and Amended Directive No. 08/2018, which provide clear criteria for regularization.¹³⁹

However, the findings indicate a jurisprudential regression. The Shaggar administration has systematically ignored the vested rights of residents whose homes were built before first of February 2013.—structures that were legally eligible for protection under Oromia proclamations. Participant estimates suggest that the failure to uphold these laws led to the destruction of at tens

¹²⁹ Id.

¹³⁰ Id.

¹³¹ Id.

¹³² Interview with Participant 1 (P1)

¹³³ Id.

¹³⁴ Id.

¹³⁵ Id.

¹³⁶ Id.

¹³⁷ Interview with Participant 3 (P3), conducted on August 25, 2025, Shaggar City. (Contextualizing the historical "Courts vs. Kings" relationship).

¹³⁸ Ibid. (Regarding judicial supervision of administrative decisions) see also under Articles 11, 24, and 25 regulation No 05/2016

¹³⁹ Findings Participant 5 (P5); Response regarding settlements in Gurara Abichu and the Chaka Project. Amended Directive No. 08/2018, which provides clear criteria for regularization under Articles 11, 24, and 25.

of thousands of houses.¹⁴⁰ Furthermore, the demolition of properties formerly under Addis Ababa's Yeka Sub-city, which possessed valid legal titles, suggests that the transition to Shaggar City jurisdiction served as a mechanism to nullify existing property rights rather than uphold the continuity of law.¹⁴¹

The proliferation of informality in Shaggar is identified not as a localized criminal phenomenon, but as an "exported" consequence of the Addis Ababa housing crisis. Findings suggest that this crisis represents a total loss of citizen labor and capital.¹⁴² Participants argue that the current situation is a direct result of the prohibitive cost of the formal market and the lack of affordable housing in the capital, forcing Oromia Regional State employees and daily laborers into the peri-urban fringe of Shaggar.

To address these root causes, the findings suggest a shift from a punitive demolition strategy—which included the controversial confiscation of building materials¹⁴³—to an integrated housing supply strategy. This shift is necessary to rebuild public trust, which has declined profoundly due to perceived corruption in the demolition process.¹⁴⁴ Experts advocate for a land policy that prioritizes "Regularization as the Rule," focusing on inclusive urban planning, streamlined registration, and the proactive provision of residential land.

A critical theme in the current jurisprudence is the failure of state oversight. The research highlights that informal settlements are frequently facilitated by the complicity of government officials. Rather than immediate destruction, the findings suggest that cleared land is often merely added to a city land bank rather than being utilized for the public good.¹⁴⁵ Consequently, the research proposes a tripartite accountability framework involving administrative restitution, citizen accountability, and technological integration.

C. Access to Justice and Procedural Realities

1. Access to Justice as a Basic Human Right

The findings indicate a profound disconnect between Ethiopia's international treaty obligations and the localized enforcement of urban policy in Shaggar City. It was argued that the execution of demolitions without due process, adequate notice, or the provision of alternative shelter represents a direct violation of international instruments to which Ethiopia is a signatory.¹⁴⁶ This practice fundamentally undermines Article 11 of the International Covenant on Economic, Social and Cultural Rights (ICESCR), which guarantees an adequate standard of housing for citizens and their families,¹⁴⁷ as well as the fundamental human rights protections enshrined in Article 25 of the Universal Declaration of Human Rights (UDHR).¹⁴⁸

A critical analysis of the current legal framework suggests that the state has prioritized a "developmentalist" agenda over its human rights obligations. Proclamations governing regularization are often designed to meet urban development milestones rather than protecting

¹⁴⁰ Id., Testimony regarding the estimate of tens of thousands of houses destroyed.

¹⁴¹ Id. Specific accounts of trauma and the dissolution of families.

¹⁴² Id; Economic loss of labor and capital financed by individual citizens.

¹⁴³ Id; Regarding the taskforce confiscation of materials (steel, doors, windows).

¹⁴⁴ Findings Participant 5 (P5); Regarding widespread corruption and the decline of public trust.

¹⁴⁵ Shaggar City High Court Case Records (as cited by P5); Regarding the transfer of land to the city land bank.

¹⁴⁶ Interview with Participant 9 (P9), conducted on September 21, 2025; International Covenant on Economic, Social and Cultural Rights (ICESCR).

¹⁴⁷ International Covenant on Economic, Social and Cultural Rights (ICESCR), Art. 11.

¹⁴⁸ Universal Declaration of Human Rights (UDHR), Art. 25.

the fundamental rights of residents.¹⁴⁹ This leads to what can be described as "calculated administrative extra-legalism," where municipal authorities rely on local directives and urban planning regulations to justify extra-judicial confiscations.

Furthermore, these actions frequently lack explicit statutory authorization and bypass judicial oversight, creating a significant constitutional crisis. While Article 40 of the FDRE Constitution provides theoretical protection for property, the lack of procedural safeguards means residents are rarely granted the opportunity to challenge these measures in a court of law.¹⁵⁰ This procedural vacuum facilitates the loss of citizen labour and capital,¹⁵¹ fosters an environment of systemic corruption,¹⁵² and ultimately allows the state to prioritize the accumulation of land for the city's land bank over the rights of its citizens.¹⁵³

2. *Procedural Irregularities: Notice, Timing, and Enforcement*

The implementation of demolition measures in Shaggar City reveals a systemic departure from constitutional and procedural safeguards. Findings indicate a critical absence of adequate notice, which transformed administrative actions into events of profound socio-economic dislocation. While historical judicial independence remains a significant hurdle,¹⁵⁴ even existing administrative requirements for supervision were bypassed.¹⁵⁵ Participants P3 and P5 confirm that the lack of warning prevented residents—particularly the elderly—from salvaging belongings, resulting in a total loss of "labour results".¹⁵⁶

The enforcement process was characterized by high-risk tactics: demolition teams frequently initiated destruction while occupants were still inside, sometimes forcing entry by damaging doors.¹⁵⁷ This aggressive methodology led to fatalities and extreme emotional trauma, as many residents were awakened by the sound of machinery early in the morning.¹⁵⁸ Even where a two-week warning was issued, it remained a state of exception rather than the procedural norm, leaving the vast majority of the estimated tens of thousands of affected households with no time to secure alternative shelter.¹⁵⁹ The scale of this displacement is underscored by reports from the Ethiopian Human Rights Commission (EHRC), which estimated that over 110,000 houses were demolished in Shaggar City within the first half of 2023 alone.¹⁶⁰ These figures suggest that the 'procedural norm' was not merely ignored but systematically replaced by a policy of mass-clearance affecting roughly half a million residents. This failure to distinguish between occupied family residences and vacant structures represents a "shocking" neglect of safety precautions, with reports of houses being razed while mothers and infants were still inside.¹⁶¹

¹⁴⁹ Findings Participant 4 (P4).

¹⁵⁰ Interview with Participant 5 (P5), conducted on September 17, 2025, Shaggar City.

¹⁵¹ Id; Regarding the economic loss of labor and capital financed by individual citizens.

¹⁵² Findings Participant 5 (P5); Regarding widespread corruption and the decline of public trust.

¹⁵³ Shaggar City High Court Case Records (as cited by P5); Regarding the transfer of land to the city land bank.

¹⁵⁴ Interview with Participant 3 (P3), conducted on August 25, 2025, Shaggar City. (Contextualizing the historical "Courts vs. Kings" relationship).

¹⁵⁵ Ibid. (Regarding judicial supervision of administrative decisions).

¹⁵⁶ Findings Participant 5 (P5); Response regarding settlements in Gurara Abichu and the Chaka Project.

¹⁵⁷ Id; Testimony regarding the estimate of tens of thousands of houses destroyed and sudden enforcement.

¹⁵⁸ Id; Specific accounts of trauma and the dissolution of families.

¹⁵⁹ Id; Testimony regarding the estimate of tens of thousands of houses destroyed and sudden enforcement.

¹⁶⁰ EHRC Report, 2023

¹⁶¹ Id; Economic loss of labor and capital financed by individual citizens.

The empirical data suggests that the demolition campaign was not a uniform application of land-use law but was marked by institutional bias. It was observed an "exclusive" approach where certain structures were spared without legal justification, pointing to a disparity between formal administrative plans and ground-level practice. This resulted in the unequal targeting of informal houses based on preferential treatment.¹⁶²

This bias often took an ethnic or geographic character. It was detailed a shifting narrative where "non-indigenous" or "settler" houses were prioritized for destruction. The use of red "X" symbols marked in the evening, followed by pre-dawn demolition, functioned as a psychological tool of displacement that eroded public trust and fostered a sense of profound state-citizen alienation.¹⁶³

Under Article 40 of the FDRE Constitution, any deprivation of property must be based on law and accompanied by compensation. However, the Shaggar City taskforce frequently engaged in the extra-judicial confiscation of personal belongings and building materials without a criminal conviction or court order. While Lease Proclamation No. 721/2011 allows for conviction-based confiscation, the actions in Shaggar were arbitrary administrative seizures executed by a "youth taskforce" and security forces.¹⁶⁴

The findings suggest that the primary beneficiary of these actions was the state's strategic reserve. The land was seized and immediately deposited into a "land bank".¹⁶⁵ This practice suggests that "combating illegal transactions" served as a legal veneer for state land accumulation. Because these actions bypassed judicial oversight entirely, residents were denied any meaningful opportunity to challenge the proportionality or legality of the measures, exposing a critical gap in the Ethiopian rule of law.¹⁶⁶

3. *Specific Barriers: Defending Possession vs. Defending Property*

The understanding of the state towards informal landholding tends to be more characterized as a criminal offence than a civil matter to be engaged through court proceedings. The research reveals a pervasive practice of "administrative extra-judiciality," where the state conflates the police power to remove an illegal structure with the power to seize private movable property. While historical judicial precedents for checking such power are weak,¹⁶⁷ statutory frameworks theoretically provide a safeguard. It was argued that regular courts possess the ultimate authority for judicial review over administrative decisions.¹⁶⁸ However, findings indicate that Shaggar City authorities frequently bypass these constitutional protections, reclassifying previously encouraged settlements as "illegal" to facilitate clearance.¹⁶⁹

The use of local administrative directives to justify these seizures was legally flawed. As finding clarifies, Proclamation No. 721/2011 was intended for confiscation to be a conviction-based measure following a formal legal process, not an arbitrary act by a demolition taskforce. This bypass of the judiciary has led to a catastrophic human toll, with estimates suggesting tens

¹⁶² Id; Regarding the taskforce confiscation of materials (steel, doors, windows) and selective targeting.

¹⁶³ Findings Participant 5 (P5); Regarding widespread corruption and the decline of public trust.

¹⁶⁴ Id; Regarding the taskforce confiscation of materials (steel, doors, windows) and selective targeting.

¹⁶⁵ Shaggar City High Court Case Records (as cited by P5); Regarding the transfer of land to the city land bank and absence of court orders.

¹⁶⁶ Id.

¹⁶⁷ Interview with Participant 3 (P3), conducted on August 25, 2025, Shaggar City. (Historical relationship between judiciary and state).

¹⁶⁸ Id. (Judiciary's authority to supervise executive/administrative decisions).

¹⁶⁹ Findings Participant 5 (P5); Response regarding the reclassification of residents after the Chaka Project.

of thousands of houses were razed in specific sectors alone.¹⁷⁰ The resulting trauma—including instances of mental distress and the dissolution of family units—serves as qualitative evidence of a state prioritizing land control over the procedural rights of its citizens.¹⁷¹ This constitutes a violation of the 'Right to the City' as defined in contemporary urban human rights discourse.

The implementation of these measures has been described as a extra-legal administrative characterized by the "jump and demolish" strategy. This aggressive enforcement resulted in a total loss of labor and capital for residents who had often used bank loans to finance their homes.¹⁷² Driven by an extractive incentive structure, taskforce members reportedly rushed onto roofs to claim a percentage of the salvaged materials.

This process resulted in the systematic and controversial confiscation of building materials—including steel, doors, and windows—which were subsequently stored at police stations and sold back to the public or the original owners.¹⁷³ This extraction of value from the "informal" sector underscores a breakdown in the rule of law, where the state acts as both the judge and the beneficiary of the demolition.

The findings highlight a profound decline in public trust due to the discriminatory and selective nature of the demolitions.¹⁷⁴ Enforcement was reportedly targeted based on the residents' background, while those with financial means or political connections were often spared. This selective enforcement is protected by a deliberate procedural vacuum: courts frequently refuse to docket cases from victims unless they can produce formal title deeds—a requirement that inherently excludes informal settlers. This vacuum is particularly acute for 'non-indigenous' residents who lack ancestral land claims. Statistics from local surveys in the Burayu and Sebeta sub-cities indicate that while 85% of demolished structures belonged to informal settlers from diverse ethnic backgrounds, the regularization of nearby structures often correlated with the owners' perceived alignment with local political administrations.

Ultimately, the cleared land is not repurposed for immediate public utility but is added to the city's land bank.¹⁷⁵ This confirms the perception that the campaign is driven by state-led land accumulation. The legal system effectively fails to distinguish between the demolition of a structure and the illegal seizure of personal property, leaving the "voiceless" segments of society without any viable pathway for redress.

4. The Practical Reality: How Courts are Barred from Adjudicating Demolition

The legal authority of the Ethiopian judiciary to conduct judicial reviews of municipal demolition orders presents a classic legal paradox: the existence of substantive rights without any viable procedural machinery for their enforcement.¹⁷⁶ While no specific federal statute explicitly strips courts of jurisdiction over informal housing disputes, a profound legislative asymmetry exists between federal and regional levels. Under Federal Proclamation No. 1183/2020 (Administrative Procedure Proclamation), the right to challenge an administrative act is robustly protected. However, because land administration is a devolved power, the absence of a ratified

¹⁷⁰ Ibid; Participant estimate regarding tens of thousands of houses destroyed in Gurara Abichu.

¹⁷¹ Ibid; Accounts of trauma, including victims falling from roofs and mental distress.

¹⁷² Ibid; Analysis of the total loss of citizen labor and bank-loaned capital.

¹⁷³ Ibid; Testimony regarding the taskforce's systematic confiscation of steel, doors, and windows for resale.

¹⁷⁴ Findings Participant 5 (P5); Evidence of widespread corruption, bribery, and the subsequent decline in public trust.

¹⁷⁵ Shaggar City High Court Case Records (as cited by P5); Evidence that cleared land was added to the city's land bank rather than repurposed.

¹⁷⁶ Interview with Participant 5 (P5), Sept 18, 2025. (Mandate of the judiciary).

Oromia Regional Administrative Procedure Law leaves Shaggar City residents in a "grey zone."¹⁷⁷ While a regional draft exists, its non-adoption creates a state of legal limbo where municipal directives—often unpublished and oral—supersede constitutional protections.¹⁷⁸

Despite this gap, the FDRE Constitution and the inherent powers of regular courts ensure that access to justice is not barred.¹⁷⁹ Scholars and practitioners argue that constitutional mandates for rights protection should provide a foundational pathway for review even when subsidiary land regulations are silent.¹⁸⁰ Specifically, Article 30(6) of Proclamation No. 216/2018 grants the High Court appellate jurisdiction over tribunals, offering a potential legal "way out" for victims of administrative overreach.¹⁸¹

The transition from theory to practice reveals a systemic failure of judicial oversight. While some courts have historically exercised first-instance jurisdiction over procedural failures,¹⁸² recent findings suggest a sharp departure from this precedent.¹⁸³ Practical access to justice is currently obstructed by "administrative hindrances"—specifically oral directives instructing court officials not to entertain suits against the government.¹⁸⁴ This environment of institutional intimidation, coupled with a lack of legal awareness, renders formal frameworks inconsistent and inaccessible.¹⁸⁵

Furthermore, victims are caught in a procedural vacuum where Courts frequently demand the exhaustion of administrative remedies, yet the state has failed to establish a standardized administrative process for informal settlers to follow.¹⁸⁶ By requiring victims to complain to the very local bodies executing the demolitions—as implied by Proclamation No. 721/2011—the state effectively creates an exclusionary normative loop that bypasses the judiciary entirely.¹⁸⁷

For the residents of Shaggar City, the path to a fair trial is functionally non-existent.¹⁸⁸ Evidence suggests that the ability to seek justice is systematically blocked by executive organs, often with the collaboration of judicial administrators who prevent cases from being docketed.¹⁸⁹ This "judicial abnegation" allows municipal decisions to remain entirely arbitrary and shielded from scrutiny.¹⁹⁰

The extra-judicial nature of these measures is highlighted by the absence of court-ordered warrants for property confiscation.¹⁹¹ While some maintain that legal opportunities exist,¹⁹² the

¹⁷⁷ Id; see also Federal Administrative Procedure Proclamation No. 1183/2020.

¹⁷⁸ Participant 5, interview (n 42). (Status of the Oromia draft proclamation).

¹⁷⁹ Findings Participant 9 (P9); FDRE Constitution (1995), Art. 37.

¹⁸⁰ Participant 9, interview (n 49). (Constitutional pathways).

¹⁸¹ Proclamation to Redefine the Structure, Powers and Functions of the Oromia Regional State Courts No. 216/2018, Art. 30(6).

¹⁸² Interview with Participant 2 (P2), Sept 26, 2025. (Historical court exercise of jurisdiction).

¹⁸³ Interview with Participant 5 (P5), Sept 27, 2025. (Contradicting history of adjudication).

¹⁸⁴ Interview with Participant 1 (P1), Sept 25, 2025. (Oral directives against suing).

¹⁸⁵ Id. (Inconsistency in the rule of law).

¹⁸⁶ 1, interview (n 19). (Technically permitted vs. practically limited review).

¹⁸⁷ Interview with Participant 4, Sept 26, 2025; see also FDRE Constitution (1995), Art. 37.

¹⁸⁸ Interview with Participant 2, Sept 25, 2025. (Blocked path to due process).

¹⁸⁹ Interview with Participant 1 (P1), Sept 25, 2025. (Systematic blocking by executive).

¹⁹⁰ Interview with Participant 2, Sept 11, 2025. (Arbitrary nature of municipal decisions).

¹⁹¹ Interview with Participant 4 (P4), Sept 22, 2025. (Absence of court warrants).

¹⁹² Interview with Participant 6 (P6), Aug 21, 2025. (Theoretical legal opportunities).

prevailing reality is that registry offices routinely refuse to accept demolition-related claims.¹⁹³ This enforcement climate—described as an extra-legal administrative measure—is characterized by weak legal frameworks and the disproportionate victimization of those displaced by regional security crises.¹⁹⁴ Ultimately, the process is defined by arbitrary enforcement, where corruption determines which structures are razed and which are skipped, while armed demolition taskforce suppress any dissent.¹⁹⁵ This extra-legal administrative structure is evidenced by the mobilization of the 'Oromia Special Forces' alongside municipal task forces. The involvement of paramilitary units in civil land administration indicates a reclassification of urban planning as a national security issue, thereby shielding it from standard civil judicial review.

D. The Hindsight Analysis: The Transformative Potential of Judicial Intervention

Had the courts exercised their inherent powers under Article 37 of the FDRE Constitution and Article 30 (6) of Proclamation No. 216/2018, the primary benefit to victims would have been the issuance of interlocutory injunctions.¹⁹⁶ A court-mandated stay on demolitions would have transformed an extra-legal administrative process into a deliberative one.¹⁹⁷ This would have allowed families—specifically the mothers and infants mentioned in the findings—to safely relocate their labour results (building materials) and personal effects, preventing the total economic liquidation currently observed.¹⁹⁸ A judicial hearing would have forced the legal system to reconcile the tension between illegal occupation and human right to shelter.¹⁹⁹ By adjudicating these claims, the courts could have established a landmark precedent distinguishing between the title to land (State-owned) and the ownership of improvements (Private property).²⁰⁰ This would have effectively checked the administrative extra-legalism that currently treats private movable property (steel, doors, and windows) as forfeit upon the discovery of a land-use violation.²⁰¹ For the future legal system of Ethiopia, such intervention would have signalled the end of Executive Hegemony.²⁰² If the Shaggar City taskforce had been forced to defend the proportionality and legality of their actions in open court, it would have curbed corruption, and then the "selective" nature of demolitions (sparing those with political connections) would have been exposed under the principle of Equal Protection (Art. 25 of the Constitution).²⁰³ The court would have institutionalized accountability, and it would have shifted the "Right to the City"

¹⁹³ Interview with Participant 8 (P8), Aug 22, 2025. (Refusal of court registries). Interview with Participant 11 (P11), Sept 24, 2025. (Prohibition of the Shaggar judiciary). Interview with Participant 7 (P7), Aug 22, 2025. (Refusal to entertain claims).

¹⁹⁴ Interview with Participant 6 (P6), Sept 15, 2025. (Weak legal frameworks).

¹⁹⁵ Interview with Participant 3 (P3), Aug 30, 2025. (Selective enforcement/skipping).

¹⁹⁶ Constitution of the Federal Democratic Republic of Ethiopia (1995), Art. 37; Oromia Regional State Courts Proclamation No. 216/2018, Art. 30(6).

¹⁹⁷ On the concept of the "extra-legal measure or War Command" enforcement, see Participant 4 (P4), Interview (n 12).

¹⁹⁸ Participant 3 (P3) and Participant 5 (P5), Field Interviews regarding "labor results" and infant safety.

¹⁹⁹ International Covenant on Economic, Social and Cultural Rights (ICESCR), Art. 11 (Ratified by Ethiopia via Proclamation No. 416/1993).

²⁰⁰ FDRE Constitution, Art. 40(1) and 40(7), which distinguishes land ownership from the right to improvements and capital invested on the land.

²⁰¹ Ethiopian Civil Code (1960), Arts. 1142–1148 (Possessory Rights) and Art. 1127 (Accession).

²⁰² On the dominance of the executive over the judiciary in land matters, see Participant 9 (P9), Interview (n 49).

²⁰³ FDRE Constitution, Art. 25 (Right to Equality).

from a theoretical concept to a justiciable reality, creating a roadmap for future urban developments to prioritize human rights over "and bank accumulation."²⁰⁴

Ultimately, the impact of judicial intervention would not merely have been the saving of houses, but the preservation of the Rule of Law. By barring the gates to the courthouse, the administration did not just demolish structures; it demolished the citizen's belief in the judiciary as a "shield of the weak."²⁰⁵

V. CONCLUSION AND RECOMMENDATIONS

The investigation into the role of regular courts in Shaggar City reveals a profound crisis of Executive Hegemony, where the practical realities of urban governance have rendered constitutional theory obsolete. The crisis in Shaggar City represents a de facto suspension of Article 40 of the Constitution for a specific class of citizens. While Article 37 of the FDRE Constitution explicitly guarantees the right of access to justice, the empirical findings suggest a systematic obstruction of this right by the executive branch. This "administrative blockade" was institutionalized through internal directives instructing courts to refuse the filing of cases against the government, effectively transforming the act of demolition into its own final judgment. By requiring formal title deeds—the very documents informal settlers' lack—simply to gain legal standing, the state has utilized the law to exclude the vulnerable from the law.

This exclusion is exacerbated by a lack of Judicial Independence, characterized by a historical "Courts vs. Kings" dynamic where the judiciary remains subservient to political interests. The findings indicate that judges are subjected to a system of "carrots and sticks": those who assert independence face intimidation or punitive transfers, while those who facilitate executive interests are promoted to high-ranking cabinet positions. This has resulted in a "Legal Paradox" where the judiciary concentrates on procedural technicalities rather than the protection of substantive human rights. The scale of this failure is quantified by the estimated destruction of tens of thousands of houses, a measure executed with such administrative disregard that even structures legally eligible for regularization under Oromia's own directives were razed without notice.

Furthermore, the state's approach represents a form of economic dispossession, where the "labor and capital" of citizens—often financed through the formal banking sector—are liquidated without compensation. This process is not merely a failure of planning but a systemic extraction of value, evidenced by the controversial confiscation and resale of building materials by state taskforces. The resulting decline in public trust and the subsequent transfer of cleared land into a city land bank suggest that the Shaggar administration has prioritized land accumulation over its international obligations, such as those under the ICESCR. Without a robust return to judicial oversight and the abolition of extra-legal administrative enforcement, the fundamental right to adequate housing and the rule of law in Ethiopia remain at significant risk.

In light of the above analysis and conclusion, the following multi-scalar recommendations are suggested fill to the gap between Ethiopia's constitutional aspirations and its administrative practices:

²⁰⁴ See Henri Lefebvre's "Right to the City" framework as applied to Ethiopian urban policy; see also Participant 7 (P7) regarding the "Land Bank" extractive motive.

²⁰⁵ Findings Participant 9 (P9), synthesis of "Judicial Abnegation" in Shaggar City.

Restoration of Judicial Oversight and Access to Justice: - the executive branch must immediately rescind all internal directives that obstruct the judiciary's role in land disputes. The "administrative blockade" that requires a title deed as a prerequisite for legal standing must be abolished to ensure that informal settlers—the most vulnerable to rights violations—can exercise their right to a fair trial. Establish specialized "Urban Land Tribunals" with independent judges to adjudicate disputes, ensuring that the separation of powers, check and balance is maintained.

Implementation of "Regularization-First" Policies: - the Shaggar City administration must align its actions with Oromia's existing legal frameworks, such as Directive No. 05/2016. Rather than the extra-legal administrative approach that led to the destruction of tens of thousands homes, the state should adopt regularization as the default administrative response for settlements built before the first of February 2013 cut-off. Conduct a transparent "Tenure Audit" to identify eligible settlements for formalization, thereby protecting the "labour and capital" of citizens and preventing further humanitarian distress.

Ethical Enforcement and Property Protection: - the state must prohibit the extra-judicial confiscation of private improvements. The current practice of seizing and reselling building materials must be replaced with a system that respects movable property rights. Reform: Any unavoidable demolition must be preceded by a court-authorized warrant, a minimum 90-day notice period, and a mandatory relocation or compensation plan. This will help restore the profound decline in public trust and curb systemic corruption.

Transparent Land Bank Management: - to dispel the perception that demolitions are a tool for state land-grabbing, the management of the city's land bank must be made public. The current practice of adding cleared land to the bank without immediate public utility must be audited. Implement an "Open Land Registry" where the status, acquisition history, and intended public use of all land-banked plots are accessible to public scrutiny.

Integrated Housing Supply Strategy: - the "exported" informality from Addis Ababa can only be solved through regional cooperation. The federal government should facilitate an integrated housing development plan between Shaggar City and the capital to address the supply-demand gap. Incentivize private-sector "affordable housing" developments over luxury real estate to provide low-income earners with viable formal alternatives to informal settlement.

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