



Public Policymaking in Post-1991 Ethiopia: The Case of Urban Land Lease Policy

Biruk Shewakena

A Thesis Submitted to

The Department of Public Administration and Development Management

Presented in Partial Fulfillment of the Requirements for the Degree of Master of Arts in Public

Management and Policy

Addis Ababa University

Addis Ababa, Ethiopia

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School of Graduate Studies

This is to certify that the thesis prepared by Biruk Shewakena, entitled: *Public Policymaking in Post-1991 Ethiopia: The Case of Urban Land Lease Policy* and submitted in partial fulfillment of the requirements for the degree of Degree of Master of Arts (Public Management and Policy) complies with the regulations of the University and meets the accepted standards with respect to originality and quality.

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ABSTRACT

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Biruk Shewakena

Addis Ababa University, 2014

There is a widespread belief that one of the critical and recurring shortcomings of the post-1991 policymaking processes happens to be this imbalance between policymaking institutions and societal actors. The main focus of the study was to undertake an assessment on public policymaking in post-1991 Ethiopia with particular reference to the Urban Land Lease Policy. A qualitative research methodology has been followed in the study. And a case study design has been utilized. Purposive sampling technique has been employed to identify the potential study participants from the study's target population. Key informant interview has been used as the primary data gathering tool. Secondary data has been acquired by reviewing published or unpublished written documents including archives. Finally, it was found out that the ruling party's policy elites have been the most common actors in the policymaking process. The nature of relationship among the policy makers and policy receivers within the policymaking system has been unbalanced. This is specifically true in the case of the Urban Land Lease Policy where a committee established by the MUDC has been the foremost actor in the policy formulation process.

DEDICATION

I dedicate this thesis manuscript to those brave, visionary, progressive and dearly loved children of Ethiopia who selflessly embarked on the legendary '*Land to the Tiller*' movement in the early days of their studentship at the Addis Ababa University, the then Haile Selassie I University.

Your inspirational legacy still lives on!!!

STATEMENT OF THE AUTHOR

I declare that this Thesis is my original work and that all sources of materials used for this Thesis have been duly acknowledged. This Thesis has been submitted in partial fulfillment of the requirements for the Master of Arts Degree Program in Public Management and Policy at Addis Ababa University. I solemnly declare that this Thesis has not been submitted to any other institution anywhere for the award of any academic degree, diploma, or certificate.

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ACRONYMS AND ABBREVIATIONS

CoM	Council of Ministers
CSOs	Civil Society Organizations
EPRDF	Ethiopian Peoples' Revolutionary Democratic Front
FDRE	Federal Democratic Republic of Ethiopia
HPR	House of Peoples Representatives
INGOs	International Non Governmental Organizations
MUDC	Ministry of Urban Development and Construction
MoJ	Ministry of Justice
OLF	Oromo Liberation Front
PMO	Prime Minister's Office
NGOs	Non Governmental Organizations

Chapter One: Introduction

1.1 Background of the Study

Policy studies emerged out of a greater concern for specific policy problems, the causal determinants of particular policies, and the relationship between policies and societal effects. Policy Studies seek to understand what nations do, not just how they do. They link process to results and put more emphasis on impacts, systematic evaluation of results, and unintended consequences (Potucek and Leloup, 1998).

The academic field of Public Policy Studies tends to be more multidisciplinary with less clearly defined boundaries than other disciplines while it's relatively a new arena of inquiry. In other words, it draws a number of concepts from diverse fields of study and its center of attention is never on a single discipline. Consequently, a consensus doesn't exist on the precise definition of Public Policy or Policy Studies. However, there are some features that can be commonly agreed upon despite the disagreements over its definitions or defining parameters (Potucek and Leloup, 1998).

On top of that, the process of policymaking is a complex interactive process influenced by the diverse nature of socio-political and other environmental forces. These environmental forces form quite different policy contexts which in turn lead to the variation in policies and influence the outputs and impacts of those particular policies. Due to such contextual disparities, public policies of developing countries significantly differ from those of the developed ones (Osman, 2001).

In this connection, the policymaking process in Ethiopia remains within the developing countries' contextual framework. Teshome (2007) has stated that a number of observers have described the policymaking process in Ethiopia as strongly influenced by a long

history of centralized, hierarchical systems of control under the imperial rule and nearly two decades of military rule by the Derg. At the end of May 1991, Ethiopia emerged from a period of civil war and the victorious Ethiopians People Revolutionary Democratic Front (EPRDF) formed a Transitional Government of Ethiopia consisting of a broadly based appointed Council of Representatives and Council of Ministers (Alemayehu, 2001). Since then, the country has been experiencing several socio-political and economic reforms.

Brown and Teshome (2007) argued that policy formation and implementation in Ethiopia is shaped by the ideology and political strategy of the ruling party. Along with, the writers maintained that policymaking in Ethiopia is less systematic, less consultative and more top down.

As such, this research has aimed at assessing public policymaking in post-1991 Ethiopia with particular reference to the 2012 Urban Land Lease Policy (i.e. Proclamation No. 721/2012).

1.2 Statement of the Problem

Mostly, in post-1991 Ethiopia, major socio-economic policies have been exclusively enacted within the government policy circle. As a result, incomprehensive, non participatory, and unsystematic policy processes seem more common than the other way round. For instance, both the formulation processes of the Education and Urban Land Lease Policies have been widely criticized as lacking consultations with key stakeholders. In short, the policy process in the post-1991 period has been commonly depicted as an exclusive circle of elites dominated by executive branch of the government.

Most importantly, this marked the imbalance within the policymaking system (i.e. between the policy makers on one hand and receivers or the wider public on the other hand). This situation clearly reveals that the policymaking process in the post-1991 period is characterized by a very narrow circle with limited or missing participatory engagements by potential stakeholders. Putting it differently, the benefactors (or the policy makers) have taken for granted a disproportionate central role in the policy process at all levels.

There is a widespread belief that one of the critical and recurring shortcomings of the post-1991 policymaking processes happens to be this imbalance between policymaking institutions and societal actors. Regardless of this, it's unfortunate that very few studies have been conducted in the case of the Urban Land Policy. Inspired by, the underlying purpose of this research has been to critically assess the country's policymaking processes within the study period. Particularly, the researcher has attempted to conduct a relatively systematic case study examination on the 2012 Urban Land Lease Holdings Policy formulation process.

This study has attempted to address the existing significant research gap within the respective policymaking system. In the process, bird's-eye view and thorough investigation has been carried out on the post-1991 actual policymaking process and the Urban Land Lease Policy respectively. As such, it has explored the socio-political context wherein policy formulation occurs, the predominant modalities and approaches used and the limitations of the Urban Land Lease Policymaking process.

1.3 Research Questions

The fundamental research questions that have guided and directed the course of this study have been the following.

- ✓ What are the common modalities of public policymaking prevailing in post-1991 Ethiopia?
- ✓ What are the limitations associated with public policymaking in post-1991 Ethiopia?
- ✓ What are the predominant shortcomings of the Urban Land Lease Policy formulation process?

1.4 Objectives of the Study

The general and specific objectives of this study were as follows.

1.4.1. General Objective

The general objective of this study was to assess the public policymaking in post-1991 Ethiopia with particular reference to the Urban Land Lease Policy.

1.4.2. Specific Objectives

1. To elucidate the context of public policymaking in post-1991 Ethiopia
2. To identify and describe the actors in the public policymaking process in post-1991 Ethiopia in general and the Urban Land Lease Policy formulation in particular
3. To examine the nature of relationship between policy makers and policy receivers within the public policymaking system in post-1991 Ethiopia in general and the Urban Land Lease Policy formulation in particular

4. To generate policy inputs and suggest some potential solutions to the problems identified in the study

1.5 Significance of the Study

After its successful completion, this study has been principally expected to fill the research gap with regard to the practices and challenges of public policymaking approaches in post-1991 Ethiopia by providing a relatively systematic and comprehensive analysis. Hopefully, it has shed light specifically on the socio-political context of public policymaking in the study period. Furthermore, findings of the study could be used as an input for researchers who would like to conduct further studies in the area and also the researcher has suggested some potential areas that require swift and feasible measures by the respective policy makers and stakeholders.

1.6 Scope of the Study

This research work has been exclusively delimited to assess the practices and challenges of the public policymaking process in the post-1991 period with particular reference to the Urban Land Lease Policy only. Accordingly, the study period has covered the time span from May 1991 onwards to the present day. Moreover, the Urban Land Lease Policy has been appraised in terms the formulation process only (that is, on the basis of the five-stage model) rather than content-wide analysis.

1.7 Limitations of the Study

This study has been limited by the absence of a comprehensive approach in the study of public policies. Moreover, the existing theories of policymaking provide useful guidance for analyzing the policies of developing countries but they are not quite sufficient for undertaking a comprehensive analysis. This is because most of the policymaking theories

were derived from the studies of industrially developed societies, which in most cases, are found insufficient to explain the policies of developing countries due to the contextual variations. Although the theories are found less adequate for an in-depth analysis the existing theories will provide useful guidelines for a general understanding of the dynamics of the policy process of developing countries. In response to this, a measure has been taken to assess the practices and challenges of public policymaking approaches in post-1991 Ethiopia in terms of some common and scientifically acceptable approaches and modalities of policymaking. In addition, the policy process in the post-1991 period has been evaluated against the benchmark of good policy criteria. Secondly, it has been very difficult for the researcher to obtain the necessary official primary data formally. And to overcome this setback, informal personal connections or contacts have been exploited.

1.8 Ethical Considerations

Although there are no risks of participating in this study, all of the participants have been treated in accordance with the ethical guidelines of a qualitative research. Throughout the study, the researcher has provided an appropriate focus for ethical issues like other kinds of scientific researches. Namely:- everyone who has participated in this study has been freely consented; personal identities has been kept confidential; moral standards has been applied to decisions made in planning, conducting and reporting of the results; and there has been no deliberate misrepresentation of the purpose of the study and overstatement or understatement of the findings.

Moreover, the research has been conducted following all the necessary steps to make it methodologically thorough as much as possible; all kinds of results and findings whether

good or bad have been reported; the researcher has remained impartial throughout the study to avoid interjections of personal feelings or bias; and finally submitting unreliable data, distorting opposing views and most importantly plagiarism have been avoided.

1.9 Organization of the Study

This research paper consists of five major chapters. The first chapter has provided an overview, presented the statement of the problem, introduced the research questions and objectives, established the rationale for significance of the study, specified the scope of the study, explained the limitations of the study, and at last discussed ethically considered issues. And chapter two has introduced conceptual and analytical tools on the basis of which the study phenomenon has been assessed and analyzed. Then chapter three has clearly specified the research methodology, research design, sampling design, methods of data collection and the methods of data analysis and interpretation. Discussions have been made based on the results of data analysis in the proceeding chapter. At the end, the conclusions and suggested recommendations have been provided based on the findings of the study.

Chapter Two: Review of Related Literatures

2.1. Introduction

In the course of their daily lives people are affected, directly and indirectly, obviously and subtly, by an extensive array of public policies (Anderson, 2003). Public policies in a modern, complex society are indeed ubiquitous. They confer advantages and disadvantages, cause pleasure, irritation, and pain, and collectively have important consequences for our well-being and happiness. They constitute a significant portion of our environment. This being so, we should know something about public policies, including how they are formed, budgeted, implemented, and evaluated. There are also scientific, professional, and political reasons for studying public policies and policymaking (Anderson, 2003).

Scientifically the systematic and rigorous study of the origins, development, and implementation of public policies will enhance our knowledge of political behavior and governance, as well as of public policy process. How is policymaking affected by federalism and the separation of powers? Were pressure groups or public opinion or the media influential in the adoption of a policy? Why did government cease to be concerned with a problem? Concern with questions of this sort is designated as policy study (Anderson, 2003).

Professionally, a person may pursue a career as a policy analyst or evaluator. Practitioners of policy analysis, which draws heavily upon economic theory and statistical and mathematical analytical techniques, have been growing in number in recent decades. Policy analysis has an applied orientation and seeks to identify the most efficient alternative (i.e., the one that will yield the largest net social benefit) for dealing

with a current problem, such as the control of air pollution or the disposal of household garbage. A variant of policy analysis is evaluation research, which assesses how well policies attain their goals and the other societal effects that they may have (Anderson, 2003).

Politically, many people want to engage in policy advocacy, using knowledge of public policy to formulate and promote "good" public policies that will have the "right" goals, that is, goals which serve their purposes. They may think of themselves as liberals, conservatives, libertarians, communitarians, or socialists and disagree greatly in their notions of what is good or just. The research efforts of policy advocates are frequently skewed by their wish to generate data and analysis in line with their preferences. In contrast, policy study is motivated by the intent to be impartial (Anderson, 2003).

2.1.1. Concept of Public Policy

The term "Policy" is very much evasive in the sense that it changes in meaning in accordance with the different contexts or point of views used. As a result, an agreement doesn't exist concerning the exact definition of Public Policy or Policy Studies in general. However, Stephen Brooks's definition will be utilized in this study. That is, "Public policy is the broad framework of ideas and values within which decisions are taken and action or inaction is pursued by governments in relation to some issue or problem" (Brooks, 1989). In this fashion, public policy will be considered as a choice or decision made by government that guides subsequent actions in similar circumstances.

In general usage, the term policy designates the behavior of some actors or set of actors, such as an official, a governmental agency, or a legislature, in an area of activity such as public transportation or consumer protection. Public policy also may be viewed as

whatever governments choose to do or not to do (Anderson, 2003). In its simplest sense, 'Policy' refers to a broad statement that reflects future goals and aspirations and provides guidelines for carrying out those goals (Osman, 2001). However, the New Oxford Dictionary of English defines the term policy as: "a course or principle of action adopted or proposed by a government, party, business or individual". While, Hill (1993) defines policy as the product of political influence, determining and setting limits to what the state does. Also, public policy is a specific strategy adopted by a government for planning and implementing a decision or course of action in order to solve a social problem (Anderson, 1995).

Anderson (2003) defined policy as a relatively stable, purposive course of action followed by an actor or set of actors in dealing with a problem or matter of concern. This definition focuses on what is actually done instead of what is only proposed or intended; differentiates a policy from a decision, which is essentially a specific choice among alternatives; and views policy as something that unfolds over time. Similarly, Geurts (2001) defined public policy as 'a choice that government makes in response to a political issue or a public problem.' This choice is based on values and norms. Policies are aimed at bridging the gap between these values and norms and a situation. The term 'public policy' used in this context always refers to the decisions and actions of government and the intentions that determine those decisions and actions. Policy guides decisions and actions towards those decisions and actions that are most likely to achieve a desired outcome.

Public policies are those developed by governmental bodies and officials. (Nongovernmental actors and factors may of course influence public-policy

development.) The special characteristics of public policies stem from their being formulated by what political scientist David Easton has called the "authorities" in a political system, namely, "elders, paramount chiefs, executives, legislators, judges, administrators, councilors, monarchs, and the like." These are, he says, the persons who "engage in the daily affairs of a political system," are "recognized by most members of the system as having responsibility for these matters," and take actions that are "accepted as binding most of the time by most of the members so long as they act within the limits of their roles." In short, public policies are those produced by government officials and agencies. They also usually affect substantial numbers of people (Anderson, 2003).

There are several implications of this concept of public policy as a relatively stable, purposive course of action followed by government in dealing with some problem or matter of concern. First, the definition links policy to purposive or goal-oriented action rather than to random behavior or chance occurrences. Public policies in modern political systems do not, by and large, just happen. They are instead designed to accomplish specified goals or produce definite results, although these are not always achieved (Anderson, 2003). The goals of a policy may be somewhat loosely stated and cloudy in content, thus providing general direction rather than precise targets for its implementation. Those who want action on a problem may differ both as to what should be done and how it should be done. Ambiguity in language then can become a means for reducing conflict, at least for the moment. Compromise to secure agreement and build support may consequently yield general phrasing and lack of clarity in the statement of policy goals (Anderson, 2003).

Second, policies consist of courses or patterns of action taken over time by governmental officials rather than their separate, discrete decisions (Anderson, 2003). A policy includes not only the decision to adopt a law or make a rule on some topic but also the subsequent decisions that are intended to enforce or implement the law or rule (Anderson, 2003). Third, public policies emerge in response to policy demands, or those claims for action or inaction on some public issue made by other actors—private citizens, group representatives, or legislators and other public officials—upon government officials and agencies. Such demands may range from general insistence that a municipal government "do something" about traffic congestion to a specific call for the national government to prohibit theft of pet dogs and cats for sale to medical and scientific research. In short, some demands simply call for action; others also specify the action desired (Anderson, 2003).

In response to policy demands, public officials make decisions that give content and direction to public policy. These decisions may enact statutes, issue executive orders or edicts, promulgate administrative rules, or make judicial interpretations of laws (Anderson, 2003). Policy statements in turn usually are formal expressions or articulations of public policy. Among these are legislative statutes, executive orders and decrees, administrative rules and regulations, and court opinions, as well as statements and speeches by public officials indicating the government's intentions and goals and what will be done to realize them. Policy statements are sometimes notably ambiguous (Anderson, 2003).

Fourth, policy involves what governments actually do, not just what they intend to do or what officials say they are going to do (Anderson, 2003). Relevant here is the concept of

policy output, or the action actually taken in pursuance of policy decisions and statements. This concept focuses our attention on such matters as amounts of taxes collected, miles of highway built, welfare benefits paid, restraints of trade eliminated, traffic fines collected, and foreign-aid projects undertaken. These can usually be enumerated with little difficulty. Examining policy outputs, we may find that a policy differs somewhat or even greatly from what policy statements indicate it should be. Policy outputs should be distinguished from policy outcomes, which focus on a policy's societal consequences. For example, do longer prison terms reduce crime rates? Do air pollution control programs improve public health? Outputs can be counted; outcomes are often difficult or impossible to measure (Anderson, 2003).

Fifth, a public policy may be either positive or negative. Some form of overt governmental action may deal with a problem on which action is demanded (positive), or governmental officials may decide to do nothing on some matter on which government involvement was sought (negative). In other words, governments can follow a policy of laissez faire, or hands off, either generally or on some aspects of economic activity (Anderson, 2003). Inaction becomes a public policy when officials decline to act on a problem—that is, when they decide an issue negatively. This choice differs from non-action on a matter that has not become a public issue, has not been brought to official attention, and has not been considered or debated (Anderson, 2003).

Finally, public policy, at least in its positive form, is based on law and is authoritative. Members of a society usually accept as legitimate the facts that taxes must be paid, import controls must be obeyed, and highway speed limits must be complied with, unless one wants to run the risk of fines, jail sentences, or other legally imposed sanctions or

disabilities. Thus public policy has an authoritative, legally coercive quality that the policies of private organizations do not have. Indeed, a major characteristic distinguishing government from private organizations is its monopoly over the legitimate use of coercion. Governments can legally incarcerate people; private organizations cannot (Anderson, 2003).

2.1.2. Nature of Public Policy

Generally, public policy is considered as an interdisciplinary field of study. It draws different concepts from a wide range of disciplines. In this sub-topic, some of the key ideas that relate it to political science/sociology, anthropology, international relations and management will be briefly discussed as follows.

- **Political Science/ Sociology**

There has been an ongoing debate within political science on whether policy-making is a rational, linear process or a more chaotic procedure, dominated by political, practical and socio-cultural forces. Various models have been developed to explain the process (Sutton, 1999). One of the most important themes discussed in sociology and political science is that of development ‘narratives’. These are stories, which simplify complex development situations, often used by policy makers to guide their decision-making. They often develop the status of conventional wisdom. Another important theme within the political science and sociological literature is the importance of interest groups, power and authority (Sutton, 1999).

- **Anthropology**

An important theme in the anthropology debate about the policy process is that of ‘development discourses’, (other disciplines also focus on these, including political

science and sociology). A discourse is an ensemble of ideas, concepts and categories through which meaning is given to phenomena. Discourses shape certain problems, distinguishing some aspects of a situation and marginalizing others. As dominant discourses set out ways of classifying people and defining problems, they have serious material consequences on the process of policy-making (Sutton, 1999). Discourses function to simplify complex development problems. They also serve the interests of some groups over others. The dominant interests they support define the issue about which policy is made, provide the framework in which alternatives are considered, influence the options which are chosen and impact on the process of implementation (Sutton, 1999).

Anthropology also looks at the use of language in the policy process. This is called 'discourse analysis' but refers to a different meaning of the term 'discourse', meaning conversation, dialogue, language, and speech (Sutton, 1999). This sheds light on the way in which policies are depoliticized and rationalized, taking responsibility away from policy makers for their decisions (Apthorpe 1986). Discourse analysis helps the search for alternative approaches to the resolution of policy problems. 'Always there are alternatives, some of which may remain to be considered again, even those which have been rejected on other grounds. So to deconstruct discourse about policy serves a constructive purpose' (Apthorpe 1986).

Apthorpe (1996) draws out another important aspect of the use of language in policy-making. He analyses written policy documents and emphasizes the way policy is couched in terms of a problem solving activity for which there are obvious solutions. He discusses the way in which documents set out clearly what 'inescapably ought to be done', what

‘stands to reason’, and can’t be negotiated or bargained for. Policy which claims to be exemplary in some way ‘is presented in language chosen mainly to attract and persuade one of this. It normally neither invites nor accepts refutation, especially when it takes a high moral posture; rather, by every trick and trope in the book, its hallmark is non-refutability’ (Apthorpe and Gasper 1996).

- **International Relations**

Much of the international relations literature looks at the issue of maintaining coherence and cooperation between groups in policy-making in the absence of an organizing global authority, such as a global government. The concept of international regimes explains how norms, rules and procedures are developed to provide ways in which nation states can co-operate. A analysis of the nature of interest groups and tools, which attempt to model how they interact also provide some useful insights into the policy process (Sutton, 1999). There are, for example, international regimes for the prevention of nuclear proliferation, regimes which provide rules governing trade behavior e.g. WTO, the environment, and third world debt. Regimes function to enhance the ability of nation states to co-operate on a given issue-area. A variety of norms serve to guide the behavior of regime members in such a way as to produce collective outcomes which are in harmony with the goals and shared convictions specified in the regime principles. A host of more specific rules convert the regime norms into concrete prescriptions of behavior (Sutton, 1999).

A key theme in international relations is the way in which policy decisions are made in new ways in the context of the rise of global communications (Sutton, 1999). Hocking and Smith (1997) outline the now widely-recognized trend towards the increasing

importance of non-state actors in the policy-making arena, such as international organizations, research groups and NGOs. 'While not denying the significance of the state, its agencies and representatives.... [they must be set] alongside a diversity of public and private actors who are increasingly able to mobilize at both domestic and international levels for the attainment of political goals, whether in support of or in opposition to governments' (Hocking and Smith 1997). This creates an added pressure on governments in the policy-making process, but also represents new resources for action. These groups have a wealth of knowledge and information, to which national governments aim to obtain access. Sutton (1999) stated that such trends have resulted in a decline of one-to-one negotiations between national governments, and an increase in the management of groups and interests by governments who seek to acquire access to the resources provided by non-state actors. There is also a growing 'international-domestic nexus'. This relates to the increasing importance being attributed to foreign affairs, by domestic actors, and the merging of the international and domestic boundaries in policy-making.

- **Management**

The business management literature sheds light on the complexity of the implementation of change. This provides a useful perspective in the light of the linear model, which implies that once a policy decision is made, implementation of the decision happens automatically. A number of particularly useful issues are considered in the literature, including the barriers to change, the skills required to manage change, the importance of power and influence, the value of an open-system approach to organizational function,

and various models of the natural phases of change which companies go through (Sutton, 1999).

2.1.3. Origins of Public Policy

Generally speaking, policy issues have no apparent fixed origin. They may originate from the media or from public opinion, from parliament or political parties, from international organizations, from government departments, or from public authorities and agencies. However, policy issues can be divided into two categories: those already on the public policy agenda, and those that are not. If an issue is already on the public-policy agenda, it has a sufficiently high profile, and a formal process is likely to be in place. If an issue is not on the public-policy agenda, the job of the stakeholders/community is to provide information and education, and to take other steps to raise awareness and get it on the agenda (Smith, 2003). Gerston (1997) suggests that an issue will appear and remain on the public policy agenda when it meets one or more of three criteria. It must have sufficient scope (a significant number of people or communities are affected), intensity (the magnitude of the impact is high) and/or time (it has been an issue over a long period).

Smith (2003) stated that the need or trigger for public policy development may come from a number of sources. It is helpful to think of a policy response to these sources as being reactive, pre-active or proactive. Policy development is reactive when it responds to issues and factors that emerge, sometimes with little warning, from the internal or external environments by : resolving problems and issues meeting stakeholder/public concerns reacting to decisions by other governments, other levels of government, or other departments with intersecting or interrelated mandates allocating fiscal resources, natural

resources, etc. reacting to media attention (generally adverse) reacting to crises or emergencies. Policy development is pre-active when it responds to triggers that are recognized because we are scanning the operating environment, identifying potential issues and factors that could affect us, and predicting and preparing for mitigation and/or contingency through: planning, strategic choice, risk management, criteria determination, priority setting and establishing partnerships (Smith, 2003). The author further noted that it's very rare that formal policy development is genuinely proactive. In practice, the nature of policy development is such that the vast majority of policy decisions reflect only minor changes to the status quo. The key stakeholders or members of the policy community often see the status quo as the most beneficial scenario and are able to work effectively to maintain it.

The complexity of the horizontal issues and challenges associated with developing integrated policy requires a big picture, a whole-system perspective that can identify and address root causes as well as symptoms. This may offer the best opportunity for proactive policy development, which can move organizations, governments and society in a truly new direction. At this point, however, truly proactive policy seems more vision than reality. Policy can be driven by political leaders, departments, inter-sectoral bureaucratic committees, a very powerful stakeholder such as an industrial lobby group, or by the community (Smith, 2003).

2.1.4. The Policy Cycle

Policymaking does not take place in a vacuum, where the government is in total control of its agenda. The result can be sharp discontinuities and apparently illogical decisions, as the government's coherent position can get overwhelmed by events. But not all events are

the result of the external world affecting policy makers; some are 'self-generated' (Hallsworth, et al; 2011). The process of policy-making has been defined as the process by which governments translate their political vision into programmes and actions to deliver 'outcomes' or desired change in the real world. However, considering policymaking as merely a technical function of government is flawed. It's better depicted as a complex interactive process influenced by the diverse nature of socio-political and other environmental forces. Consequently, it results in a wide range of different policies. As such, policies take various forms, including non-intervention; regulation, the encouragement of voluntary change, as well as direct public service provision.

Geurts (2001) has maintained that the process of public policymaking is a decision-centric and goal-driven process. Decision centric means that the process is focused on the decisions that must be taken. Goal-driven means that the process must have the desired outcome and that iterations are performed until the outcome has been produced. The final outcome can be a compromise between the targeted result and the imposed constraints. The writer also added that the process of policymaking is characterized by the coexistence of a political and a production dimension and the interaction between the elements in these dimensions. The political dimension includes activities such as proposing initiatives, practicing advocacy, mobilizing stakeholders, holding consultations, building opinions and taking positions. There are multiple stakeholders and participants and they vary according to the policy intention. And the production dimension supports the policymaking process by means of activities such as registration, translating documents, creating predictive models of the impact of an intention, codifying

the intention into a regulation and publishing the results of the policy process (Geurts, 2001).

Moreover, Geurts has asserted that the main process of policymaking consists of four 'phases': initiation, formulation, implementation and evaluation. The process starts by setting an agenda based on an issue or previous decision and ends by handing over the implemented policy to an execution and enforcement layer. It includes identifying the problem, formulating a solution, identifying different alternatives, selecting from those alternatives on the basis of their impact and laying them down in some type of statement or law. However, Hallsworth, et al (2011) underscored that policymaking does not take place in distinct stages. The 'stages' of policymaking do not just often overlap, they are often inseparable. In the real world, policy problems and policy solutions frequently emerge together, rather than one after another. In other words, plans may be present at the same time, or before, a need to act has been identified.

As well, Anderson (2003) has argued that there is not, however, a single process by which policies are made. They do not come off of an assembly line as do automobiles or television sets. Rather, variations in the subjects of policies will produce variations in the style and techniques of policymaking. Foreign policy, taxation, railroad regulation, healthcare financing, professional licensing, and reform of local government each are characterized by a distinguishable policy process - different participants, procedures, techniques, decision rules, and the like. Policymaking may also vary depending upon whether its primary organizational location is the legislature, the executive, the judiciary, or administrative agencies. Policymaking within administrative agencies is more likely to

be characterized by hierarchy, secrecy (or low visibility), and the involvement of experts or professionals than is legislative policymaking.

This variability does not mean, however, that there are no common functions or elements, and that it is impossible to formulate generalizations on policy formation. Given the diversity and complexity in policymaking processes, the development of some sort of "general theory" that has broad explanatory power is an unrealistic aspiration. But we can achieve a useful start toward what political scientists call "theory building" by striving to develop sound generalizations about such topics as who is involved in policy formation, on what sorts of issues, under what conditions, in what ways, and to what effect. Nor should we neglect to ask about how policy problems develop or obtain a place on governmental agendas (Anderson, 2003). According to the author, the following stages can be viewed as a sequential pattern of activities or functions to provide a conceptual framework in order to guide the examination of the policy process. Yet, they are empirically more difficult to pull apart though are analytically readily distinguishable.

1. Problem identification and agenda setting: the focus here is on how the problems that may become the targets of public policies are identified and specified. Why only some problems, out of all that exist, receive consideration by policy-makers requires an examination of agenda setting; that is, how governmental bodies decide what problems to address. What is a public problem? Why does some condition or matter become a public problem? How does a problem get on a governmental agenda? Why do some problems not achieve agenda status?

However, here it's important to note that there are three different ways in which a policy agenda can be set within a particular policymaking system. Accordingly, Cobb (1976)

formulated the three policy initiation models namely, the outside-initiative, mobilization and inside initiation models. The scholar stated that the outside-initiative model refers to a situation where citizens and groups gain broad public support and get an issue onto the formal agenda; the mobilization model describes a situation, in which initiatives of government need to be placed on the public agenda for successful implementation; and in the inside initiation model, influential groups with access to decision makers present policy proposals, which are broadly supported by particular interest groups but only marginally by the public.

2. Formulation: this encompasses the creation, identification, or borrowing of proposed courses of action, often called alternatives or options, for resolving or ameliorating public problems. Who participates in policy formulation? How are alternatives for dealing with a problem developed? Are there difficulties and biases in formulating policy proposals? Moreover, Hai (2000) maintains that it is part of the pre-decision phase of policymaking including crafting the goals and priorities and options, costs and benefits of each option, externalities of each option. It involves identifying a set of policy alternatives and public policy tools to address a problem as a result that a prepared set of solutions is done for the final solutions from which decision makers actually choose by judging the feasibility, political acceptance, costs and benefits.
3. Adoption: this involves deciding which proposed alternative, including taking no action, will be used to handle a problem. In American legislatures this function is performed by majorities. How is a policy alternative adopted or enacted? What requirements must be met? Who are the adopters? What is the content of the adopted policy?

4. Implementation: (A synonym is administration.) Here attention is on what is done to carry into effect or apply adopted policies. Often further development or elaboration of policies will occur in the course of their administration. Who is involved? What, if anything, is done to enforce or apply a policy? How does implementation help shape or determine the content of policy?
5. Evaluation: this entails activities intended to determine what a policy is accomplishing, whether it is achieving its goals, and whether it has other consequences. Who is involved? Who is advantaged and disadvantaged by a policy? What are the consequences of policy evaluation? Are there demands for changes in or repeal of the policy? Are new problems identified? Is the policy process restarted because of evaluation? (Anderson, 2003).

Within this simplified framework, the formation and implementation of policies are seen as political in that they involve conflict and struggle among individuals and groups, officials and agencies, with conflicting ideas, interests, values, and information on public-policy issues. Policymaking is "political"; it involves "politics." That is, its features include conflict, negotiation, the exercise of power, bargaining, and compromise and sometimes such nefarious practices as deception and bribery. There is no good reason to resist or disparage this conclusion, or to imitate those who derogue policies that they do not like with such statements as, "It's no thing but politics." Although it is sometimes implied or even asserted that if enough analysis were done, if enough facts and data were gathered, all "right-thinking" people would agree on the appropriate course of action to handle a problem, this is not the way the world works. Quite reasonable people can

disagree on policy issues because they have differing interests, values, and affiliations. Politics is the way a democratic society resolves such differences (Anderson, 2003).

2.1.5. The Notion of Good Policymaking

Public policy operates in an extremely wide environment. Governments have obligations to, and are answerable to, every part of civic society. The chief justification behind the process of public policymaking is establishing the right public or collective ends. Curtain (2000) has asserted that these societal goals refer to ‘big ticket’ issues such as the principles to underpin the conduct of foreign affairs, how to promote internal social cohesion, to how best to meet citizens’ needs during major life cycle changes. As such, policymaking often requires striking a balance among a wide range of competing interests without losing sight of the desired policy outcome (Hamilton, 2005).

To this end, nearly all scholars in the field emphasize the necessity of providing adequate consideration to the policy formulation process. For them, a broad-based policy process is indispensable to produce a good public policy in a given context. That is, the formulation has to begin with an overall understanding of the existing socio-political environment and ascertaining specific societal needs which can be appropriately addressed by policy responses. In this fashion, the resulting output will be able to realize its objectives in a way that achieves the greatest possible benefit at the least possible cost to the society at large. These being said, the following is a simple framework by which to assess policy. In line with Smith (2003), a good public policy must be socially acceptable (citizens and interest groups feel that the policy reflects their important values, e. g., fairness and equity, consistency, justice), politically viable (the policy has sufficient scope, depth, and consensus support that elected officials are comfortable with the decision), and

technically correct (the policy meets any scientific or technical criteria that have been established to guide or support the decision) (Smith, 2003).

Curtain (2000) has outlined the ten features of a good policymaking process; (1) forward looking, (2) outward looking, (3) innovative, flexible and creative, (4) evidence-based, (5) inclusive, (6) joined up, (7) learns lessons, (8) communication, (9) evaluation and (10) review (Hamilton, 2005). These ten features tend to overlap and need to be considered collectively and when taken together they reflect the type of analysis which needs to be applied in any given area. Alongside this, Curtain argued that good public policy involves attention to process. This includes giving the end users ample opportunity to participate in a variety of ways. It also involves ensuring, for example, that the 'silo' effect of departments operating independently of each other is minimized. The opposite of good policymaking is an ad hoc or short-term policy response to an immediate problem. Poor policymaking often results from unintended consequences that a piecemeal approach has not taken into account.

Plus, the author argued that good policy also needs to be outcome-focused by identifying carefully how the policy will deliver desired changes in the real world. Policy makers also need to ensure that they are inclusive by putting in place policies that take full account of the needs and experience of all those likely to be affected by them, whether they be individuals or groups, families, businesses or community organizations. As well, he upholds that good policy also requires involving those outside government in policymaking. This includes consulting with those who are the target of the policy, outside experts, and those who are to implement the policy. On the same topic, Hallsworth, et al (2011) maintained that good policies emerge from a combination of the

political (mobilizing support and managing opposition, presenting a vision, setting strategic objectives) and the technocratic (evidence of what works, robust policy design, realistic implementation plans). The two poles are largely represented by ministers and civil servants. Of course, this is a simplification, some ministers are natural technocrats and many civil servants develop strong political instincts. But for the right balance to be achieved, ministers and civil servants need to recognize these roles and create effective working relationships that respect and value the contributions both can bring.

Additionally, good public policy is based on learning from experience. Policymaking needs to be a continuous learning process, not as a series of one-off, isolated initiatives. This requires making use of evidence and research about the problems being addressed. It may also involve making more use of pilot schemes to encourage innovation and to test whether proposed options work. It also requires clearly specifying and evaluating independently the objectives of all policies and programmes and making public the lessons of success and failure and acting upon them. Policy evaluations should also involve obtaining feedback from those who implement and deliver policies and services (UK Government, 1999: 12). Conversely, poor policymaking has significant and widespread impacts including: poor quality public services, little or no benefit delivered or not sustainable in the long term, sections of society excluded from benefits, users' expectations not met, adverse social or environmental consequences and/or adverse effects on economic competitiveness (The National Audit Office, 2001).

2.1.6. Policymaking Approaches

Political and social scientists have developed many models, theories, approaches, concepts, and schemes for analyzing policymaking and its related component, decision-

making. Indeed, political scientists have often displayed more facility and zeal for theorizing about public policymaking than for actually studying policy and the policymaking process. Nonetheless, theories and concepts are needed to guide the study of public policy, to facilitate communication, and to suggest possible explanations for policy actions. Those who aspire to systematically study the policymaking process need some guidelines and criteria of relevance to focus their effort and to prevent aimless meandering through the fields of political data. What we find when we engage in research depends partly upon what we are looking for; policy concepts, models, and theories give direction and structure to our inquiry (Anderson, 2003). Following, the most common theoretical approaches to the study public policy: political systems theory, group theory, elite theory, institutionalism, rational-choice theory and process model will be briefly discussed.

a) Political Systems Theory

Public policy may be viewed as a political system's response to demands arising from its environment (Anderson, 2003). In this case, the political system mainly comprises governmental institutions and political processes that make authoritative allocations of values that are binding on society. And the environment consists of all phenomena that are external to the boundaries of the political system (Anderson, 2003).

Inputs into the political system from the environment consist of demands and supports. Demands are the claims for action that individuals and groups make to satisfy their interests and values. Support is rendered when groups and individuals abide by election results, pay taxes, obey laws, and otherwise accept the decisions and actions undertaken by the political system in response to demands. The amount of support for a political

system indicates the extent to which it is regarded as legitimate, or as authoritative and binding on its citizens (Anderson, 2003).

Outputs of the political system include laws, rules, judicial decisions, and the like. Regarded as the authoritative allocations of values, they constitute public policy. The concept of feedback indicates that public policies (or outputs) made at a given time may subsequently alter the environment and the demands arising therefrom, as well as the character of the political system itself. Policy outputs may produce new demands, which lead to further outputs, and so on in a never-ending flow of public policy (Anderson, 2003).

The author further maintains that the usefulness of systems theory in studying public policy is limited by its highly general and abstract nature. It does not, moreover, say much about the procedures and processes by which decisions are made and policy is developed within the "black box" called the political system. Indeed, systems theory depicts government as simply responding to demands made upon it, and its results are sometimes characterized as "input-output studies." Nonetheless, this approach can be helpful in organizing inquiry into policy formation. It also alerts us to some important facets of the political process, such as these: How do inputs from the environment affect the content of public policy and the operation of the political system? How in turn does public policy affect the environment and subsequent demands for policy action? How well is the political system able to convert demands into public policy and preserve itself over time? (Anderson, 2003)

b) Group Theory

According to the group theory of politics, public policy is the product of the group struggle. One writer states, "What may be called public policy is the equilibrium reached in this [group] struggle at any given moment, and it represents a balance which the contending factions or groups constantly strive to weight in their favor." Many public policies do reflect the activities of groups. Examples include the AFL-CIO and minimum-wage legislation, farm groups and agricultural subsidies, the National Rifle Association and gun-control policies, and the National Education Association and federal aid to public schools (Anderson, 2003). The writer goes on; group theory rests on the contention that interaction and struggle among groups are the central facts of political life. A group is a collection of individuals that may, on the basis of shared attitudes or interests, make claims upon other groups in society. It becomes a political interest group "when it makes a claim through or upon any of the institutions of government." And many groups do just that. The individual is significant in politics only as a participant in or a representative of groups. It is through groups that individuals seek to secure their political preferences.

A central concept in group theory is that of access. To have influence and to be able to help shape governmental decisions, a group must have access, or the opportunity to express its viewpoints to decision-makers. Obviously, if a group is unable to communicate with decision-makers, if no one in government will listen, its chances of affecting policymaking are slim. Access may result from the group's being organized, from its having status, good leadership, or resources such as money for campaign contributions. Social lobbying—the winning, dining, and entertaining of legislators and other public officials—can be understood as an effort to create access by engendering a

feeling of obligation to the groups involved (Anderson, 2003). The author further adds that in the nature of things, some groups will have more access than others. Public policy at any given time will reflect the interests of those who are dominant. As groups gain and lose power and influence, public policy will be altered in favor of the interests of those gaining influence against the interests of those losing it.

c) Elite Theory

Approached from the perspective of elite theory, public policy can be regarded as reflecting the values and preferences of governing elite. The essential argument of elite theory is that public policy is not determined by the demands and actions of the people or the "masses" but rather by ruling elite whose preferences are carried into effect by public officials and agencies (Anderson, 2003). In this view, policy is the product of elites, reflecting their values and serving their ends, one of which may be a desire to provide in some way for the welfare of the masses. Accordingly, elite theory focuses our attention on the role of leadership in policy formation and on the reality that, in any political system, a few govern the many. Hence, it may be that elite theory has more utility for analysis and explanation of policy formation in some political systems, such as developing or Eastern European countries, than in others, such as the pluralist democracies of the United States and Canada.

d) Institutionalism

The study of government institutions (or organizations) is one of the oldest concerns of political science. This is not surprising, since political life generally revolves around governmental institutions such as legislatures, executives, courts, and political parties;

public policy, moreover, is authoritatively determined and implemented by these institutions (Anderson, 2003).

Institutionalism, with its emphasis on the formal or structural aspects of institutions, can nonetheless be usefully employed in policy analysis. An institution is, in part, a set of regularized patterns of human behavior that persist over time and perform some significant social function or activity. It is their differing patterns of behavior that really distinguish courts from legislatures, from administrative agencies, and so on. These regularized patterns of behavior, which we often call rules or structures, can affect decision-making and the content of public policy. Rules and structural arrangements are usually not neutral in their effects; rather, they tend to favor some interests in society over others and some policy results over others (Anderson, 2003).

e) Rational Choice Theory

The rational-choice theory, which is sometimes called social-choice, public-choice, or formal theory, originated with economists and involves applying the principles of micro-economic theory to the analysis and explanation of political behavior (or nonmarket decision-making). It has now gained many adherents among political scientists (Anderson, 2003).

Anderson asserts that one of its basic axioms is that political actors, like economic actors, act rationally in pursuing their own self-interest. He also states that individuals who are engaged in decision-making exchanges or transactions, such as voting, also have preferences that vary from person to person. Being rational, individuals are able to comprehend and rank their preferences from most to least desired. In making decisions (whether economic or political), they are guided by these preferences and will seek to

maximize the benefits they gain. In short, people are self-interested utility maximizers, not the uninformed, confused, or irrational choice-makers often depicted in analyses of political behavior.

A second basic axiom of rational-choice theory involves methodological individualism. The individual decision-maker is the primary unit of analysis and theory. The individual's preferences or values are assumed to be more important than other values—collective, organizational, or social. Conversely, rational-choice theorists argue that the actions of organizations and groups can be satisfactorily explained in terms of the behavior of a model individual (Anderson, 2003).

Rational-choice theory both alerts us to the importance of self-interest as a motivating force in politics and policymaking, and provides a better understanding of decision-making processes. Many contend, however, that politics is not nearly as devoid of altruism and concern for the public interest as the rational-choice theorists assume (Anderson, 2003).

f) Process Model

Since policy decisions are not limited to one level of organization at the top, or at one stage at the outset. Conversely, they embrace fluidic nature and are constantly changing. As a result, it's a widely shared belief that public policy is best conceived in terms of a process. In a similar argument, Rose (1969) said 'policymaking is best conveyed by describing it as a process, rather than as a single, once-for-all act'. This process involves negotiation, bargaining and accommodation of many different interests, which eventually give it a political flavor. These political interactions happen within the network through which decisions flow, programmes are formulated and implemented and in ter

organizational dependencies and interactions take place. Thus 'policymaking' is not a simple rather a complex dynamic process involving series of actions and inactions of varieties of groups with varieties of interests at different stages.

Here it is important to note that public policymaking not only involves the public bodies or public officials as policy actors; rather, private or non-official groups also play a very active role in policymaking. This public private interaction constitutes the structure of the political system within which policy actors influence the policy process. The structure of the political system greatly differs from the developed and developing countries. This makes the existing theories or models of public policymaking derived from the developed countries inadequate to explain the policymaking process of developing countries (Osman, 2001). Despite that they are found less adequate for an in-depth analysis, the existing theories like systems approach, rational approach, incremental approach, mixed scanning model, group theory, elite theory, pluralist theory and political system model provide useful guidelines for a broad, general understanding of the dynamics of the policy process of developing countries.

Anderson (2003) also advocates that the policy-process (sometimes it is called the policy cycle) approach to policy study has several advantages. First, and most important, the policy-process approach centers attention on the officials and institutions that make policy decisions and the factors that influence and condition their actions. We need to be concerned about more than the complexity of public problems, the goals of the polity, the general forms policy responses can take, and similar matters. Knowledge of these is clearly of value; but we also want to know who makes policy decisions and how they do it. Consequently, answers are needed for such questions as: What is the legislature's role

in policymaking? How does its structure affect decision-making? What sorts of factors or considerations influence the legislator's decisions? The policy-process approach not only helps us learn about policymaking and policy, it also causes us to take a more holistic view of how government works.

Second, policymaking usually incorporates stages or categories of activity. Its sequential nature thus helps one to capture and comprehend the flow of action in the actual policy process. However, in actuality the formulation and adoption stages may blend together, as when proposed legislation on welfare reform is modified during consideration in committees and on the House and Senate floors in order to win votes needed for its enactment. Administrative agencies issue rules elaborating policy, as in the case of public-lands policy, while implementing it. The adoption of a policy, such as restrictions on abortion, solves a problem for some people while it creates a problem for others, who then restart the policy process in an effort to modify or repeal the disliked policy. Even in such instances, the policy-process approach can be used to analytically distinguish the various activities involved (Anderson, 2003).

Third, the policy-process approach is flexible and open to change and refinement. Additional stages can be introduced if experience indicates that they would strengthen description and analysis. Perhaps budgeting should be recognized as a separate stage of the process. Various forms of data collection and analysis, whether quantitative (statistical), historical, legal, or normative (value-oriented), are compatible with it. It can be used to study a single policy (e.g., the Americans with Disabilities Act) or to compare the enactment and implementation of several civil rights laws. Group, institutional, and other approaches to policy study can be fitted into it. The group approach may help

explain policy adoption; institutionalism can cast light on its implementation. Systems theory may help alert us to some of its societal consequences (Anderson, 2003).

Fourth, the policy-process approach helps present a dynamic and developmental, rather than static and cross-sectional, view of the policy process. It is concerned with the evolution of policy and requires that one think about what moves action on policy from one stage of the process to another. Moreover, it helps emphasize relationships, or interactions, among the participants in policymaking. Political parties, interest groups, legislative procedures, presidential commitments, public opinion, and other matters can be tied together as they drive and help explain the formation of a policy. Further, one can seek to discover how action at one stage of the process affects action at later stages. For example, how does the design and content of legislation ease or complicate its implementation? How does implementation affect its impact? (Anderson, 2003)

Fifth, the policy-process approach is not "culture bound." It can readily be used to study policymaking in foreign political systems. It also lends itself to manageable comparisons, such as how problems reach governmental agendas, or how policies are adopted in various countries (Anderson, 2003).

2.1.7. Variants of Public Policy

Given the large number and complexity of public policies, the task of trying to make sense of them is enormous. The typologies will be much more useful to distinguish among a range of policies and expound the notions of scope, diversity and different purposes of public policies. Though these categories are convenient for designating various sets of policies and organizing discussions about them, they are not helpful in developing generalizations seeing that they do not reflect the basic characteristics and

content of policies. Subsequently, this sub-section will briefly summarize a number of general typologies that political scientists and others have developed for categorizing public policies in the following manner.

- **Substantive and Procedural Policies**

Policies may be classified as either substantive or procedural. Substantive policies involve what government is going to do, such as constructing highways, paying welfare benefits, acquiring bombers, or prohibiting the retail sale of liquor. Substantive policies directly allocate advantages and disadvantages, benefits and costs, to people. Procedural policies, in contrast, pertain to how something is going to be done or who is going to take action. So defined, procedural policies include laws providing for the creation of administrative agencies, determining the matters over which they have jurisdiction, specifying the processes and techniques that they can use in carrying out their programs, and providing for presidential, judicial, and other controls over their operations (Anderson, 2003).

Nonetheless, procedural policies may have important substantive consequences. That is, how something is done or who takes the action may help determine what is actually done. Frequently, efforts are made to use procedural issues to delay or prevent adoption of substantive decisions and policies. An agency's action may be challenged on the ground that improper procedures were followed when it is really the substance of the action that is being resisted (Anderson, 2003).

- **Distributive, Regulatory, Self-Regulatory, and Redistributive Policies**

Distributive policies involve allocation of services or benefits to particular segments of the population; individuals, groups, corporations, and communities. Some distributive

policies may provide benefits to one or a few beneficiaries while others may provide benefits for vast numbers of persons, as is true for agricultural income-support programs, tax deductions for home mortgage interest payments, free public school education, and job-training programs (Anderson, 2003). What's more, distributive policies typically involve using public funds to assist particular groups, communities, or industries. Those who seek benefits usually do not compete directly with one another, although in some instances they do. Nor do their benefits represent a direct cost to any specific group; rather, the costs are assessed to the public treasury, which is to say all taxpayers. Thus, distributive policies appear to create only winners and no specific losers, although obviously someone does pay their financial cost (Anderson, 2003).

Regulatory policies impose restrictions or limitations on the behavior of individuals and groups. That is, they reduce the freedom or discretion to act of those regulated, whether bankers, utility companies, meat-packers, or saloonkeepers. In this sense they clearly differ from distributive policies, which increase the freedom or discretion of the persons or groups affected (Anderson, 2003). When we think of regulatory policies we usually focus on business regulatory policies, such as those pertaining to control of pollution or regulation of transportation industries. Among others, these sorts of policies were the focus of the movement for deregulation. The most extensive variety of regulatory policies, however, is that which deals with criminal behavior against persons and property. What are called social regulatory policies deal with such topics as affirmative action, school prayer, gun control, pornography, and abortion, and involve the regulation of personal behavior (Anderson, 2003).

Redistributive policies involve deliberate efforts by the government to shift the allocation of wealth, income, property, or rights among broad classes or groups of the population, such as haves and have-nots, proletariat and bourgeoisie. The usual pattern in redistributive policy shifts resources from haves to have-nots. It is possible, however, for the flow to reverse. Farm subsidy payments under the agricultural income-support programs go mostly to large commercial farmers; small-scale farmers derive few benefits, yet everyone who pays taxes contributes to financing of the programs (Anderson, 2003). However, redistributive policies are difficult to enact because they involve the reallocation of money, rights, or power. Those who possess money or power rarely yield them willingly, regardless of how strenuously some may discourse upon the "burdens" and heavy responsibility attending their possession. Because money and power are good coinage in the political realm, those who possess them have ample means to resist their diminution (Anderson, 2003).

- **Material and Symbolic Policies**

Public policies may also be described as either material or symbolic, depending upon the kind of benefits they allocate. Material policies actually either provide tangible resources or substantive power to their beneficiaries, or impose real disadvantages on those who are adversely affected. Legislation requiring employers to pay a prescribed minimum wage, appropriating money for a public-housing program, or providing income-support payments to farmers is material in content and effect (Anderson, 2003). Symbolic policies, in contrast, have little real material impact on people. They do not deliver what they appear to deliver; they allocate no tangible advantages and disadvantages. Rather, they appeal to people's cherished values, such as peace, patriotism, and social justice. A

prime example of a symbolic policy is the Kellogg-Briand Pact of 1928, by which the United States and fourteen other countries agreed to outlaw war (Anderson, 2003).

Generally, the writer maintains most policies are neither entirely symbolic nor wholly material. The symbolic and material categories should instead be viewed as the poles of a continuum, with most policies being ranged along the continuum depending upon how symbolic or material they are in practice. The material-symbolic typology is especially useful to keep in mind when analyzing effects of policy because it directs attention beyond formal policy statements. It also alerts us to the important role of symbols in political behavior (Anderson, 2003).

- **Policies involving Collective Goods or Private Goods**

Public policies may also involve the provision of either collective (indivisible) goods or private (divisible) goods. The nature of collective goods is such that if they are provided for one person, they must be provided for all. Moreover, one person's consumption of a collective good does not deny it to others. A standard example is national defense: there is no effective way to provide it for some citizens and exclude others from its benefit, enjoyment, or other consequences, or to calculate that some citizens benefit more from it than others. Thus a noneconomically rational person would never voluntarily pay for national defense, choosing rather to be a free rider and let others stand the costs. Hence defense must be provided, if we want it, by government and financed by taxation. Other examples of collective goods are clean air, public safety, traffic control, and mosquito abatement (Anderson, 2003).

Private goods, in contrast, may be broken into units and purchased or charged by the individual user or beneficiary, and are available in the marketplace. Others may be

excluded from their use. Various social goods provided by government (garbage collection, postal service, medical care, museums, public housing, and national parks) have some characteristics of private goods. Charges and fees are sometimes, but not always, levied on users. Whether such goods, which conceivably could be provided by the market economy, will be provided by the government is a function of political decisions (Anderson, 2003).

Some argue that only collective goods should be the subject of public policy. The tendency, however, has been more and more to convert private goods into social goods by government action. Many consider ill health, unemployment, environmental pollution, industrial accidents and disease, and misrepresentation in the marketplace to be collective rather than individual problems—matters affecting the entire population, hence involving public goods for which the entire society should pay. Generally, the more something is thought to have the qualities of a public good, the more likely people are to accept its provision by government. If it seems clear that some benefit more directly than others, there may also be a desire to levy charges, fees, or taxes on the direct beneficiaries to cover part of the cost. Thus we encounter user fees at national parks, tuition at public colleges, rent in public-housing projects, and tolls for some bridges and highways (Anderson, 2003).

2.1.8. Public Participation and Policymaking Community

It's a common truth that a state's government is principally responsible for the formulation and implementation of public policies to generate economic development. This public policymaking process touches on the core function of democratic politics, namely the elaboration and discussion of solutions to societal problems. That's, the

decision-making process in the public sector is more consultative, collaborative and transparent than in a commercial enterprise. And the process contains various loops and checks and balances to ensure that the consequences for all stakeholders are being considered and a growing insight can be taken into account. Government officials are required to take the needs of all stakeholders into account. Social groups and their representatives can lobby for certain proposals. Proposals are discussed in Parliament and by means of a process of revision, fine-tuning, and various sign-off steps and ultimately become a final decision, for example, in the form of a law.

- **Public Participation**

Public Participation is a framework of policies, principles, and techniques which ensure that citizens and communities, individuals, groups, and organizations have the opportunity to be involved in a meaningful way in making decisions that will affect them, or in which they have an interest (Smith, 2003). Public participation may involve both individual and collective voices, individual voices coming directly from citizens who choose to express their views, collective voices from communities, interest groups and other organizations able to synthesize or aggregate shared messages (Smith, 2003). Public participation processes include; information exchange, public consultation, engagement, shared decisions, and shared jurisdiction. These processes form a continuum based on the extent of involvement and role in decision making, from information exchange (least) to shared jurisdiction (most). The processes are not separated by definitive boundaries; they flow into and build upon each other (Smith, 2003).

Effective public participation requires that citizens be informed and knowledgeable about the topic being discussed. They must be willing and able to be involved, having the

interest, the time, and the opportunity or access. Citizens must take responsibility for the quality of their participation and be accountable to each other for effective and efficient use of time and other resources (Smith, 2003). Too, effective public participation requires that government or the sponsor be competent in the development and implementation of public participation programs. They must be willing and able to listen, truly seeking and valuing diverse voices, making a special effort to hear and understand those who, for various reasons, may otherwise go unheard (Smith, 2003).

Smith (2003) argues that public participation can help to: enhance effectiveness, get it right, decisions are complex (we need to understand and include all relevant information, views, needs, and interests), implementation is improved with public consent and commitment, participation yields higher quality decisions, meet a growing demand for public participation, public desire to be involved in making decisions that will affect them, need for greater openness of decision processes, mistrust of expert advice, resolve conflicts, set priorities, negotiate tradeoffs, seek consensus, establish priorities, find partners, enhance public knowledge, understanding, and awareness, share information, opportunities for stakeholders to hear each other and better understand the range of views on an issue, meet legal and policy requirements, establish/solidify legitimacy, participation is fundamental to democracy, counter public mistrust of the system and allocate scarce resources.

- **Policymaking Community**

The process of public policymaking is influenced by a large set of actors that exert power and authority over it possibly affecting each stage of the process, from agenda setting, to the identification of alternatives, weighing up the options, choosing the most favorable

and implementing it. As well, they have the power to influence or determine policies and practices at an international, national, regional or local level owing to their vested interests in the policy process (IDS, 2006). As such, their respective roles and responsibilities can vary depending on the policymaking context.

However, policy makers do not operate in isolation since they are part of a large ecosystem and are subject to the forces within that system. Such actors are actively involved either in making policy or in influencing its outcomes ranging from government agents, politicians, civil servants, lobbyists, advisors and auditors to donor organizations and independent experts. They can be a member of an administration, of a political group, parliament, council, or a member or representative of an interest group and act either on an individual basis or as members of a group. Besides direct stakeholders, there are other participants with influencing power in the policymaking process, especially media and citizens.

Pross (1986) describes the policy community as a network of individuals, groups, government departments, organizations, and agencies that dominate decision making in a specific policy field. Without the policy community, special capabilities for studying alternative courses of action, for debating their rival merits and for securing administrative arrangements for implementation, governments would have great difficulties discerning and choosing between policy options. Pressure groups are also integral members of the policy community, with their ability to evaluate policy and develop options (Pross, 1986). Moreover, in order to influence their policy field, a group must have access to decision makers, be in the information mainstream, and have knowledge, expertise, and an ability to understand and work with bureaucracy.

✓ **Citizens, Stakeholders and Community Engagement**

Stakeholders are those who will be affected, may be affected, are interested in a policy, or who have the ability to affect the policy process. They may be individuals, groups, governments, government departments, associations, companies, communities, etc (Smith, 2003). Similarly, a stakeholder (or stakeholder group) is one who has a direct concern or interest in, is likely to be affected by, or has the ability to influence a decision. In determining who is a stakeholder, the view of the individual or group is often a more important factor than the view of the sponsor. Stakeholder identification or representation is often based on geographic location, sector, impact or interest. There are no automatic, categorical exclusions. It is essential to know who the stakeholders are, how they interact, their interests and their concerns. Generally, this will inform and helps to involve them in an appropriate and meaningful way balancing representative processes such as advisory committees and meet their individual needs (Smith, 2003).

Stakeholders and stakeholder groups have varying compositions, histories, structures, interests, capacities and other defining characteristics. A stakeholder profile helps us to understand these characteristics. Some stakeholders are collective bodies formed for the purpose of putting forward the shared views and interests of their members. These are commonly referred to as interest groups or special interest groups (Smith, 2003). The collective of all stakeholders is referred to as the policy community. The policy community can be viewed as a series of concentric circles, with those at the centre having the greatest influence. At the very centre is the government department (or departments) with lead responsibility for the policy issue being discussed. Those closest to the centre have the most influence over decision-makers. At the outside are interested citizens and

informal groups who do not have any mechanism to contribute to the policy process. There is a role for those who can serve as bridge people to help make the links between the concentric circles (Smith, 2003).

✓ **Stakeholders as Citizens**

Citizen engagement refers to processes through which governments seek to encourage deliberation, reflection, and learning on issues at preliminary stages of a policy process, often when the focus is more on the values and principles that will frame the way an issue is considered. Citizen engagement processes are used to consider policy directions that are expected to have a major impact on citizens; address issues that involve conflicts in values or require difficult policy choices or tradeoffs; explore emerging issues that require considerable learning, both on the part of government and citizens; and build common ground by reconciling competing interests (Smith, 2003). Citizen engagement differs qualitatively from consultation in a number of ways, including an emphasis on in-depth deliberation and dialogue, the focus on finding common ground, greater time commitments and its potential to build civic capacity. In this regard, citizen engagement processes should be used selectively (Privy Council Office, 2000).

The power and authority of individual citizens is the basis of democracy. In less complex times, elected representation was a sufficient means for most citizens to participate in government. Recently, for a number of reasons, including the diversity of citizens, cultural heritage, needs, values, and interests, that has been changing. There is now a strong desire for citizens to be involved broadly in governance and directly in policy decisions both from their perspective and from that of government (Smith, 2003). Citizens may seek basic information about a situation or policy process without being

stakeholders. After assessing the information these citizens may decide that they are interested in a policy process and thus self-declare or self-identify as stakeholders (Smith, 2003). Likewise, government may invite citizens to consider whether or not they are interested, providing an opportunity to participate. When government wants citizens to enter into an in-depth dialogue, it may try to engage them (Smith, 2003).

Citizen engagement recognizes citizens as stakeholders and seeks to involve them directly and at a depth not achieved through more traditional methods of public consultation, or through broad aggregate group representation provided by various interest groups and associations (Smith, 2003). One of the biggest public participation challenges facing government today is the need to balance the views of both individuals and the groups who may represent them. Who is interested? How do we know? Do we want to include emotion and uninformed opinion in our analysis along with views based on careful consideration of data, facts and information? How can we be sure that our processes are fully inclusive, especially of those individuals and groups who may have been excluded, intentionally or unintentionally, in the past? (Smith, 2003)

✓ **Stakeholders as Interest Groups**

Interest groups bring together and speak for individuals, groups and organizations that have common interests, views, and concerns. They give political expression to who we are and what we do. Pross (1986) describes interest groups as associations of individuals formed to aggregate, articulate, and promote the interests their members have in common. We can assess the potential for interest groups to participate in the policy development process by looking at a number of factors, including: organizational continuity and cohesion, lines of responsibility and communication, capacity for long-

term activism, knowledge of and access to the sponsor, stability and significance of membership, clarity of mandates and clarity of operational objectives (Smith, 2003).

Interest groups can have either vertical or horizontal structures. Horizontal groups have geography as the unifying factor. They represent the local needs, interests and values of a population. These groups will be concerned about a wide range of issues, but generally only in a specific area. Vertical groups focus on a specific topic or sector. They represent the needs and interests of their membership on a single issue or relatively narrow range of issues. They provide leadership and have expertise in a specific field. These groups often have a structure that includes national, provincial, regional, and local branches (Smith, 2003).

Any organization that participates in policy dialogue is expected to represent the views of its members/constituents. However, it is the process by which those views are heard and blended that has the potential to at least partially illuminate the public interest. In a collaborative process, stakeholders both articulate their own views, needs, and concerns and listen to the views, needs, and concerns of other individuals and groups. The groups work together to achieve consensus on an outcome that, to the greatest extent possible, meets their collective needs. The strength and quality of the outcome are dependent upon a number of factors, which include the degree of balance and extent of representation within the policy dialogue process (Smith, 2003). It should be noted that while collaboration through public policy dialogue can produce impressive results, it still must be used in conjunction with other techniques to ensure that all voices have been heard.

What's more is that the distinction between 'high politics' and 'low politics' provides an insight into the groups that interact to make certain types of policy. The term 'high

politics' is used to relate to important policy decisions such as whether a currency should be devalued, or decisions to use military force. In these cases, the policy-making process is closed, with only a small group of influential people consulted. In issues of low politics, which are of less importance to nation states, a wider set of groups are considered, incorporating various societal bodies.

2.2. Policymaking Practices and Challenges in Developing Countries

In general, public policies in the developing countries possess certain peculiarities of their own by virtue of being influenced by an unstable socio-political environment, and face various problems and challenges (Osman, 2001). The writer adds that due to the contextual differences, public policies of the developed countries significantly differ from those of the developing countries. Although the policies of developed countries have proved their effectiveness in many cases, those cannot be applied in understanding the dynamics of the policy process of developing countries. What's more, Corkery, et al (1995) maintain that it is clear also that developing countries throughout the world vary considerably in their ability, and perhaps their willingness to formulate and implement policies that will generate improved development performance. However, Mulugeta (2005) asserts that despite some socio-cultural and socio-economic variations among developing countries, various characteristics are shared largely by differing developing states.

Governments in most Third World states have taken upon themselves a crucial role in guiding the course of social and economic development. Policymaking is highly centralized and often involves more extensive issues of economic and social development (Mulugeta, 2005). Along with, the scholar states that policies are made regardless of the

consent and contributions of the larger segment of population who would be affected by them. The scholar underscored that socio-economic reforms and 'democratization initiatives' that have over the past few decades been taking place in most of the developing countries did little to promote the public's interest in the public policymaking process. In fact, many of the commendable policy goals set out in the various public policies failed either because of the absence of balance between policymaking polity and policy-receiving societal entity and/or owing to the absence of capacity that societal forces could have marshaled to effectively countervail the overbearing power of policy elites in developing countries.

Mulugeta (2005) further noted that the policymaking structures in developing countries are much less complex than in developed countries. Government elites, individuals and small group decisions play a greater role in policy decisions than complex organizations that could have involved a relatively large segment of the affected population. More importantly, the political executive claims a significant margin of power on the determination of issues to put on the policy agenda, and formulate and allocate resources for the execution of policies. It has also been asserted that legislators rarely have sustained policymaking power compared to the executive or the bureaucracy. Moreover, the dominance of the executive coupled with the penetration of party functionaries into the legislature drastically reduces its leverage in policymaking; instead, legislators often endorse policy decisions made by 'court' actors.

The centralized, top-down approach has usually confined policy formulation to a narrow elite. In the absence of organized political opposition, independent trade unions, interest groups, and free media, involvement in policy-making is largely restricted to upper

echelons of the political and bureaucratic system. This "small circle" tends to make decisions on the basis of intuition, ideology or a process of give and take. They have little appreciation of how technical policy analysis can feed into the decision-making process. Consequently the ruling circle has not articulated much demand for policy relevant studies" (Gulhati, 1990).

Concerning policy elites, Mulugeta (2005) indicated that their hold on state power and over historical, cultural and economic factors have increased their relative autonomy and raised their leverage in making decisions that have far reaching consequences. The rapid expansion of the bureaucratic apparatus over the last several decades in Africa and other developing states has injected skills and expertise into the policymaking system. As noted, the proliferation of the administrative apparatus, however, has been met with some suspicion from the top echelons of the policymaking structure. The latter pre-empted potential dissents and carried on the pre-dominance of the political executive through party functionaries. This has also been replicated in state-society relations and governs the policymaking-policy beneficiary (policy stakeholder) relationships.

Mulugeta (2005) upholds that although policy elites are centrally placed to make authoritative decisions on many policy issues, their preferences, decisions and activities can be constrained by the actions of societal forces. The degree to which societal actors influence decisions and have access to the legally functioning policymaking institutions differs significantly between industrialized and developing countries. Apart from socio-economic and cultural barriers, the leviathan power of the state militates against societal actors' leverage and their legitimate part in the policymaking process. While organizational interests and specific groups are institutionalized in industrialized

countries, there is a more obscure link between societal interests and the policymaking process in developing countries.

Moreover, the scholar maintains that large sectors of the public in developing states are not only politically inactive and inarticulate would mean that participation in the policy process by the public and the citizenry is much less than in developed countries. Regimes in developing countries have very narrow circles of policy participants, which make participation limited. Forms of democratic institutions such as elections and parliaments are either non-existent or are manipulated in favor of policy elites. In some situations when participation has to be induced, prior decisions and understanding may have been reached among elites to mobilize support from 'apathetic masses' to bolster their positions with respect to an advocated policy issue (Mulugeta, 2005).

Interest groups, private initiatives and civil society groups are fragmented and lack the capacity to articulate their interests. In some instances, when these forces are active, the mechanisms of wielding influence through formal policymaking institutions tends to be weak and/or channels of communications are absent. For the most part, policy elites encourage public participation to ensure support for themselves and their policy initiatives. It is thus highly unlikely that public demand will have any effect on the policymaking process (Mulugeta, 2005). Subsequently, the scholar states that the exclusion of major societal groups and actors from the policymaking process not only accentuates the imbalance between policymaking institutions and societal actors, but it also has detrimental effects on the outcomes of policy implementation.

More importantly, patron-client relationships can predominantly characterize the plurality of the societies' of developing countries. Governing elites and the higher echelons of the

bureaucracy are expected to relate to the society and distribute the benefits through these patron-client channels, in exchange for which the patrons deliver their support and the compliance of the clients to the regime (Mulugeta, 2005) . One of the major manifestations of such plurality in countries like Ethiopia is through government sponsored ‘ civil society organizations’ such as the youth, women, farmers and ruling party-run and organized non-governmental organizations. Moreover, voting and elections, in most developing states, are manipulated in favor of the executive and bureaucratic elites. In other words, despite the fact that elections are the most basic means of participation in the policymaking process, they afford the electorate little opportunity to express their choice of government; neither do they empower them to pressure parties and candidates seeking their votes to offer attractive policy packages (Mulugeta, 2005).

In many African countries, the rapid growth of the bureaucratic apparatus that accompanied the consolidation of power following independence had important implications for the structures of the state and policymaking. The corollary of the proliferating bureaucracy and its members holds privileged positions. The Ethiopian experience over the past two decades, however, showed that governing elites approach the proliferating bureaucratic administration with some measure of skepticism, mainly because the political loyalty of the bureaucracy was doubted (Mulugeta, 2005) . Furthermore, there have been sweeping and radical reforms taking place over the last two decades in Ethiopia and many other developing states. Nonetheless, the economic and political reforms initiated and sponsored by the most powerful international institutions and donor countries introduced few changes that favor societal actors. In other words, the

reforms generated little improvement, as the weight of state actors in comparison with societal actors in developing countries has remained overwhelming (Mulugeta, 2005).

On top of that, Corkery (1995) argued that the lack of demand from decision-makers for analysis is a very important point in accounting for the disappointing outcome of past efforts to improve the policy-formulation capacity of governments through training, and by the deployment of expatriate advisers. It has become increasingly clear, even though it should perhaps be obvious, that it is of little or no use to improve the capacity of the 'supply side' of policy formulation if there is virtually no action to improve the 'demand side'. As Mulugeta (2005) maintained that the result has, therefore, been that the bulk of the population in the developing world is excluded from the policymaking process.

2.3. Public Policymaking in Post-1991 Ethiopia

2.3.1. Historical Background

With the exception of the brief Italian occupation (1936-41), Ethiopia remained free from extensive colonial rule (FDRE, 2004). Alemayehu (2001) maintained that Ethiopia started to introduce European type of administrative system after the victory of the Battle of Adwa over a powerful metropolitan European power. In October 25, 1909 Menelik II appointed ministers but maintained the personal link with the monarch or lords and was limited to maintaining law and order. The civil service made structural and functional change during the days of Emperor Haile Selassie's especially after issuance of the Public Services Order No.23/1961, which created the Central Personnel Agency with the duties and responsibilities of setting a homogeneous Public Service.

Ethiopia was thus among the few independent African countries, which introduced what was called "Administrative Reform" in the early 1960s (Alemayehu, 2001). In 1974, the

Emperor, Haile Selassie, was overthrown by a military junta, the Derg and a socialist state was established. Following years of wide-scale drought, economic failures and brutal coups the regime was finally toppled in 1991 by a coalition of rebel forces, the Ethiopian People's Revolutionary Democratic Front (FDRE, 2004). At the end of May 1991, Ethiopia emerged from a period of civil war and the victorious Ethiopians People Revolutionary Democratic Front (EPRDF) formed a Transitional Government of Ethiopia consisting of a broadly based appointed Council of Representatives and Council of Ministers. A constitution was adopted in 1994 and Ethiopia's first multiparty elections were held in 1995 (Alemayehu, 2001).

Alemayehu (2001) argued that the new situation has offered that ethnic claims and counter-claims can be reconciled through power sharing and the verdict of the ballot box. The political change created an opportunity for economic turnaround in Ethiopia. Devolution of powers from the federal government to the regional governments, reorganization and restructuring ministries and agencies, manpower rationalization and salary enhancement efforts were intensified by launching a national capacity building program in 1996. The program covers Civil Service Reform including judicial, legal and financial management reform to improve the function of the public sector.

The policy and strategic action taken so far aimed at establishing peace stability, encourage growth, replacing the command economy with market based economy, and poverty reduction. The pursuit of a market led economy was articulated by the enactment of the Transitional Period Economic Policy and the subsequent Economic Reform Program development strategies and sector development programs. Policy measures were therefore, geared towards the re-orientation of the role of the state in the economy,

promotion of private sector participation in the economy, decentralization of economic management and effective mobilization of external resources (Alemayehu, 2001).

Currently, Ethiopia is a Federal Democratic Republic comprising the Federal State and the State members with each having legislative, executive and judicial powers, including powers not given separately to the Federal Government. The Federal Parliament is bicameral, consisting of the Federal Council and the House of Peoples' Representatives. The House of Peoples' Representatives or Parliament is the highest authority of the Federal Government. The Federal Council is composed of representatives of nations, nationalities and peoples of each nation, which are represented in the Council by at least one member. The highest executive powers of the Federal Republic are vested in the Prime Minister and the Council of Ministers (Alemayehu, 2001).

The Proclamation that defines the Powers and Duties of Executive Organs of the Federal Democratic Republic of Ethiopia, Proclamation No.4/1995, is the legal basis of the Federal public administration organization. This Proclamation defines the Powers and Duties of the Prime Minister, Deputy Prime Minister, the Council of Ministers, Members of the Council of Ministers, establishes ministries, and stipulates their Common Powers and Duties, including their individual Accountability and Responsibility (Alemayehu, 2001). Pursuant of the Constitutional powers, the Federal Government shall levy taxes and collect duties on revenue sources reserved to it; it shall draw up, approve and administer the Federal Government's budget. Likewise States have the power to levy and collect taxes and duties on revenue sources reserved to them and draw up and administer their budget (Alemayehu, 2001).

Following, the land tenure system in post-1991 Ethiopia and the historical antecedents of Proclamation No.721/2012 have been briefly described.

2.3.2. Land Tenure in Post-1991 Ethiopia: Antecedents of the 2012 Urban Urban

Land Lease Policy

Land issues are of crucial importance to economic and social development, growth, poverty reduction and governance. Access to land is the basis of economic and social life in both rural and urban areas. Land policies, as such, express, implicitly or explicitly, the political choices made concerning the distribution of power between the state, citizens and local systems of authority. The multiple dimensions to land issues require a careful and well implemented approach which places current land issues within the broader historical, political, economic, and social context. It is the responsibility of national governments, working together with the civil society, to make land policy choices and craft feasible and effective solutions (Yusuf, 2009).

Land tenure defines the rules and rights which govern the appropriation and use of a given space or piece of land. In the strictest sense, it is not land as such that is owned, but the rights and duties over it. Land rights are not limited to private ownership alone. It can span a cross a very diverse balance between individual rights and duties, private ownership being one possible case. The rights and duties that individuals or a group of individuals hold actually arise from a set of rules and norms, defined and enforced by authorities and institutions of communities and/or of the state. No system of land tenure can work without a body with the power and authority to define and enforce the rules and provide arbitration in case of conflict. Thus, a land tenure system is made up of rules,

authorities, institutions, and rights. Land administration itself (maps, deeds, registers, and so on) is only one part of a land tenure system (Yusuf, 2009).

Land administration relates to the improvement of the efficiency of land administration systems through registration and titling as well as formalizing and securing land transactions and the regulation of land markets. Sound land administration involves the establishment of systems for land registration and titling of existing rights, cadastral services, land surveying, and capacity building in local communities to support these activities. It further requires the institution of simple and fair procedures for land transactions, their formal registration, mechanisms for regulation of land markets, maintenance of land information systems, and regular land valuation exercises. Land management, on the other hand, involves land redistribution and resettlement, including compensation of landowners facing expropriation, provision of infrastructure, support to services and productive support in newly settled areas. It further involves the restitution of land rights taken away from original owners or users as well as the establishment of new institutions and structures with responsibility for land acquisition, administration, and conflict resolution (Geda, 2008).

Central governments have a key role in defining land related policies whilst most land management related operations take place at the municipal level. This has special significance in the case of Ethiopia which has a unique land management related experience and where the current Federal Constitution provides for the public ownership of both rural and urban lands and the management of urban land by municipal administrations, including Addis Ababa (Yusuf, 2009).

In the FDRE Constitution (1995), Article 40 on the right to property; Sub-Article 3, 4, 5 and 6 dictate that; ‘the right to ownership of rural and urban land, as well as of all natural resources, is exclusively vested in the State and in the peoples of Ethiopia. Land is a common property of the Nations, Nationalities and Peoples of Ethiopia and shall not be subject to sale or to other means of exchange’; ‘Ethiopian peasants have right to obtain land without payment and the protection against eviction from their possession. The implementation of this provision shall be specified by law’; ‘Ethiopian pastoralists have the right to free land for grazing and cultivation as well as the right not to be displaced from their own lands. The implementation shall be specified by law’; and ‘Without prejudice to the right of Ethiopian Nations, Nationalities, and Peoples to the ownership of land, government shall ensure the right of private investors to the use of land on the basis of payment arrangements established by law. Particulars shall be determined by law’ respectively.

The Economic Policy of the Transitional Period of Ethiopia was issued in November 1991. Article 8 of the policy is devoted to urban land and house construction policy during the transitional period. Sub-article 1 to 4 of the same article defines the role of the government with respect to urban land and houses. Urban land remains under the control of the government and shall be distributed for those who want to construct houses (Gebre, 1994).

Sub-article 8.2 of the policy points out the need to expand and strengthen the participation of private investors in the areas of urban development, housing and construction sector. It underlines that the private sector needs to play a major role. With respect to the above, the policy provides provisions in sub-articles 1 to 5 of the same

article. Anyone who wants to construct houses for residential or other purposes shall obtain land in accordance with government directives, and shall be given security of ownership and have the right to sale, rent, bequeath, etc. the house. The policy provides that upon payment of the necessary compensation, urban land given privately may be taken by the government if the land is needed for public or government purposes (Gebre, 1994).

Land tenure in the urban areas is governed through a lease-holding system. Likely, Proclamation No.80/1993 of the transitional government of Ethiopia introduced the urban Land Lease holding policy that opted for the transaction of land between the government as the sole owner of urban land and private individuals under the lease holding system in order to transfer use rights among private individuals through sub-leasing arrangements (Yusuf, 2009).

Urban Land Lease Holding Proclamation No. 80/1993 was issued in December 1993. Some of the major reasons for the new urban land policy are given in the preamble of the proclamation (Gebre, 1994). These include, promoting equitable utilization of urban land, addressing financial inadequacy and other intricate problems of urbanization, enhancing government revenue, implementing free market principles, avoiding bad administrative practices like corruption and encouraging investment in the development of urban centers. Moreover, Yusuf (2009) maintained that this policy has been under implementation since the early 1990s with the following main objectives: eradication of rent-seeking practices like speculation, promoting efficient and effective utilization of urban land, enhancing mobilization of financial resources, and encouraging private investment.

With a view to achieving the above objectives, the urban Land Lease policy was issued. All urban lands, except those previously used for the construction of residential houses are governed by the lease policy. Nevertheless, when lands previously held for residential purposes are transferred to other people other than through inheritance, they will be under the lease policy. Urban Land Lease holding is to be granted if the request is in conformity with the land use pattern of the urban center and after carrying out a competitive public tendering. Urban Land Lease is given for a fixed term and the duration of the lease varies depending upon the purpose for which the land is requested and the level of urban centers. The maximum duration of lease holding of 99 years is given for private residential houses at all levels of urban centers (Gebre, 1994).

The policy gives the right to determine the rate of rent of the lease in national/regional Self-Governments. Factors such as the level of urban center zoning of the urban center and the purpose for which the land is requested have to be considered in the determination of the lease rate. The rate is to be low for land used for social services and low cost houses. Provision is made to provide urban land free of lease payment and without public tendering for investments the government encourages and social services which directly benefit the public (Gebre, 1994).

Nevertheless, Yusuf (2009) maintained that the level of implementation of the proclamation, particularly during the initial period, was not as expected. Although the Addis Ababa City Administration was the first to issue regulations that provided for its implementation, most businesspersons and potential investors were ambivalent about the Urban Land Lease holding policy. The basic reason for such a position is reckoned, among others, to be familiarity with and the continued operation of the permit system that

many businesspersons perceive to be more predictable and affordable than the new system. Plus, Yusuf stated that the major problems identified in relation to the implementation of the lease policy include the following: revenue generation at the expense of urban development, absence of current and detailed Master Plan, limitations in urban land supply, lack of coordination, complications in lease price, low level of public awareness, rent-seeking practices, rigid methods of payment, traditional savings, credit and mortgage systems.

Starting from 2002 onwards, Land tenure in the urban areas is governed through a lease-holding system regulated under the Reenactment for Urban Land Lease Holding Proclamation No.272/2002. The preamble to this Proclamation lists down the justifications that prompted its enactment noting that “...because it is believed that transferring urban land by lease for a fair price, consistent with the principles of free market, will help achieve overall economic and social development and to help build capacity enabling progressive urban development based on the life span that a landed property may have and the period it requires to recover investment costs, the special nature of the investment, and the land use specified in conformity with the Master Plan....”; and “... to remove obstacles of and to expedite the process of permitting and holding urban land by lease based upon an investment plan made in conformity with the Master Plan....and because it has conversely been found necessary to ensure that the order in which the claims of anyone alleging infringement of one’s legal right and benefits is transparent and expedient.” (Geda, 2008)

Thus, with a view to achieving the above stated objectives, the Urban Urban Land Lease Holding Proclamation was issued. The leaser is the Government, while the lessee is the

investor. The Proclamation stipulates that land can be given to individuals, outside of the lease system, for purposes of building low cost houses or it may be set aside for purposes of providing social services. Payment for any leasehold is to be determined by Regional Governments. The minimum price will be set by the respective Regional Government, and the one who sets the highest bid price will be given the leasehold. In effect, Regional Governments, and the City Administration in the case of Addis Ababa and Dire Dawa, enjoy unfettered and monopolistic discretion to set the price, making it exorbitantly high. Absence of transparency in the allocation of land makes the problem even worse (Geda, 2008).

The law has also embodied some provisions concerning those lands considered as lawfully held. The relevant authority can decide to clear any person from the land he holds. It can deprive a person of urban landholding when: there is failure to pay, independent alteration in land use arrangement, public necessity for land use, termination or expiration of lease tenure and misappropriation of land (Geda, 2008). In such cases, Geda (2008) asserted that if the landholder who is asked to clear the land has complaints to register, he/she can only appeal to the one that required his/her removal from the land. Even then, the substance of the complaint cannot dwell on the issue of whether or not the person should have cleared the land; it should rather be limited to the question of demanding compensation or to the inadequacy of the compensation so paid. If the appellant is still not satisfied with the decision, he/she can, within thirty days of the delivery of the decision, appeal to the Urban Land Clearance Appeals Commission or, depending on particular situations, to bodies established for the purpose within the jurisdiction of City or Regional governments.

Similarly, the current Proclamation No. 721/2012 is regulatory measure in the sense that it specifies standards, conditions and constraints or requirements that applicants have to fulfill in the process of obtaining land through the lease system. Basically, it's an improvement on earlier developments in the land policy or legal framework.

Chapter Three: Research Methodology

3.1. Research Method

The research methodology choice has been dependent upon the nature of the research problem and in line with the reality which the researcher was going to examine. Accordingly, a qualitative research methodology has been followed in this study. Hancock (1998) has advocated that a qualitative research is concerned with developing explanations of social phenomena. That is to say, it helps us to understand the world in which we live and why things are the way they are. Hence, the researcher has followed this methodology to provide a deeper understanding on public policymaking process in the post-1991 period with particular reference to the Urban Land Lease Policy.

3.2. Research Design

This study has utilized a case study design. The prime motive behind this decision was that the study design will make possible a convincing examination of the phenomenon under investigation by taking into account a case within its specific context. Case study is an in-depth exploration from multiple perspectives of the complexity and uniqueness of a particular project, policy, institution, programme or system in a 'real life' context (Simons, 2009).

This study's case analysis has been specifically conducted on the 2012 Urban Land Lease Holdings Proclamation No. 721/2012 formulation process. The researcher has selected this policy since it's relatively a recent development and its very formulation has been extensively questioned. Moreover, the case was selected based on its relevance to the conceptual framework, potential to generate rich information, prospect of generating believable explanations and likelihood of analytic generalization.

Consequently, an in-depth approach taken in the case in point was expected to generate an array of comparatively current multiple perspectives. By virtue of which, the researcher has been capable of documenting and analyzing various viewpoints and significant areas of consent and conflict by gathering information from a range of stakeholders such as, professionals, academicians, government officials, organized groups and individual citizens of potential value to the subject matter of this study.

3.3. Sampling Design

The target population of this study was composed of high ranking government officials (primarily including those working on policies and related issues in the prime minister's office), policy research institutes, policy science academicians or professionals, civil society organizations, political parties, interest groups, and other private individuals whom are considered to be formal or informal actors or stakeholders directly or indirectly participating in the public policymaking process of the period post-1991 Ethiopia.

A purposive sampling technique has been employed to identify the potential study participants from the study's target population. This has been the case due to the large size and diversity of the target population, tendencies of vital information accumulation among certain key stakeholders, and given the fact that the researcher will not be required to collect data from each and everyone involved in the study area in order to obtain valid findings.

So, the purposive sampling technique has made it easier for the researcher to select key informants based on important characteristic features like position, knowledge, experience, stakes and research characteristics of interest in the pre-identified study area. Overall, the choice of study participants has been highly dependent upon the research

questions and specific aims to be addressed by this study simultaneously taking into account the issue of representativeness of the sample.

Accordingly, 23 in-depth key informant interviews have been conducted purposively selecting the most appropriate participants from the Ministry of Urban Development and Construction (MUDC), House of Peoples' Representatives' (HPR), Ethiopian Peoples' Revolutionary Democratic Front (EPRDF), Opposition Parties, Academics, and others from the Private Sector (specifically, Chamber of Commerce)

3.4. Data Collection Methods

This study has made use of the most common qualitative methods of data collection. And this has enabled the central theme of this study to be explored in terms of either breadth or depth as it fits by the researcher.

In similar vein, Hancock (1998) explained that qualitative approaches to data collection usually involve direct interaction with individuals on a one to one basis or in a group setting. Data collection methods are time consuming and consequently data is collected from smaller numbers of people than would usually be the case in quantitative approaches such as the questionnaire survey. The benefits of using these approaches include richness of data and deeper insight into the phenomena under study.

In this study, both primary and secondary sources of data have been utilized to collect the necessary appropriate, reliable and accurate data. The researcher has applied a variety of methods to achieve triangulation or confirmation of the same information by different sources thereby to increase the validity of the results. In view of this, in-depth key informant interview has been used as the primary qualitative data gathering tool.

Secondary data required for the case analyses has been acquired by reviewing published or unpublished written documents including archives.

Several in-depth interviews have been included in this study. Such interviews have been helpful to explore the unique aspects of the case under investigation in greater details from the respondents' or interviewee's positions or outlooks. By the same token, Mack and Cynthia Woodsong; et al (2005) maintained that the in-depth interview is a technique designed to elicit a vivid picture of the participant's perspective on the research topic.

During the in-depth interviews, the person being interviewed has been considered as the expert and the interviewer as the student. The researcher's interviewing techniques were motivated by the desire to learn everything the participant can share about the research topic. The researcher has been engaged with participants by posing questions in a neutral manner, listening attentively to participants' responses, and asking follow-up questions and probes based on those responses. He didn't lead participants according to any preconceived notions, nor did he encourage participants to provide particular answers by expressing approval or disapproval of what they say.

Specifically, a semi structured type of interviews has been involved in this study. Regarding this type, Hancock (1998) upholds that semi structured interviews (sometimes referred to as focused interviews) involve a series of open ended questions based on the topic areas the researcher wants to cover.

The reason for following a semi structured interview technique has emanated from the fact that the researcher has already identified a number of aspects of the central concern of the study that he wanted to be sure of addressing. Also, the limited time available for conducting the interviews has firmly necessitated the researcher to be certain that the

most fundamental issues will be covered. However, the researcher or interviewer has been still be open and interested to receive unexpected information from the interviewees.

In addition, the questions have been tailored to the respondents' areas of experience or involvement since it's recognized that not many actors or stakeholders are likely to have been involved in or affected by all stages of the process. Also, this guideline has not been intended to be restrictive. Hence, the respective participants of the study were free to include further relevant information which may come to their notice. Moreover, they have been asked to identify the different stages in the process, the actors or stakeholders: individual and organizations or agencies at each point of policy formulation and the process of consultation.

3.5. Data Analysis Methods

In this study, writing down or transcribing the in-depth key informant interviews and document review annotations have been the first action of the researcher in the data analysis phase of this study. After transcription, the researcher has started labeling or coding every item of information so that differences and similarities among the items will be easy to recognize.

Following, content analysis was the procedure applied for the categorization or summarization of the collected verbal or behavioral data. The next step of data analysis after the identification of analytic domains and or thematic areas based on the content analysis results have been the analysis of interviews and document reviews for the case.

Chapter Four: Findings and Discussions

Basically, this study was intended to undertake an assessment on Public Policymaking in post-1991 Ethiopia with particular reference to the 2012 Urban Land Lease Policy (i.e. Proclamation No. 721/ 2012). In this chapter, the historical, socio-political and institutional contexts, the predominant policymaking approaches, the most commonly spotted actors in the policymaking process, the existing nature of relationship among the respective policy makers and policy receivers within the policymaking system and the challenges associated with policymaking in the study period have been described and analyzed. In addition to these, the researcher has presented an analysis on the subject matter of the study, Proclamation No.721/2012.

4.1. Public Policymaking in Post-1991 Ethiopia

Ever since the recorded history of Ethiopia, public policy-making has, however, been the prerogative of emperors, kings and palace courts, the nobility, military dictators, and civilian and bureaucratic elites, this being partly due to the awesome power of policy elites and their dominance, and to a certain extent because societal actors lack the organization, the autonomy, the capacity and the resources needed to counter state and bureaucratic players (Mulugeta and Cloete, 2006). Likewise, it's a common truth that the country's policymaking system has been dominated by the executive or more specifically by the still in power, Ethiopian People's Revolutionary Democratic Front (EPRDF) in the post-1991 period. That is, the EPRDF has been the principal chief exclusively governing the policy process and dictating its outputs for almost the past 23 years.

This front has been initiating, approving, adopting and executing public policies entirely dominating the policy process. Put differently, the governing party and its senior officials

in the executive possessed and enjoyed an unbalanced leverage in the public policymaking system though genuine participation is the central tenet of a policymaking process and the 1995 FDRE Constitution has specifically demanded public engagements in the policy process. In similar vein, Mulugeta and Cloete (2006) asserted that the executive and EPRDF were the most important actors in placing issues on the agenda, assessing alternatives, and were also in charge of implementation. As a result, policymaking became highly centralized including policies that affected people in remote villages.

Consequently, the huge influence of these policy elites has significantly deterred societal actors' participation in the policy process. As a result, this seriously limited the inclusion of public demands in policies. The larger society at the other end of the policy process continuum were powerless to sway the policy process since the mere existence of institutional frameworks and working procedures couldn't countervail the dominance exacerbated by the aforementioned policy elites. In relation to this, Mulugeta and Cloete (2006) acknowledged that one of the recurring problems in the maze of public policymaking in Ethiopia has thus been the imbalance between policy-making institutions and societal actors.

Most scholars argue that the ruling party's origin, historical development and philosophical orientation or ideological preoccupation can be useful in explaining this situation. That's to say, EPRDF has inherited a set of values founded on Marxist ideology from its precursor organization, Tigray People's Liberation Front (TPLF) during the armed movements which most people argue justifies its excessive domination in the country's policy process in post-1991 period. In the words of Mulugeta (2005), Ethiopian

policy elites have, however, made strong ideological commitments to Marxism-Leninism, democratic centralism and revolutionary democracy. These predispositions colored the perceptions of almost all socioeconomic policies. In the end, not only have these ideologies guided the modus operandi of policymaking for much of the last three decades, but also have helped to substantially enhance policy elites' leverage in and control over the policymaking process. Although interest groups normally exert pressure on government for policy actions, societal elements in Ethiopia remain as much bystanders and peripheral actors as in the bulk of developing countries. Hence, the scholar further noted that the predominant ideological percept of the new policy elites-revolutionary democracy and the post-1991 socio-economic policies on which these policies are premised tended to preclude the participation of non-state actors in the policymaking process.

4.1.1. Policymaking Context in the Post-1991 Period

As a matter of fact, May, 1991 was a critical juncture in the history of Ethiopia. It marked the demise of a 17 years old military dictatorship and the beginning of a new epoch. Afterward, the Ethiopian Peoples' Revolutionary Democratic Front (EPRDF) has initiated the country's transition from a Unitary State to a Federal Democratic Republic which culminated with the adoption of a new constitution in 1995. EPRDF is an alliance of four major ethnic-based movements, namely Tigray Peoples' Liberation Front (TPLF), Oromo Peoples' Democratic Organization (OPDO), Amhara National Democratic Movement (ANDM) and Southern Ethiopian Peoples' Democratic Union (SEDPU). The victorious front was able to form the Transitional Government of Ethiopia (TGE) consisting of a broadly based appointed Council of Representatives and Council of

Ministers. Following this development, a Federal Constitution was adopted in the 8th of December, 1994 as a n o f f i c i a l a c t o f e m b a r k i n g o n t h e e n v i s i o n e d F e d e r a l S t r u c t u r e ultimately r e s u l t i n g i n t h e e s t a b l i s h m e n t o f t h e n o w a d a y s E t h i o p i a n s t a t e, F e d e r a l Democratic Republic of Ethiopia (FDRE). As indicated in chapter two, the new situation has o f f e r e d t h a t e t h n i c c l a i m s a n d c o u n t e r - c l a i m s c a n b e r e c o n c i l e d t h r o u g h p o w e r sharing and the verdict o f t h e b a l l o t b o x (Alemayehu, 2001). In line w i t h t h i s, E t h i o p i a experienced its first multiparty elections in 1995.

In t h e p o s t - 1 9 9 1 p e r i o d, c h a n g e s o c c u r r e d n o t o n l y w i t h r e s p e c t t o t h e s o c i o - p o l i t i c a l settings o f t h e c o u n t r y b u t a l s o t h e e c o n o m i c c o n t e x t w a s d i f f e r e n t. G l o b a l l y, t h i s w a s accompanied w i t h t h e c o l l a p s e o f c o m m u n i s t m a n d t h e e n d o f c o l d w a r w h i c h b r o u g h t u p a n e w s e t o f c i r c u m s t a n c e s. S i g n i f i c a n t l y, t h i s f o r c e d t h e E P R D F t o r e c o n s i d e r i t s stand p o i n t f o r t h e s a k e o f m i l i t a r y a n d e c o n o m i c s t r a t e g i c a l i g n m e n t w i t h t h e w o r l d ' s emergent powerful state: the United States. By this means, the incumbent government has made a major departure in replacing the previous regime's command or centrally planned economic system with a more liberalized market based economy.

As one opposition party official and member of the current parliament commented:

During the former regime, the role of the citizens was only to act according to government plans as directed. That's to say, the regime was socialist and was following a command economic system. However, Ethiopia is experiencing a new socio-economic and political environment in the post-1991 period. In consequence to the end of cold war, the current ruling party's option was to shift to the right wing for the sake of strategic alignment. This has cleared the way for a mixed economic system where the private sector engagement in particular or

citizen's role in the economy in general is required to develop as opposed to the pre-1991 period. (The Researcher's Interview Transcript)

Though institutional arrangements have not yet been fundamentally changed, the paradigm shift has somewhat promoted the development of the financial and the private sectors. Alemayehu (2001) stated that the pursuit of a market led economy was articulated by the enactment of the Transitional Period Economic Policy and the subsequent Economic Reform Program development strategies and sector development programs. Policy measures were therefore, geared towards the re-orientation of the role of the state in the economy.

➤ **The 1995 Federal Constitution**

The FDRE Constitution has guaranteed important fundamental rights and freedoms of the populace, enshrined the Federal System of governance, put demarcations on the legislative, executive and judicial powers (i.e. separation of power) and established a parliamentary democracy on a multi-party basis. The Constitution which was enforced on 21st August 1995 consisted of one preamble and 106 articles sub-divided in 11 chapters. In this document, Chapter 1 (Articles 1-7), Chapter 2 (Articles 8-12), Chapter 3 (Articles 13-44), Chapter 4 (Articles 45-49), Chapter 5 (Articles 50-52), Chapter 6 (Articles 53-68), Chapter 7 (Articles 69-71), Chapter 8 (Articles 72-77), Chapter 9 (Articles 78-84), Chapter 10 (Articles 85-92) and Chapter 11 (Articles 93-106) provided the general provisions, the fundamental principles, the fundamental rights and freedoms, the state structure, the structure and division of powers, the federal houses, the president of the republic, the executive, the structure and powers of courts, the national policy principles and objectives and the miscellaneous provisions respectively.

Like any other Constitution, the FDRE Constitution ultimately establishes the institutional bases for public life in the country. It states the powers of the state, functions of its organs and happens to set the relationship between those who govern and those governed. Accordingly, Article 9 (FDRE, 1995) clearly asserted that the Constitution is the supreme law of the land and any law, customary practice or a decision of an organ or a public official which contravenes this Constitution will be null and void. As well, it maintained that all citizens, organs of the state, political organizations, other associations as well as their officials should ensure observance of the Constitution and abide by it.

To date, the Federal Constitution is the principal legitimate instrument that provided the necessary umbrella institutional framework for public policymaking in post-1991 Ethiopia. It has spelt out general provisions that guide policymaking, the most important government bodies and their functions, the principles and objectives in the implementation of the Constitution and other laws and policies, its major policy thrust areas and the principal policy makers or implementers. In confirmation to this, Mulugeta (2005) affirmed that a Constitution as a mega-public policy or at the summit of all public policies (a basic law, as lawyers would call it), not only offers principles and the spirit to steer the policymaking process, but also it patterns institutional and state-society relationships with respect to public policymaking.

Some of the general provisions and policy matters of concern which seemed worthy of the researcher's explanations have been discussed below in accordance with the FDRE Constitution.

Primarily, Article 1 of the national mega-public policy which is reserved to address the issue of Nomenclature of the State has clearly stated that;

‘This constitution establishes a Federal and Democratic State structure. Accordingly, the Ethiopian state shall be known as the Federal Democratic Republic of Ethiopia’. (FDRE, 1995)

This provision has embodied 3 features of the Ethiopian state: a Federal State structure, a Democratic Republic (i.e. the existence of Parliamentary Democracy) and the country’s Socio-Economic and Political Philosophy. Firstly, the country’s Federal State structure is clearly specified in Chapter 4 (i.e. Articles 46 and 47) of the Constitution. Article 46 (Sub-Article: 1) stipulated that the Federal Democratic Republic shall comprise of States while Article 47 (Sub-Article: 1) lists the Member States of the Federal Democratic Republic of Ethiopia to be the States of Tigray, Afar, Amhara, Oromia, Somali, Benshangul/Gumuz, Southern Nations, Nationalities and Peoples, Gambela Peoples and Harari People.

Secondly, the Constitution has boldly stipulated the issue of a Parliamentary Democracy in its Article 45, 51, 69 and 72. Respectively, it’s stated that the FDRE form of government is Parliamentary; the highest policy approving authority reside in the House of People’s Representative and House of Federation; the President of the Republic is the Head of the state; and the Prime Minister (the head of government) and Council of Ministers are the highest executive power holders. On top of that, the Prime Minister (or the Council of Ministers) happens to be the highest policymaking body as of Article 74 (Sub-Articles: 3, 5 & 6) which reserved following up and ensuring the implementation of laws, policies, directives and other decisions adopted by the House of People’s Representatives, exercising overall supervision over the implementation of policies, regulations, directives and decisions adopted by the Council of Ministers and exercising

overall supervision over the implementation of the country's foreign policy to be the powers and functions of the Prime Minister among others.

In addition, Article 77 (Sub-Articles: 1, 4, 6 & 8) of the FDRE Constitution asserted that the Council of Ministers is responsible for ensuring the implementation of laws and decisions adopted by the House of Peoples' Representatives; ensuring the proper execution of financial and monetary policies of the country; administering the National Bank, deciding on the printing of money and minting of coins, borrowing money from domestic and external sources, and regulating foreign exchange matters; formulating and implementing economic, social and development policies and strategies; and formulating the country's foreign policy and exercise overall supervision over its implementation.

Furthermore, the third feature that Article 1 of the FDRE Constitution embraces other than Federation and Parliamentary Democracy is associated with Social, Economic, and Political Philosophy and National Policy Principles and Objectives. Accordingly, Chapter 10 of the Constitution (Articles 85-92) state that both Federal and State governments are required to be guided by these 7 Principles and Objectives in the implementation of the Constitution, Laws and Policies: Principles for External Relations (Article 86), Principles for National Defense (Article 87), Political Objectives (Article 88), Economic Objectives (Article 89), Social Objectives (Article 90), Cultural Objectives (Article 91), and Environmental Objectives (Article 92).

4.1.2. Policy Actors in Post-1991 Ethiopia

In May 1991, the Ethiopian Peoples' Revolutionary Democratic Front (EPRDF) has created a Transitional Government of Ethiopia (TGE) which was composed of a broadly based appointed Council of Representatives (CoR) and Council of Ministers (CoM).

Consequently, the TGE has promulgated numerous legislations and policies in the regime's early days. Until the Oromo Liberation Front's (OLF) withdrawal from government in June 1992, there were about 87 active members in the CoR. However, the average number of CoR members significantly reduced as a result of withdrawal and expulsion of different political organizations (for instance, South Ethiopia's coalition partners) from the council.

Affirming this, Mulugeta (2005) maintained that the EPRDF achieved close to fifty percent majority over the remaining divided and fractious non-EPRDF members of the CoR. It was thus self evident that EPRDF had increasingly ascertained overwhelming leverage to push any agenda and policy decisions through the Council of Representatives after the later half of 1993. Nonetheless, this should not give one the impression that EPRDF was not well positioned to put its agenda through before mid-1993. Certainly it was, but the withdrawal and expulsion of 20 non-EPRDF members of the CoR (in an 87-seat legislature) absolutely guaranteed EPRDF a monopoly on policy agenda setting, and emboldened its control over the voting system in the CoR and the entire policymaking arena during the transition in Ethiopia.

➤ **House of Peoples' Representatives (HPR) and House of Federation (HoF)**

After its adoption, the Constitution of the Federal Democratic Republic of Ethiopia has established two representative bodies for the federal government, namely, the House of Peoples' Representatives and the House of Federation. However, the Ethiopian Parliament is not bicameral in the traditional sense. The House of Peoples' Representatives has legislative and oversight functions while the House of Federation has

a constitutional role to safeguard the interests of the nations and nationalities of Ethiopia (FDRE, 2004).

According to Article 45 of the Federal Constitution, the highest policy approving authority resides in the HPR. Plus Article 55 (Sub-Article: 1) of the Federal Constitution declared that the House of Peoples' Representatives shall have the power of legislation in all matters assigned by this Constitution to Federal jurisdiction. The HPR has several standing committees whose common purpose is making more specific decisions after detail and critical examination of referred draft laws or other kinds of legislation matters. Currently, there are a number of committees in the lower house each with particular legislative duties and distinct executive oversight responsibilities including the Urban Development and Construction Standing Committee which is responsible for the study's case of the 2012 Urban Land Lease Policy.

➤ **The Executive**

Among executive bodies (composed of the Prime Minister and the Council of Ministers), the most important one leading the policymaking process is the Prime Minister. The Prime Minister is the chief executive officer, the chairman of the CoM, and the commander-in-chief of the armed forces of the country (FDRE, 1995). The Prime Minister can have the HPR approve his nominees for the ministerial positions who, together with him, constitute the second leg of the executive (FDRE, 1995).

The Prime Minister presides over the entire implementation process of laws and socio-economic and foreign policies of the country. The Council of Ministers (CoM) is composed of the Head of Government (i.e. the Prime Minister), the deputy Prime Minister, and other Ministers. It is responsible for the initiation, formulation and

supervision of the implementation of socio-economic and foreign policies (FDRE, 1995). According to FDRE (1995), a quorum constitutes half of the members of the Council of Ministers and decisions are made by a simple majority vote.

In the executive, each ministry is empowered to initiate or formulate laws and policies (FDRE, 1995). Furthermore, statutory and constitutional provisions allocate massive powers to the Prime Minister and the new nucleus of the executive leadership (FDRE, 1995). Hence, Mulugeta (2005) maintained that by default or design, the executive, essentially the Prime Minister, Prime Minister's Office and the Council of Ministers, have over-arching roles in public policymaking in Ethiopia.

4.1.3. Policy Makers vs. Policy Receivers in Post-1991 Ethiopia

All over the world, a public policy system is characterized by the presence of multiple set of actors with varied interests. Such actors hold two quite distinctly extreme ends in any policy continuum: policy makers or benefactors at one side and policy receivers or beneficiaries at the other side. Hence, one has to be aware of the interactions amongst these fundamental policy actors to comprehend the policymaking process in a given context.

In public policymaking, participation commonly denotes a process whereby different potential stakeholders or actors with diverse degrees of political leverage and distinctive interests interact with each other for the purpose of influencing the policy process and deriving the most out of it. It's stipulated in the FDRE (1995) Constitution that citizens of the state are legitimately endowed with the right to participate in the process of public policymaking as well as to demand the government for consultations regarding policies and similar enactments. Particularly, Article 43 (Sub-Article: 2), in connection to

citizens' right to development, dictates that 'Nationals have the right to participate in national development and, in particular, to be consulted with respect to policies and projects affecting their community'. Moreover, constitutional principles impose demands that the state encourages the public to participate in the making of public policies and programs (FDRE, 1995).

Participation in the process of public policymaking is deemed necessary for it promotes the implementation of policies and it's the key facet of a democratic system of governing society. Most policymaking practices have indicated that the degree of successfully achieving policy objectives is higher in cases where the policy process is open and the wider public is a significant partaker than the other way round. Though participation seems to enhance policy implementation through the development of the general citizenry's sense of ownership towards resulting policies, developing countries are largely lagging behind in this particular respect. Hai (2000) asserted that the involvement of businesses and civil society - consumers, private entrepreneurs, employees and citizens and community groups, NGOs in designing public policy is critical if the government of developing countries are to improve the transparency, quality and effectiveness of their policies as well as establishing the legitimacy of the public policy.

What's more, the policy process has to be participatory as its very essence prescribes it. That is to say, policy initiatives has to continuously include the wider public and accompany its specific concerns underscoring the fact that policymaking is essentially the pursuit of solving societal problems or creating a more desirable set of conditions. Plus, the policy circle has to invite societal forces for their valuable and relatively accurate insights; after all they are better equipped to understand the details of their exact situation

than furthest away government officials. Otherwise, policies without productive public engagement won't be able to gain legitimacy which complicates their subsequent implementation at a later stage.

It's therefore absolutely crucial for a policymaking process to be able to provide viable opportunities for a greater involvement of the different actors within the policy system rather than being an exclusive and narrow circle of the most common and dominant actors. Yet, it's more unlikely for the policy system to benefit from wider public involvement if participation is adulterated. As Mulugeta (2005) stated genuine public participation should influence the direction of the policy as well as pattern of its implementation. If the course of the policy and its implementation have not been influenced, changed, or modified to any significant extent, the trivial enterprise of exchanging words in the meeting halls does not constitute participation. One's clout in influencing the direction of the policy, and its implementation in terms of values that citizens and the autonomous organizations that represent citizens' interests cherish, represents real public participation.

The public policy process in post-1991 Ethiopia can be depicted as one that lacks a fair balance or a near equilibrium state in which opposing forces or influences are balanced. Here, Mulugeta (2005) argued that, the process of policymaking in Ethiopia is entirely controlled by the inner circles of the party that also make up the executive leadership in the government's structure ranging from agenda-setting to the system of voting to institutionalize decisions. Mulugeta (2005) further noted that despite the ruling party seemingly to have emerged from its renewal process with greater enthusiasm for openness and transparency, in reality, its political ideology, revolutionary democracy, and

the socioeconomic policy and legal framework have over the past thirteen years been bolstering exclusionary leverage in the public policymaking process.

Mostly, the policy process in the current regime is seriously limited in terms of public participation. One can hardly witness a policymaking initiative in which there is significant involvement of potential societal forces or stakeholders. This is very saddening given that there's an asymmetrical relationship between policy actors within the policymaking system despite institutional frameworks and constitutional provisions guaranteeing participation of the citizenry. Anyways, the executive branch of the government dominated policymaking in the post-1991 period. In the words of Mulugeta (2005), party and state structures as yet remain indistinguishable; first, membership in the party structure guarantees government positions, and second, the ideological precepts have prompted the pursuit of specific socio-economic policy goals which at the same time establish party principles underpinning the control of policymaking institutions.

As a result, it can be said that the EPRDF remains to be the single most prevailing body in the public policymaking process. By implication, the party's leading ideology: revolutionary democracy (which is inherently a Marxist-Leninist philosophy) has been its one and only standpoint in policy decision making. This again practically justifies the party's extensive domination in the policy process and the resulting exclusion of other actors. In confirmation, Mulugeta (2005) avowed, EPRDF supposes that 'revolutionary democracy is the only belief system that underpins the entire process of socio-economic policymaking, and EPRDF is the only political entity in the country that can forge the only acceptable public policies and thereby lead the people and the country to development, peace and democracy'. Not least, the hallmarks of the ideology, namely,

the class analysis and attendant class struggle, apparently position the EPRDF center stage in the socio-economic policymaking process.

In principle, the incumbent government claims that it firmly believes in a democratic political order. However, commonly identified practical facts on the ground tell us different. EPRDF seems a non-believer with respect to the fundamental tenets of a democratic system like representation and participation on individual basis. This is clearly a reflection of the essence of its ideological orientation which is more inclined towards the political philosophy of socialism than liberalism. On top of that, Mulugeta (2005) underscored that the predominance of the party in every sphere of public life, coupled with the zeal with which revolutionary democratic objectives are advocated, generate an exclusive interest in, and claim on, public policies.

Moreover, Mulugeta (2005) asserted that party ranks at higher levels primarily decide policy matters, for the most part immediately preceding the adoption of the same by legislative bodies. Once consensus has been reached on the lunatic fringes in the party and executive leadership, policy decisions are pushed through for government institutions to formalize, legitimate and implement them. The parliaments, both national and NRSs, are the chief instruments of legitimizing the policy decisions of party and executive leadership, although concerns and questions still persist among the civil society leaders and academics concerning how far legislatures of such stature overcome the overriding challenges of the imbalance between policymaking institutions and policy beneficiaries in Ethiopia.

In addition, in post-1991 period, non-state actors face critical legal and administrative constraints limiting their potential involvement and functionality in the process of

polycymaking. For instance, Mulugeta (2005) wrote that government regulation imposes restrictions that exclude both international and national non-government organizations (NGOs) from public polycymaking. NGOs are entitled to registration and certification by the Ministry of Justice only when they adhere to the following restrictions: 1. NGOs shall not and can not conduct political activities, for instance, conducting public surveys on social issues; 2. NGOs are not allowed to organize debates around policy and political questions; 3. NGOs are not allowed to provide financial and material support to political parties. Accordingly, the Ministry of Justice will automatically cancel a non official registration of a particular NGO if it fails to comply with these requirements.

The foregoing regulation alone demonstrates that NGOs' participation in the polycymaking process is closed off. The claim that the polycymaking process is participatory means in fact that only the party and its supporters have consensus and an understanding on policy questions. Consequently, there is no space for autonomous, independent CSOs and independent-minded civil society organizations to make their critical inputs into public policies in Ethiopia. In other words, there is no favorable climate for creative thinking and critical contribution to public policies and genuine participation in the polycymaking process in Ethiopia. There are no conditions where independent and autonomous CSOs participate in the polycymaking process and debate on public policy issues (Mulugeta, 2005).

Nevertheless, in general, the existence of well established CSOs or any other kind of organized groups with the necessary political leverage needed to make a difference in the policy process is extremely questionable. By the same token, Mulugeta (2005) maintained that participation in policy dialogue forums or discussions is dominated by

particularistic and clientelistic participation or particularistic and clientelistic groups, who have neither the capacity nor the courage to seek fundamental changes in public policies, are more persuaded to participate in the policymaking than autonomous and independent civil society groups.

Basically, in the post-1991 period, organized civil or societal forces like interest and pressure groups lack the strength and vitality required to exert power and influence the course of public policies. Just like the case in most developing countries, the country's institutional ground is not that much fully-fledged and conducive for the development of such organized groups. As a result, interest and pressure groups in Ethiopia are characterized by low level of organizational capacity and minimal resource potential which prove them to be very delicate and highly vulnerable to withstand any contradictory pressures within the policymaking system.

Consequently, this in turn hindered these groups' functionality to the extent of not being able to get their preferences and demands on public policy agendas. Especially, this situation is worsened due to absence of strong connection and collaborative relationship between these groups and members of the HPR. Here, Mulugeta (2005) asserted that interest and pressure groups do not know the members of parliament. Even if they know them, the MPs in Ethiopia are members of EPRDF who approve legislation and policies that have only been made by their party, and accord primary importance to the party's preferences and not the preferences and demands made on them by the people.

Still, the other critical shortcoming of the public policymaking process in the post-1991 period is that policy discussions have been basically the government's instruments of mobilizing the society and building a positive reputation. The government has never

conducted such public sessions in order to obtain valuable policy inputs from societal forces rather they have been informally justified by the deliberate intention of mobilizing the public towards policies through illusively genuine yet fake consultations. Also, such public dialogues or forums of consultations on public policy matters have been largely attended by pro-government forces or party affiliated groups. That's why, these initiatives were limited enough to effect changes in the policy process. In the worst case scenario, policy makers tend to stick to the original draft legislation without undertaking suggested corrections even if the meetings have resulted in significantly insightful recommendations. Regarding this, Mulugeta (2005) confirmed that none of these forums result in any significant breakthrough in terms of change and/or modifications of the direction of government policies. In short, the many hours of meetings, 'consultations' and discussions have failed to produce any substantive policy changes: because the new policy elites chiefly see such meetings as plebiscites on their policies.

In similar vein, the above scholar affirmed that the participation drives that we have been through for thirteen years now in Ethiopia are tenuous at best and a travesty of public participation at worst. The thrust of our participation has never gone beyond sharing information on the policy decisions that have already been made by the policy elites or seeking consensus as well as holding a 'plebiscite' on the ascendant revolutionary democratic values of the ruling party, but it was never meant for eliciting views and ideas that can be brought to bear on fundamental change of policies in the ways that result a voluntary and collaborative move to joint (government and stakeholders) actions toward effective policy implementation. A classic case in this point is education policy.

Overall, the nature of relationship between policy makers and policy receivers in the post-1991 period has been undesirably skewed. The former have been enjoying, and still is, an unorthodox control within the policymaking system while the latter have been excessively inactive or latent lacking both the opportunity to participate meaningfully and the organizational competence or potential to exert pressure upon the government and influence the policy process. Regarding this, Mulugeta (2005) asserted that the challenge facing public participation in the policymaking process has, therefore, as much to do with the authoritarian nature of the regime on the supply side as the infirmity of the civil society on the demand side of the equation. In other words, not only does the supply side of the equation involving the policymaking institutions lack the will to open the accessibility of the policymaking structure, but the weakness of the civil society organizations and citizens on the demand side to articulate their interests and become countervailing force persists.

4.2. The Case of Urban Land Lease Policy

This case study analysis was conducted to assess the formulation process of the Urban Land Lease Holdings Policy, Proclamation No.721/2012. Principally, the researcher has applied a five-stage model of policymaking to examine the aforementioned subject matter of the study.

In a given country, wide-ranging socio-economic and political conditions determine or shape the process of public policymaking. Due to considerable differences among countries, these states of affairs result in quite varied policymaking contexts. Here, Osman (2001) noted that public policymaking is not merely a technical function of government; rather it is a complex interactive process influenced by the diverse nature of

socio-political and other environmental forces. These environmental forces that form the policy context lead to the variation in policies and influence the output and impact. Due to the contextual differences, public policies of the developed countries significantly differ from those of the developing countries.

The aforementioned scholar also asserted that public policies in the developing countries possess certain peculiarities of their own by virtue of being influenced by an unstable socio-political environment, and face various problems and challenges. For instance, Mulugeta (2005) avowed that, in almost all developing countries, national governments, highly centralized in large capital cities, make most of the decisions that affect people down the most remote village. Centralization of decision-making responsibilities tends to increase the government's power and decrease its accountability to the citizenry. However, Corkery, Land, and Bossuyt (1995) stated that also developing countries throughout the world vary considerably in their ability, and perhaps their willingness to formulate and implement policies that will generate improved development performance. The existing policymaking theories of are useful for analyzing the policies of developing countries but they are not quite sufficient for undertaking a comprehensive analysis. This is because most of the policymaking theories were derived from the studies of industrially developed societies, which in most cases, are found insufficient to explain the policies of developing countries due to the contextual variations (Osman, 2001). Consequently, in this sub-topic, the researcher has dwelt on examining the Urban Land Lease Holding Proclamation No. 721/2012 formulation process within the context of developing countries. The justification was that the approaches to public policy followed

in developed countries vary from that of the developing ones where particularly weak institutional capacity and lack of accountability of state actors to the citizenry prevails.

At the outset, the term 'policy' commonly denotes a broad government statement embodying its aspirations and goals. That is, it provides more general principles for governing both private and public life towards the accomplishment of a predetermined end. More precisely, policy as a statement represents the intentions of a government in doing or not doing something. In other words, it reflects the particular purpose of a series of actions carried out to solve societal problems; as for example the reasons behind enforcing an Urban Land Lease system. Based on this understanding, the researcher's upcoming discussions have focused on analyzing the fundamental question how policy formulation has actually occurred in the case of the Urban Land Lease Holdings Proclamation.

To that end, policymaking is best conveyed by describing it as a process, rather than as a single, once-for-all act'. This process involves negotiation, bargaining and accommodation of many different interests, which eventually give it a political flavor. These political interactions happen within the network through which decisions flow, programmes are formulated and implemented and inter-organizational dependencies and interactions take place. Thus 'policymaking' is not a simple rather a complex dynamic process involving a series of actions and inactions of varieties of groups with varieties of interests at different stages (op.cit.).

As indicated in the foregoing discussions, there is a substantial and critical disparity in between the developed countries and the developing ones in terms of the set up or arrangement and complexity of their political system where public policymaking takes

place. Accordingly, it's very unlikely that a particular policymaking model would be applicable to examine the process of policymaking in a methodologically thorough manner in such quite varied contexts. By the same token, differences in countries' institutional frameworks, customary procedures or traditions result in notable policymaking variations proving efforts to explain the policymaking process of developing countries with the existing theories or approaches of public policymaking derived from the developed countries inadequate or futile.

Nonetheless, it's possible to identify general features or basic stages of policymaking that are commonly followed by almost all countries despite their differences in other aspects. This can be done on the basis of the common ground that policymaking occurs in the face of several constraints; it involves various processes; and these processes result in decisions and policies occurring in cycles. In view of this nature of policymaking, it's very convenient to portray policymaking as a process or cycle involving a series of political activities and encompassing five stages or phases namely: (a) agenda setting or problem identification, (b) policy formulation, (c) policy adoption, legitimating or decision making, (d) policy implementation, and (e) policy evaluation. These five key stages or phases in the policy-making process are briefly described below.

Primarily, problem identification and agenda setting, in which policy problems are defined and the policy agenda set. Here it is acknowledged that public problems will only reach the political agenda if they are converted into political 'issues'. Secondly, policy formation is the stage in which policies are created or changed. Policies are products of the political context within which they are developed. Thirdly, adoption is the stage when the policy is enacted, or brought into force, for example, by state or federal legislation.

The fourth stage, policy implementation includes the actions and mechanisms whereby policies are brought into practice, that is, where what is written in the legislation or policy document is turned into a reality. Whereas the final stage in the policy-making process, policy evaluation includes monitoring, analysis, criticism and assessment of existing or proposed policies. This covers the appraisal of their content, their implementation and their effects.

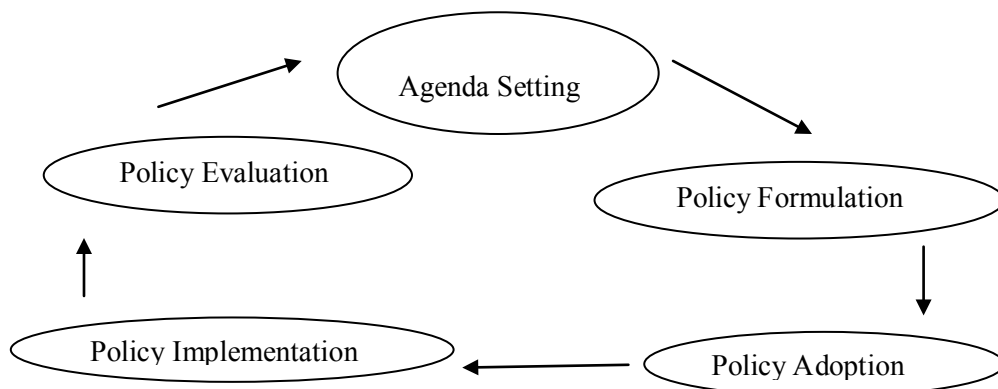


Figure 1.1: The Policy Cycle (Knill and Tosun, 2008)

Thus, the researcher has employed this five-stage process model of policymaking as an analytical instrument in this case study. In line with this, critical assessments and systematic examinations of the central theme of the study: Proclamation No. 721/2012 has been conducted as follows.

➤ **Stage-I: Agenda Setting**

As explained earlier, the agenda setting stage in public policymaking process is essentially concerned with the preliminary tasks of identifying policy problems and setting the policy agenda. In the case of Proclamation No. 721/2012 formulation process, this particular stage has addressed the conditions or situations that produced the need for which solutions or a remedial action in the form of a policy formulation was sought.

In the process, the recurring challenges noticed during the previous Urban Land Lease Proclamation No. 272/2001 implementation period (which run from 2001 up to 2012) were considered as critical policy problems within the country's land tenure system. These prominent land administration concerns are briefly described in the introductory part of the 2012 Urban Land Lease Holdings Proclamation draft document which was presented at the HPR on September, 2012 by the Ministry of Urban Development and Construction (MUDC), specifically by His Excellency State Minister Mr. Mekuria Haile. Accordingly, the prevalence of rent-seeking practices and administrative inefficiencies account for the major socio-political and economic factors that necessitated the government to reformulate its policy on urban land administration requiring immediate policy measure. As well as, instances of leased land transfer to third parties without any construction or development, existence of various kinds of Urban Land Lease modalities (such as; negotiation, prize and bid) in the previous proclamation which happened to be highly vulnerable to bad administrative practices, wide differences in purchasable urban land related properties and absence of transparent compliance measures were also acknowledged as common challenges of the previous proclamation with undesirable socio-economic and political impacts.

Most importantly, the introduction of the legislation recognized and underscored the need to abolish the widespread rent-seeking political economy and replace it with more transparent and accountable legal framework on the basis of developmental political economy and in tune with the country's economic development and good governance directions. These can be attested from the full Amharic draft legislation document which can be accessed at the HPR's library documentation unit.

In confirmation, an official from the MUDC has stated that; *“As you know urbanization is a dynamic process and we need to make adjustments in order to fulfill emerging demands. In addition, the previous Urban Land Lease Policy had serious limitations. Mainly, the existing land provision techniques were very problematic. Moreover, the land administration system was highly corrupted and filled with rent-seekers; for instance, there were instances where people hold a plot of land for a long period of time without developing it just to sell it and earn money easily. However, the new proclamation has attempted to alleviate such problems by putting a time limit of 18 months for those would like to transfer their usufructuary rights to third parties. And, the government will get the 95% of the profit such transactions.”* (The Researcher’s Interview Transcript)

In similar vein, one of the participants of the study who is currently a member of the HPR and an EPRDF member has maintained that; *“Primarily, the 2012 Urban Land Lease Policy is not a completely new development. There are two similar proclamations on land administration in the country. However, the recent one has addressed several quite different land related issues. In general, the Urban Land Lease Proclamation No.721/2012 is a response to widespread problems of land administration in post-1991 Ethiopia. For instance, there were cases where individuals hold a vast area of land for a very long time without undertaking any valuable construction or development on it and transfer it to third parties for a significantly higher price. Subsequently, the proclamation has placed a time limit of 18 months to avoid such problems.”* (The Researcher’s Interview Transcript)

The policy problems were identified and defined as such by the line Ministry of Urban Development and Construction (MUDC). Although the Ministry has initially received an

instruction from the Prime Minister's Office (PMO) which implies that agenda was already set by the PMO; the MUDC has had an upper hand in the process of defining the above mentioned policy problems. In confirmation, an official from the MUDC, who was directly involved in the committee established by the Ministry to undertake assessments on the challenges of the previous proclamation, has asserted that; *"The agenda was set by the PMO. The country's land administration system was believed be open and vulnerable to rent-seeking practices. Hence, the office has instructed the MUDC to undertake a research and to initiate the 2012 Urban Land Policy formulation process."* (The Researcher's Interview Transcript)

Consequently, in the case of the 2012 Urban Land Lease Proclamation, the agenda setting phase of policy formulation process clearly reflects the basic essence of an inside initiation model. The justification behind this is that the PMO has initiated the policy formulation process by virtue of its special access to the government, particularly to the executive arm which has been considered by many scholars and politicians as the most dominant actor in the country's policymaking process. Additionally, the MUDC has exclusively dealt with the task of identifying the respective policy issues and problems without conducting any notable public dialogues or direct consultations with potential stakeholders. However, a committee within the MUDC has undertaken a study to identify the policy problems in selected sample towns. In the process, as the researcher has learned from one of the committee members, different experts in the land administration sector have participated in the study.

➤ **Stage-II: Policy Formulation**

Generally, this stage is mainly a social and political process whereby existing policies will be reformulated or new policies will be developed. However, in the 2012 Urban Land Lease Proclamation case, this phase has addressed the issue of formulation of previous policy. Thus, after receiving the PMO's instruction, the MUDC has authoritatively embarked on the task of developing potential policy options or alternative courses of action to mitigate the pre-identified policy problems associated with the preceding proclamation on Urban Land Lease Holdings.

To that end, the Ministry has set up a committee to carry out a fact gathering and analysis mission on the policy problems identified earlier. This committee constituted senior experts in the area of land administration and was precisely assigned to collect, process and analyze the information required for the policy formulation. The same committee was entirely involved in the identification of policy options or possible courses of action to address the policy issues. Anyhow, some of the study participants maintain that different socio-economic and political factors were taken into account in assessing the policy alternatives. One of the study participants from the HPR has stated that, *“Regarding considerations, economic matters like promoting equitable distribution of the land resource and enhancing the government’s source of income have been taken into account. In addition, the issues of appropriately ensuring the land administration system’s transparency and accountability have been considered socio-politically.”* (The Researcher’s Interview Transcript)

Later on, the committee has finalized the preparation of the draft legislation document and then the MUDC has submitted it to the Council of Ministers (CoM). The CoM, the

constitutionally authorized body to formulate the country's socio-economic policies, has reviewed the draft proclamation and offered its approval. Succeeding this, the draft policy document was presented at the HPR by the Ministry for its ratification.

Some of the study participants, whom the researcher contacted from the private sector and the academics during the time of data collection, typically perceive the 2012 Urban Land Lease Holdings Proclamation formulation as a closed policy process that excluded the direct involvement of potential actors though they have significant stakes in it. On the contrary, an official from MUDC claims that, *"We have drafted the 2012 Proclamation on Urban Land Lease Holdings involving experts from different public sector offices and the Ministry of Justice (MoJ) in the process of developing and assessing policy alternatives. Also, public hearing sessions on the draft legislation have been conducted in four towns or city administrations: specifically, Bahir Dar, Mekelle, Harare and Dire Dawa. However, a similar consultation program planned to be held in Addis Ababa has unfortunately failed due to the city administration's inability to arrange the public forum during the draft legislation instance. As a result, this shortcoming was the cause of massive public misinterpretation regarding Proclamation No. 721/2012 in the city."* (The Researcher's Interview Transcript) Nonetheless, the researcher depicts the formulation process as a closed-circle with greater resemblance to a top-down approach rather than a bottom-up one.

➤ **Stage-III: Policy Adoption**

In the case policy process, this phase has addressed the issue of legitimating the draft legislation by the HPR. Accordingly, the draft proclamation on Urban Land Lease Holdings was one of the agendas of the 2nd annual plenary session of the HPR.

Concerning the agenda, a motion was presented by His Excellency, Mr. Getachew Bedane in September, 2012 in line with parliamentary working procedures and Members Code of Conduct Decree No. 3/2006, Article 40 and Motion Presentation Directive No. 3/2008, Article 12(a) and Article 14. Accordingly, Mr. Getachew requested the parliament or a direct secondary reading and ratification of the draft proclamation in reference to the aforementioned Decree, Article 25, Sub-Article 6 and Legislation Directive No.12/2000, Article 18. As it can be read from the respective word by word minute of the house, the demand was solely based on the government's intention to quickly implement the proclamation and the consideration that the policy issue is of an urgent nature. In other words, the government wanted the draft proclamation not to be referred to the house's Standing Committee on Urban Development and Construction.

Then, the motion was opened for voting by the Speaker of the HPR, His Excellency Mr. Abadula Gameda. Regardless of one vote against it, the house directly entered into secondary reading and discussed the draft proclamation pursuant to majority votes of support. That is, due to the majoritarian support for the motion, the draft has not been referred to the respective standing committee in the house, the Standing Committee on Urban Development and Construction for its detailed examination. Following, His Excellency Mr. Mekuria Haile, Minister of the MUDC presented a series of explanations on the fundamental issues of the draft proclamation and requested for its official adoption.

After the Minister's presentation, the house raised questions and forwarded comments on the proposed draft document. The Minister addressed all of the questions and comments but one important complaint worthy of an explanation from a parliament member was not

taken into account. The issue was brought up by, His Excellency Mr. Girma Seifu and was underscored both at the start and end of his speech found in the parliament's word by word minute. Mainly, he expressed dissatisfaction with the hurried enactment process of the proclamation lacking the necessary critical assessments and public involvement. Further, the respective member of the house emphasized the need to carry out detailed deliberations accompanying public discussions on the draft since the proclamation will potentially determine the fate of most citizens. Nonetheless, the draft proclamation on Urban Land Lease Holdings was adopted as Proclamation 721/2012 by virtue of majority votes it gained, none against it and with one vote of abstinence.

A parliament member affirms that, *"The draft policy was presented by the MUDC, particularly by the Minister, at the HPR for its final decision making. During the ratification process, there were no significant debates upon the draft as I could remember. Though, questions like why the draft shouldn't be passed to the Standing Committee on Urban Development and Construction Affairs and why the policy is deemed to be a state of emergency matter have been raised by the house after the formulation process."* (The Researcher's Interview Transcript)

➤ **Stage-IV: Policy Implementation**

This is the stage where the respective policy decisions will be carried out by the legally authorized body to achieve the objectives of the Proclamation No. 721/2012 on Urban Land Lease Holdings. However, one has to be aware of the fact that there are some preconditions that have to be met for a successful implementation of the Proclamation. Most importantly, these include a clear definition of the specific policy objectives, a

precise determination of organizations or departments that will be in charge of the implementation process and formulation of an execution strategy.

On this regard, the Proclamation has provided the legal authority to follow up and ensure the proper implementation of the 2012 Urban Land Lease Policy to the MUDC. As well, regions and city administrations are accorded the powers and duties of administering land, in all urban centers, in accordance with the proclamation and issue necessary regulations and directives for its successful implementation. In addition, an official from the MUDC asserted that, *“The MUDC is authorized to follow up the implementation process. In the mean time, we have developed model regulations and directives and also a manual for supporting the implementation process in the regional states.”* (The Researcher’s Interview Transcript)

➤ **Stage-V: Policy Evaluation**

As its name suggest, policy evaluation is the stage in the policymaking process where the resulting policy outcomes are appraised on the basis of generated empirical data. In other words, it’s concerned with undertaking critical examinations on the Urban Land Lease Policy implementation process in order to find out whether its specific objectives are being served efficiently and effectively or not. Unfortunately, in this study’s case, the researcher couldn’t assess the monitoring and evaluation system in action since the Proclamation is currently at its very infant stage of implementation. However, one of the study participants maintained that, *“The Standing Committee on Urban Development and Construction Affairs in the HPR is the authorized body to carry out monitoring activities.”* (The Researcher’s Interview Transcript) On the other hand, the researcher

argued that the MUDC is also expected to continuously monitor and evaluate the implementation of the proclamation.

4.3. Limitations of Public Policymaking in Post-1991 Ethiopia

Concerning limitations, the study has identified some of the most commonly prevailing shortcomings of the post-1991 Ethiopian public policymaking process in general plus the major limitations of the Urban Land Lease Proclamation No. 721/2012 formulation process. Accordingly, the following challenges are generally notable and worth mentioning in the pre-identified study period.

1. In spite of constitutional provisions guaranteeing citizenry participation, the political environment has not been that much conducive for informed participation. As a result of which, the promised greater space for public voice and independent initiatives at the wake of the current revolutionary democratic political system haven't been realized in the policymaking process.
2. Practically, the presumable impact of the principle of separation of government powers has been nearly negligible within the policymaking structure. Most of the times, EPRDF has been forging the policymaking institutions by virtue of exclusive access to the government's central positions and other politically valued state resources.
3. Mostly, the ruling party's political ideology, revolutionary democracy, has been the sole viable parameter of defining policy problems, assessing alternative options and the entire choice of public policies.
4. The incumbent leading party perceives itself as the one and only child of the peoples of Ethiopia. This fundamental error led to its ultimately inevitable isolation from other

- potentially a lternative o rganized forces a nd its s ubsequent ex clusive d omination in the policy process. What's more, the party has almost never gained the likely benefit of a close and mutual relationship with alternative actors based on affinity.
5. To a greater extent, a narrow and closed circle of the governing party's elites prevail in every aspect of the policy process. Most importantly, these elites have been always concerned a bout m aintaining t he r evolutionary democratic system. T hat is, t heir overriding principles in the policy process were the political system's values rather than g enuinely a ccounting c hoices d ifferent to their s tance e ven t hough t hese ca n fundamentally respond to social demands. Precisely, the elites tend to prioritize their party's interest in designing policies that involve the public interest at stake and affect wider sections of the society.
 6. Almost a lways, t he policymaking process t akes a t op d own ap proach d eliberately neglecting p ublic p articipation a nd t he e ngagement o f p otential s takeholders o ther than the dominant policy elites. Therefore, there exists huge disproportion in between the p olicy benefactors and t he beneficiaries leading t o lesser r epresentation o f t he interests and demands of the wider populace in the policy process.
 7. Still, after the adoption of the Federal Constitution, the development of CSOs is at an infant stage of growth. Arguably, the functionality of genuine non-state actors or civic movements and organized societal forces is critically at stake.

Furthermore, the cas e in p oint, the U rban Land Le ase Holdings P roclamation N o. 721/2012 formulation process has exhibited some critical shortcomings. Upon them, the researcher has provided a brief discussion as follows.

Primarily, though the process of public policymaking essentially involves the elaboration and discussion of solutions to societal problems, no effective structures existed to discuss land management related issues, pertinent to the lease policy, with the necessary stakeholders within the policy community. Particularly, the participation of the business community (private sector) and civil society engagement or public involvement in general were very marginal in the lease policy process. Consequently, this has clearly undermined the policy process's degree of transparency. Specifically, this has in turn nullified the respective benefit that the policy process could have gained from private sector engagement. In connection to this, Yusuf (2009) maintained that ensuring transparency and private sector participation in urban land management is believed to have a number of advantages. The following are some of the advantages: facilitation of land and related transactions, development of mortgage system, promotion of equitable taxation system, and better administrative coordination.

Moreover, when considering a question as important as land, it is critical that any policy and changes to the land tenure system be perceived as the outcome of a broad political process that has gathered views in a representative manner. Setting the process right and making it transparent is essential in providing the policy to be introduced with greater legitimacy and would clear the process from accusations of being compromised by a particular set of interests (Yusuf, 2009). There are a wide range of groups with interest in land. These include direct users seeking access to land and others representing a professional interest. Engaging with these groups by providing a platform to discuss proposed policy changes and interventions would benefit government to identify priorities and figure out the longer term implications of a particular course of action. It is,

hence, important for the government to consider such inputs as valuable elements to proposed policy changes and interventions, even though this would likely draw criticism and generate a wider assortment of options than considered feasible.

Even though it was the government's principal contractual obligation to put in place an accountable and transparent policy process, the presence and functionality of a system which could efficiently and effectively respond to the diverse needs and characteristics of all stakeholders remains a major challenge. That's why; the role of each of the stakeholders that will help in the development of an efficient urban land policy in the post-1991 was very much marginal in the Urban Land Lease Policy formulation case. However there were instances of discussion forms, they were only unilateral means of information dissemination from the top echelons of the policy structure down to the bottom. Despite this, Hai (2000) asserted that the involvement of businesses and civil society - consumers, private entrepreneurs, employees and citizens and community groups, NGOs in designing public policy is critical if the governments of developing countries are to improve the transparency, quality and effectiveness of their policies as well as establishing the legitimacy of the public policy.

Furthermore, the Urban Land Lease Policy formulation process has manifested the presence of weak institutional capacity (in particular, the measures undertaken by the MUDC to harmonize the Urban Land Lease policy with other laws of the country were incomprehensive) and lack of accountability of state actors. Rather than an exclusive commitment to its policy elites, it would have been better if the government has developed its connections with the wider public in order to have a vivid understanding of the situation on the ground and subsequently meet public demands effectively. In one

way, this could have been achieved through strengthening the existing civil society movements and promoting the development of new ones to facilitate wider participation of the citizenry at the every kebele level based on dialogue with the people who might be affected in the policy process.

Chapter Five: Summary of the Findings, Conclusion and Recommendation

5.1. Summary of the Findings

As clearly spelt out in chapter one, the main focus of this study was to appraise public policymaking in post-1991 Ethiopia with particular reference to the 2012 Urban Land Lease Policy. In association, the study sought to elucidate the socio-political environment, to identify and describe the foremost factors that dominated the policy process, and to investigate the nature of relationship between policy makers and the general public in the study period. Moreover, the researcher has put forth specific recommendations that may address problems defined in the study. Accordingly, the major findings of the study are briefly presented as follows.

Historically, socio-politically and institutionally speaking, Ethiopia has been experiencing a new public policymaking environment in the post-1991 period. The demise of the Dergue regime, in May, 1991, has resulted in significant changes in the country's socio-economic and political circumstances. Particularly, the Ethiopian Peoples' Revolutionary Democratic Front (EPRDF) has initiated the country's transition from a Unitary State to a Federal Democratic Republic. In the post-1991 Ethiopian context, the adoption of the Federal Constitution happens to be one of the most significant political developments. Among other things, it was a major breakthrough in terms of the establishment of the FDRE and the institutionalization of public policymaking thereof.

Concerning the predominant policymaking model, the elite model can be a useful frame of reference from which we can appraise the policy process in the post-1991 period. Evidently, different groups are situated at the two extreme points of the policy process

continuum namely, the elites and masses. In this case, the elites are mainly composed of influential members of the ruling party and those government officials at the top echelons of the executive; whereas the masses represent the general public at the bottom of the policymaking system. As a result, the elites have been commonly initiating policies and making subsequent decisions based on the interests and directions of the governing party without informed participation of the wider public which in most cases is passive.

Consequently, the ruling party's high ranking officials, who at the same time hold the top echelons of the executive branch of the government, have been the most common actors in the policymaking process. In the post-1991 period, the country's policymaking system has been dominated by the Ethiopian Peoples' Revolutionary Democratic Front (EPRDF). Likewise, the nature of relationship among the respective policy makers and policy receivers within the policymaking system has been unbalanced. That is, the policymaking elites or senior officials in the EPRDF and the executive possessed and enjoyed an uneven leverage in the public policymaking system. In other words, informed participation of other potential actors has been minimal though participation is a central to the policymaking process. This is specifically true in the case of the Urban Land Lease Policy where a committee established by the MUDC has been the foremost actor in the policy formulation process.

Therefore, the most common challenges of public policymaking in the post-1991 period generally include, the policy elites have been excessively dominating the policy process; citizenry participation has been marginal; and a considerable CSOs engagement in the policy process hasn't been realized. In a similar vein, the participation of the business community (private sector) and civil society engagement or public involvement in

general were very marginal in the lease policy process which has in turn limited the role of potential stakeholders in the development of an efficient urban land policy. Overall, the Urban Land Lease Policy formulation process has manifested the presence of weak institutional capacity (in particular, the measures undertaken by the MUDC to harmonize the Urban Land Lease policy with other laws of the country were incomprehensive) and lack of accountability of state actors.

5.2. Conclusion

Broadly speaking, public policymaking entails a purpose-driven process in which a government engages to resolve societal problems affecting a substantial number of people within a particular political system. To put it differently, a public policy is planned and goal-oriented government action carried out in the name of the people as a whole to establish general principles designed to address perceived problems that affect the public interest. Perhaps it seems obvious that policymaking is competitive and inherently political with competing interest of various groups involved in shaping the direction that policy takes within a set of socio-legal, economic, political and administrative institutions and cultures.

Defined as such, the policy process is necessarily a synthesis of power relationships which occurs within a particular context. What's more, the policy context gradually evolves and results in policymaking variations in a given country in due course. In line with this, the public policymaking context in post-1991 Ethiopia is quite different from that of the pre-1991 period. This is mainly attributable to the change in the status quo both within the country and globally.

Largely, the fall of the Dergue regime and the ensuing political changes that took place resulted in different state of affairs in the country. Internationally, this regime alteration has provided a mixture of opportunities and challenges. From a world politics point of view, the demise of USSR and the subsequent collapse of communism gave life to a completely new set of circumstances at the end of cold war. As a result of which, there was an immediate need, especially on the then developing countries side, to reconsider alignment along with the emerging economic, political and militaristic power grid. Hence, this has necessitated the post-1991 regime in Ethiopia to be no exception.

In the post-1991 Ethiopian context, the adoption of the Federal Constitution happens to be one of the most significant political developments. Among other things, it was a major breakthrough in terms of the establishment of the FDRE and institutionalization of public policymaking. Accordingly, the Constitution has addressed the division of powers between the federal government and states, stipulated a parliamentary democratic system of governance, accorded the highest policy approving authority to the HPR and the highest policymaking power to the Prime Minister and Council of Ministers. As well as, it has promised the liberalization of the political environment and greater space for public voice and independent initiatives.

Arguably, the 1995 FDRE Constitution is one of its kinds in providing clear-cut institutional frameworks for public policymaking in the country's political history. However, in the post-1991 period, the policy process has been an exclusive playground for a certain dominant actors. Despite constitutional provisions separately granting policymaking authorities to different government entities and guaranteeing citizenry engagement in the making and shaping of policies, some serious practical limitations

exist within the policymaking system. By and large, the actual public policymaking process in post-1991 Ethiopia has been wrought by the ruling party's ideological orientation and political strategy.

To understand policymaking and implementation in Ethiopia, it's crucial to understand the role and ideology of the ruling party, the Ethiopian People's Revolutionary Democratic Front (EPRDF) (Brown and Teshome, 2007). In this connection, the EPRDF's ideological obsession with revolutionary democracy justifies its exclusive leverage in the policy process. By the same token, the party considers itself as the sole maker and breaker of socio-economic and political policies in the entire country. In this manner, it has been enjoying a disproportionate influence in the policy process deliberately keeping the other potential actors, especially those with different line of thought, in the dark.

Evidently speaking, the most commonly prevailing policymaking approach in the post-1991 period can be best explained by the elite model. Accordingly, Knill and Tosun (2008) argued that the elite model is narrower in a sense as it claims that the electorate is generally poorly informed about public policies and that the elites shape the public opinion on policy questions. It mainly highlights the potential source of bias in policymaking in terms of the adoption of policy alternatives that rather correspond to the preferences of the elite than the general public. This attests to the fact that EPRDF has a great deal of power by virtue of its political position and shapes the public agenda more strongly than other groups. Mostly, the party has been setting the agenda as well as deciding the framework and philosophy of policies. In other words, public policy decisions have not been made based on the demands and interests of the wider public, but

rather based on the interests of the governing party. It has been always the case that policy decisions to be made are informally discussed in a closed circle of party officials prior to formal plenary sessions in the HPR.

Moreover, the ruling party's high ranking officials, who at the same time hold the top echelon of the executive leadership, have been prominently exercising democratic centralism as the chief avenue to policy decision making. In consequence, the post-1991 period witnessed a wide gap in between the two extreme ends of the policy process continuum. That's, authorities holding key government positions have exclusively dominated the policy decision making process at the expense of those affected by these policy elites. On top, the policy elites have developed the habit of addressing policy options in terms of the overriding objective to maintain the longevity of the regime. Though policies are carried out in the name of the public interest, it's customary for the elites to be concerned about the incumbent regime's political stability. Thus, in the post-1991 Ethiopia, the foremost purpose of reforms have been to sustain the revolutionary democratic political system through the protection of the fundamental values of the system, development of political coalitions of support, and promotion of political use of resources. This is particularly true in the case of 2012 Urban Land Lease Holdings Policy. In which, the policy elites were engaged in alleviating one of the major threats to the political system, rent-seeking, facing their developmental state economy proving the political use of policy resources. However, this essentially contradicts with the central notion of a good policymaking. As Lindblom (1959) asserted, the test of good policies, therefore, is not whether or not the policy maximizes the values of the policymaker; rather it is whether the policy secures agreement of the interests involved.

In addition, the executive branch of the government (clearly, the child of EPRDF) has been a formidable force in the policymaking structure, though the HPR has the power of legislation as provided under the 1995 FDRE Constitution. The PMO, as the most powerful institution in the executive structure, and the cabinets lead the entire policy and legislation process ranging from agenda setting to adoption and execution. Hence, the entire legislation process and the decision in both national and regional parliaments are dominated by the EPRDF. The implication is that the legislatures, in the post-1991 period, have been only passive instruments of legitimating the ruling party's policies having no significant influence in the policymaking process.

In the policymaking context of the post-1991 period, citizenry participation has been also disregarded. Precisely speaking, a top-down policymaking approach presides over public engagement and empowerment. At the top of the policymaking structure, the EPRDF elites formulate important public policies; for the wider public at the bottom taking little or no action. In other words, the public as an independent force has been alienated and estranged from the policy process leaving its fate on the hands of the governing elite. For instance, the case of the 2012 Urban Land Lease Policy formulation process has not allowed significant public involvement though the policy most likely affects almost every single individual. All in all, the public has never influenced the direction public policies take in post-1991 Ethiopia. This is partly due to their indifference and lack of concern and largely caused by EPRDF's deliberate shortcomings in encouraging mass participation to fulfill its utmost desire of maintaining control in the policy process.

In a similar page, the presence and development of robust civic movements and organized societal forces has been questionable in post-1991 Ethiopia. To rationalize this,

the incumbent regime has been posing legal and administrative constraints (for example, the regulation excluding NGOs from public policymaking) that hinder the development of non-state actors. However, the organizations also lack the necessary resource capacity and face critical limitations in their professional endeavors. Owing to this, they have not been able to make notable differences in the policy process.

As a whole, the EPRDF has been extending its leverage in the policymaking structure in the post-1991 period. The party has filled up key government positions in the executive and legislative organs, among other entities, which accorded it the supreme decision making authority in the current political system. EPRDF has been able to adopt any socio-economic and political policies in the likings of revolutionary democracy and control their execution in the bureaucracy. Most importantly, this situation has been exacerbated due to less citizenry participation in the policy process. Ultimately, this has resulted in a remarkably disproportionate balance between the current regime's policymaking elites and the masses at the receiving end of the policy process continuum.

5.3. Recommendation

On the basis of the major findings of the study, the researcher has forwarded a few suggestions for future betterment of the Ethiopian policymaking process. Accordingly, the researcher believes that, the incumbent government has to:-

1. Promote citizenry participation in the process of policy formulation and implementation;
2. Facilitate the proliferation and development of independent CSOs;

3. Genuinely open up its policymaking circle so that potentially alternative forces will be able to play their roles in the policy process for the overall good of the Ethiopian people;
4. Enhance the current state of a multiparty politics in the Ethiopian parliament;
5. Appraise policy options in systematic and comprehensive manner in terms of wider public interest and demands;
6. Develop the professional capacity of the HPR in terms of fulfilling the expertise advisory needs of the respective members;
7. Appreciate and optimistically look at other political forces providing the public alternative choices and form alliances for the improvement of the policy process;
8. Put in place a more appropriate pluralist model of policymaking which might be functional in the country's particular context;
9. Construct a more realistic process in the bureaucratic machinery to achieve the right blend of politics and technocracy in the public policymaking process; and
10. Improve the transparency, quality and effectiveness of public policies through greater involvement of private sector stakeholders and CSOs in designing public policies.

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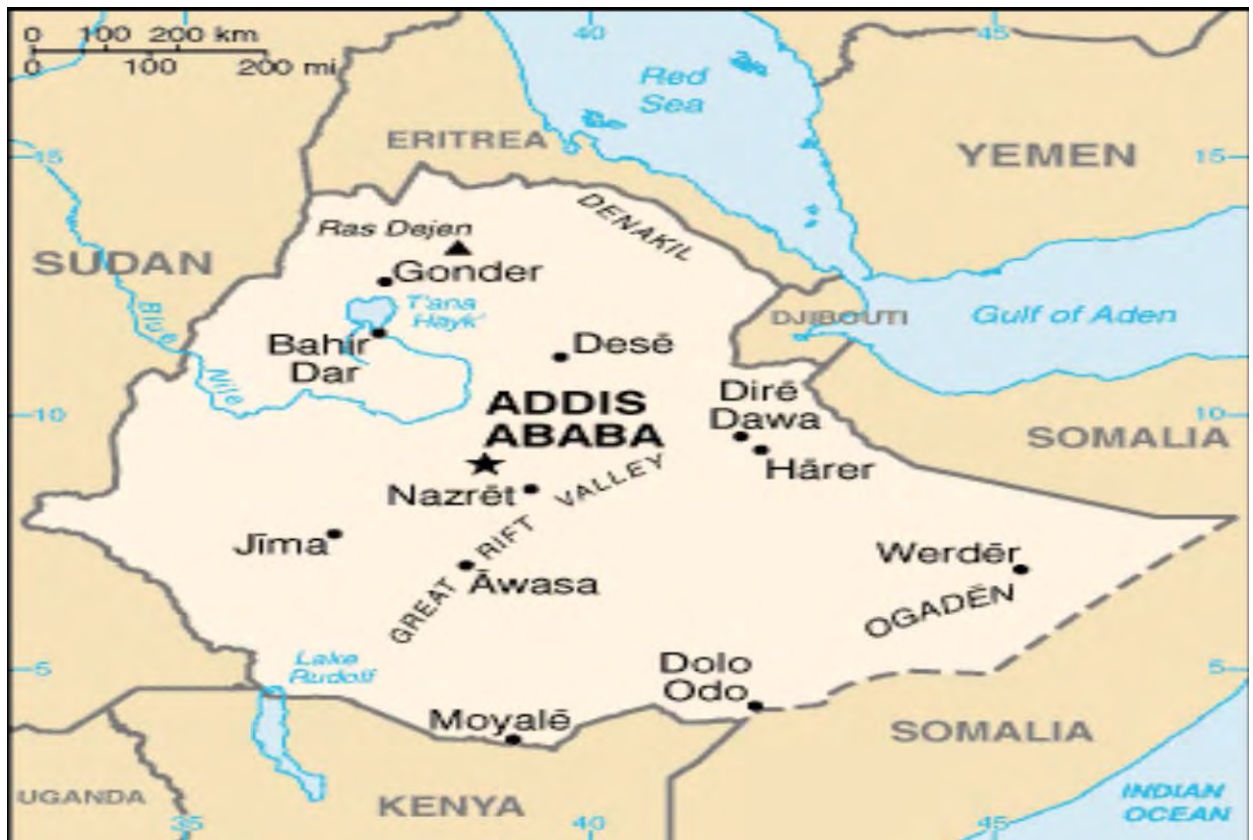
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Appendices

Appendix I: Federal Democratic Republic of Ethiopia (FDRE)

ETHIOPIA



Government type: Federal Republic

Constitution: Ratified December 1994; effective 22 August 1995

Administrative divisions: 9 regions and 2 city-administrations (Addis Ababa and Dir Dawa); regions divided into zones, Woredas (districts, city areas) and Kebeles (municipalities, suburbs)

Appendix II: Instrument of In-depth Interview

Addis Ababa University

School of Graduate Studies

College of Business and Economics

Department of Public Management and Policy Program

Dear Participant,

Primarily, I would like to thank you for your consent to participate freely in this interview. The interview is designed to collect the necessary primary data for conducting a research in a partial fulfillment of the requirements for the ***Master of Arts Degree in Public Management and Policy***. Wholeheartedly speaking, I affirm you that it will only be academically used as an input for a master's thesis entitled; ***“Public Policymaking in Post-1991 Ethiopia: The Case of Urban Land Lease Policy”*** and your personal profile and respective responses will be kept confidential and protected at all times.

Moreover, your honest and genuine responses to the subsequent items are highly valuable since the successful completion of the study is highly dependent up on truthful and valid information. Hence, I humbly request for your full cooperation to provide honest and genuine responses to the following items.

Thank you in advance.

Archival #: _____

In-depth Interview #: _____

In-depth Interview Code: _____

Starting and Ending Time: _____ *to* _____

Date & Place of Data Collection: _____

Section 1: General Information

1. Age:_____ Sex: Male ☐ Female ☐
2. Marital Status: Married ☐ Single ☐ Widowed ☐ Divorced ☐
3. Level of Education: PhD ☐ Masters ☐ Degree ☐ Diploma ☐ Certificate ☐
4. Occupation:_____
5. Sector of Engagement: Public Sector ☐ Private Sector ☐
6. Are you a member of a political party? Yes ☐ No ☐
7. If yes, to which group do you belong? Ruling Party ☐ Oppositions ☐

Section 2: Questions on Public Policymaking Approaches in Post-1991 Ethiopia

2.1. For Study Participants from the House of Peoples Representatives (HPR), Prime Minister's Office on Law and Policy Matters and Urban Land Lease Policy Implementing Body

1. How and why did the 2004 Urban Land Lease Policy come into being?
2. By whom and at what level was formal or informal processing initiated and what means (e.g. memorandum, ministerial statement, report, meeting, etc.) was used?
3. Were a number of policy options identified; if not, why and if so, how many and by whom?
4. What influenced policy makers to adopt a particular course of action and what were the political, social and economic considerations taken into account?
5. What consideration was given to the congruence of options with existing policies in the sector and other related sectors in terms of the likely feasibility and possible spill-over effects of each option?

6. Who was or were assigned the task of providing or collecting the information required for analysis; who was or were involved in the analysis of the information and in what form was the outcome of the analysis presented and by whom?
7. Were specific objective(s) articulated and who or what agencies were involved in the process of specification of objective(s) of the selected policy option?
8. Was an implementation strategy designed; was it part of the policy formulation process or a post-decision event; by whom and when was the design of implementation strategy initiated; were roles assigned explicitly to key players and was a mechanism for coordination and compliance put in place?
9. Who or what agencies: minister or ministry, cabinet, president, party, etc. were involved in the final decision making process and what specific role did each play; what communication channels and linkages were involved in making the decision and its ratification; what modus operandi (at various stages) was employed for reaching a decision (ex. through debate, cross consultations, committee work, etc.) and by what mechanism was the policy decision communicated?
10. Was a monitoring and feedback mechanism or procedure established?

2.2. **For Study Participants from the Academics, Policy Research Institutes and**

Chamber of Commerce

1. How do you depict the context of public policymaking in post-1991 Ethiopia?
2. How do you rate the extent of institutionalization of public policymaking in post-1991 Ethiopia?

3. Who are the policy-makers or which actors, societal and political ones participated or even dominated the policy formulation process in post-1991 Ethiopia commonly and the 2004 Urban Land Lease Policy formulation process specifically?
4. What interested groups, if any, have been consulted and what sources and kinds of advice have been obtained?
5. Which modalities or approaches of public policymaking prevail in post-1991 Ethiopia or which policymaking approach best describes it particularly the 2004 Urban Land Lease Policymaking process?
6. How do you describe the existing relationship (ex. in terms of degree of collaboration) in between the different groups involved (i.e. between policy makers and beneficiaries) that the agendas and interests of each will have equal importance during the 2004 Urban Land Lease Policy formulation process? Can you justify?
7. Do you think the nature of policies enacted in post-1991 Ethiopia generally reflect a top-down or a bottom-up orientation and what about in case of the 2004 Urban Land Lease Policy formulation process? What are your justifications?
8. What do you think are the significant achievements of the 2004 Urban Land Lease Policy; how do you portray the challenges associated with public policymaking approaches in post-1991 Ethiopia in general and the limitations of the 2004 Urban Land Lease Policy formulation process in particular and what do you think are the causal factors and what do you suggest should be done for alleviating such obstacles in similar policy formulation and implementation processes?

Thank you again.