

Addis Ababa
University
(Since 1950)



ADDIS ABABA UNIVERSITY
COLLEGE OF DEVELOPMENT STUDIES
CENTER FOR REGIONAL AND LOCAL DEVELOPMENT STUDY

A Thesis on:

Assessing the Practice and Challenges of Local Land Governance in
Raya Kobo Woreda of Amhara Region, Ethiopia

By

Moges Amare

ID No: GSR/4153/10

Research Advisor: Aklilu Amsalu (PhD)

A Thesis Submitted to the School of Graduate Studies of Addis Ababa University,
College of Development Studies, Center for Regional and Local Development
Study, in Partial fulfillment of the Requirement for the Award of Master of Arts
Degree in Regional and Local Development Study

Addis Ababa

June, 2019

ADDIS ABABA UNIVERSITY
COLLEGE OF DEVELOPMENT STUDIES
CENTER FOR REGIONAL AND LOCAL DEVELOPMENT STUDY

This is to certify that the thesis accomplished by Moges Amare Tikuye on, “Assessing the Practice and Challenges of Local Land Governance in: Raya Kobo Woreda of Amhara Region, Ethiopia”, submitted for partial fulfillment of the requirement for the award of ‘Master of Arts Degree in Regional and Local Development Study’, complies with the regulations of the University and meets the accepted standards with respect to originality and quality.

Board of Examiners

Dr. Aklilu Amsalu

Advisor

Signature _____ Date _____

Dr. Wondimu Abeje

Internal Examiner

Signature _____ Date _____

Dr. Muluadam Alemu

External Examiner

Signature _____ Date _____

Chairman of Department or graduate programs
coordinator

Date _____ Signature _____

Declaration

I hereby declare this thesis or any part of it, except with due recognition, is my original production and has never been presented to get any awards of degree at any university or institution.

Moges Amare

Signature _____ Date _____

Acknowledgment

First, I would like to thank God and his mother Saint Marry for keeping me healthy to do this project and all other support I have gained.

It is also appropriate for sending my sincere gratitude to my advisor Dr. Aklilu Amsalu who spent time and energy in reading, reviewing, and guiding properly to make real this thesis. Landholders, Raya Kobo Woreda Court and Raya Kobo Woreda Rural Land Administration and Use office should be thanked highly for their valuable contribution in providing genuine data.

Finally, I would like to thank Ethiopian Civil Service University for allowing me to pursue my post graduate program through sponsoring.

Abstract

This is a thesis on local land governance conducted in Raya Kobo Woreda which is found in North Wollo Zone of Amhara Region, Ethiopia. The study has tried to investigate to what extent Woreda level land administration system meets good governance principles, assess how Woreda land office implements the existing land laws, and explore dispute settlement mechanisms employed thereof. The study has deployed descriptive and explanatory case study research types; the exploratory one helps to examine in detail the unique features of the study area's land governance system while the descriptive research enables to describe the existing condition as it is in its natural setting. A qualitative research approach, particularly, case study approach has been employed. Secondary data was collected from governance and land governance related literature and previous empirical studies, and primary data from local land holders, land officers, judges, local employees, and managers of two local institutions using data collection tools such as open ended and a semi structured questionnaire, semi structured interview, and FGD. The collected data is analyzed and presented using tables, figures, and narration.

Thus, the findings reveal land administration system of local institutions fails to meet good governance objectives or principles. Land measurement, accession, registration, and recording lacks transparency, involves bias, and violation of statutory land laws. Widespread displacement with no or little compensation for lost land, illegal land market or informal land selling, illegal construction, bribery, weak judiciary, and unlawful involvement of local politicians in the sector, cause land tenure insecurity in the area. Furthermore, there is limited knowledge and enforcement of land laws; land laws are less accessible to land holders, no significant training is given on such laws, land authorities and officers failed to execute such laws fairly, consistently, objectively, impartially, and in accountable manner. Court dispute settlement involves many defects; biased judgments favoring one side, unclear judgments, judgments not duly supported by evidence, corruption, workload, lack of capacity, intentional violation of procedural and substantive laws, lack of judicial independence, not following service standards stringently, are all common phenomenon in the area. Some intervention mechanisms are also highlighted in line with the gaps identified.

Key Words: Land, Governance, land administration, Land tenure and, land laws and policies

Table of Contents	Pages
Declaration.....	ii
Acknowledgment	iii
Abstract.....	iv
List of Tables	ix
List of Box	xi
List of Figures	xii
List of Acronyms.....	xiii
Chapter One	1
Introduction.....	1
1.1 Background of the Study	1
1.2 Statement of the Problem.....	4
1.3 Objectives	7
1.4 Delimitation of the Study.....	8
1.5 Limitation of the Study	9
1.6 Significance of the Study	9
1.7 Organization of the Thesis	10
Chapter Two	11
Review of Related Literature.....	11
2. Conceptualizing Governance and Land Governance	11
2.1. Conceptualizing Governance	11
2.1.1 Defining Governance.....	11
2.1.2 Significance of Governance	12
2.1.3 Challenges of Good Governance	13
2.2 Conceptualizing Land Governance	14
2.2.1 Defining Land Governance	14
2.2.2 Importance of Land Governance	16

2.1.3 Determinants of Land Governance	19
2.2.4 Components of Land Governance	23
2.2.5 Challenges of Land Governance	28
2.2.6 Land Governance in Ethiopia.....	28
2.2.7 Local Land Governance	30
2.3 Empirical Literature Review	31
2.4 Good land governance Practices across the Globe.....	33
2.5 Conceptual Framework.....	35
2.6 Research Gap	36
Chapter Three	37
Research Methodology.....	37
3.1 Description of the Study Area.....	37
3.2 Research Approach and Design	38
3.2.1 Research Approach.....	38
3.2.2 Data Sources and Types.....	39
3.2.2.1 Primary Data Sources	39
3.2.3.2 Secondary Data Sources.....	39
3.2.4 Data Collection and Instruments	39
3.2.6 Data Analysis Techniques.....	41
3.3 Ethical Consideration	43
Chapter Four	44
Results and Discussion.....	44
4.1 Socio-economic Conditions of Participants.....	44
4.2 Land Tenure Security	48
4.2.1 Tenure Security and Confidence on Land Laws	48
4.2.2 Cost of Restoring Land Rights	51
4.2.3 Adequate Compensation	52

4.2.4 Land Use Rights and Use of Land as Mortgage.....	54
4.2.5 Believe on Duration of Land Rights.....	55
4.2.6 Transferring land Rights and Accessibility of Court Services.....	56
4.2.7 Land Registration and Accession Procedures.....	58
4.2.8 Updating Land Information and Reliability of Landholding Certificate.....	60
4.2.9 Women access Equal Land Rights.....	62
4.3 Implementation of Land Laws.....	63
4.3.1 Inclusiveness of Land Laws.....	64
4.3.2. Effective Enforcement and Transparency of Land Laws.....	65
4.3.3 Misuse of Land Laws by Local Authorities.....	66
4.3.4 Equal Land Service and Efficiency of Service Standards.....	67
4.3.5 Participation in Land Related Decision.....	69
4.3.6 Competent Human Resource.....	69
4.4 Land Dispute Settlement.....	71
4.4.1 Court’s Reliability in Dispute Settlement.....	73
4.4.2 Bias Free Judgment.....	74
4.4.3 Accountability of Judges.....	75
4.4.4 Clarity of Court Judgment.....	75
4.4.5 Service Standard and Complaint Handling Mechanism.....	76
5.4.6 Legal Knowledge and Trial openness.....	78
4.4.7 Genuine Evidence.....	79
4.4.8 Resuts of FGD.....	80
Chapter Five	81
Summary of Findings, Conclusion and Recommendation.....	81
5.1 Summary Findings.....	81
5.1.1 Secured Land Tenure System.....	81
5.1.2 Enforcement of Existing Land Laws.....	83

5.1.3 Land Dispute settlement	84
5.2 Conclusion	85
5.3 Recommendation.....	86
5.4 Future Research Recommendation.....	88
Reference	xiii
Annexes	xix

List of Tables

Table 2. 1 Governance Determinants and Questions	22
Table 2. 2 FAO- Good Land Governance Determinants	22
Table 3. 1 Sample for the Questionnaire Survey.....	41
Table 3. 2 Sample for Key Informant Interview and FGD.....	41
Table 4. 1 Demographic Features.....	44
Table 4. 2 Modes of Accessing Land	46
Table 4. 3 Land Size of Landholders (in hectare).....	47
Table 4. 4 Household Size	48
Table 4. 5 Security from Land Eviction	49
Table 4. 6 Confidence on Land Laws	50
Table 4. 7 Cost of Restoring lost Land Rights via Legal Means	51
Table 4. 8 Adequate Compensation	53
Table 4. 9 Land Use Rights	54
Table 4. 10 Believe on Duration of Farmers Land Rights	55
Table 4. 11 Methods of Transferring Land Rights.....	56
Table 4. 12 Accessibility of Court Service to Disputants	57
Table 4. 13 Convenience of Land Registration Process.....	58
Table 4. 14 Land Accession Process.....	59
Table 4. 15 Continuous Updating of Land Information.....	61
Table 4. 16 Reliability of Landholding Certificate	62
Table 4. 17 WomenS' Equal Land Access	63
Table 4. 18 Farmers Responses to the Inclusiveness of Land Laws	64
Table 4. 19 Effective Enforcement of Land Laws	65
Table 4. 20 Transparency of Land Laws to Landholders	66
Table 4. 21 Misuse of Land Laws by Local Authorities	67
Table 4. 22 Equal Land Service Provision	68
Table 4. 23 Efficiency of Service Standards	68
Table 4. 24 Participation of Landholders	69
Table 4. 25 Human Resource Capacity	70
Table 4. 26 Numbers of Files Lodged per year (E.C).....	72
Table 4. 27 Type of Land Cases	72
Table 4. 28 Reliability of Court Land Dispute Settlement	73

Table 4. 29 Unbiased Court Judgments in Land Conflict	74
Table 4. 30 Accountability of Judges.....	75
Table 4. 31 Clarity of Court Judgment.....	76
Table 4. 32 Service Standard Availability.....	77
Table 4. 33 Complain Handling Mechanism.....	77
Table 4. 34 Farmers Perception to Adequacy of Legal Knowledge of Judges.....	78
Table 4. 35 Open Trial Process.....	79
Table 4. 36 Genuine Evidence Based Court Judgment	79

List of Box

Box 1 Weak Land Governance Consequences 18

List of Figures

Figure 1 Conceptual Framework	35
Figure 2 Location Map of Raya Kobo Woreda	38
Figure 3 Subdivided farm land by fence for sale	53
Figure 4 Illegal building on farm land	54
Figure 5 Land Disputants Waiting for Judicial Service	58
Figure 6 Raya Kobo Woreda Land Administration and Use office.....	71

List of Acronyms

SDSN=	Sustainable Development Solutions Network
IIED=	International Institution for Environment and Development
WB=	World Bank
IMF=	International Monetary Fund
FAO=	Food and Agricultural Organization
RKWRLAU=	Raya Kobo Woreda Rural Land Administration and Use office (shorten as land office)
KRLAU=	Kebele Rural Land Administration and Use
KRLAUM=	Kebele Rural Land Administration and Use Committee
RKWC =	Raya Kobo Woreda Court
RKW=	Raya Kobo Woreda
SLM=	Sustainable Land Management
FDG=	Focus Group Discussion
LF=	Land Officer
CP=	Court President
LM=	Land Manager (head of RLAU)
LH=	Land holder
CJs=	court Judges
SDC=	Swiss Agency for Development and Cooperation
DHS=	Demographic and Health Survey

Chapter One

Introduction

This chapter provides background to the study and introduces the rational and main focus of the study. It also describes the purposes, significance, scope, limitations, and main research questions of the study.

1.1 Background of the Study

The term governance is a highly slippery concept in which there are abound definitions; it is often challenging task to define consistently in a manner agreeable to all. In spite of such difficulties, it is still possible to render some explanations, if not all. Accordingly, governance is an effort made to realize political, social, and economic priorities based on general consensus in society and that the voices of the exclude, poorest and most vulnerable are heard in decision making. It is attractive to define governance in such way, but more likely difficult how to ensure general consensus and hear the voice of the poor. From this, governance creates enabling milieu for the achievement of development objectives or goals. Governance is broader than institutions, including the relationship between state and its citizens and demands action in various areas for its proper execution at once which is challenging to countries, especially the global south (Doss, Meinzen-Dick, & Bomuhangi 2014; Ogundiya 2010; UNDP 2006).

Having better governance is vital for any country, developed or developing, but developed countries have healthier practice of governance as they own sound check and balance system embodied in the government structure. Many of development challenges in Africa mainly originate from poor governance. Prevalence of unsatisfactory and malfunctioned governance, rent seeking, misallocation of resources, corruption, insufficient revenue, weak public service delivery are some manifestations of poor governance in a number of third world countries. Existence of weak governance mainly affects the poor and other disadvantaged groups like women, children, minorities, to mention some (Enemark 2012; Roy 2005). Ensuring effective governance requires the engagement of various actor or stakeholders in a cooperative manner to bring in sustainable social progress.

Governance can also be seen as the conducts of government, business (private sector), and civil society organization (CSOs) in their respective sphere to bring about social change. In other way, governance is the process of decision making and the process by

which decisions are executed; it embraces fast growing political, social, and economic changes. It makes various agents of a political system work for the betterment of citizens, especially marginalized and vulnerable ones. From this governance and government are not alike, governance is broader and only activities of government are part of governance not vice versa ((Deepali Singh 2018; Grindle 2007; Vries 2013). Currently, countries of the world are in need of reexamining the roles of various government levels due to globalization and information revolution which force responsibilities to shift to local governments and other outside government providers, with the intention of promoting local governance. To gain better experience, it requires learning from the history of nations and current practices across countries on local governance ((Kripa Anathpur 2007; Tikue 2016). This portrays local governance is gaining more focus.

It is, thus, appropriate to ask, what is local governance? This question, however, is not easy question to answer, like that of governance, it involves full of challenges. Local governance is aged equally to humanity, emerged before nation-states, in the ancient time tribes and clans established local governance system, and enacted rules and ways of collecting revenue and delivering services to clan or tribe. But, it recently joins the academic discourse. It is wide concept which can be defined, in some way, as the 'formulation and execution of collective action at the local level; this includes role of local government and government hierarchies (formal institution) and other informal institutions such as norms, networks, community organizations, neighborhood associations to deliver collective outcome beneficial to local area. Delivering a range of local services, preserving life and liberty of residents, creating room for democratic participation and civil dialogue can be few activities of local governance (Aa.Vv. 2006; IIED 2006; Woo 2018). A number of local resources are available including Land resources which are the subject of local governance.

Land is among those highly crucial resources helpful to sustain life and reduce poverty; For example, evidences show that nearly 60% of the population in Africa gains their livelihoods from agriculture, livestock, and other related activities. Because of such vitality the demand for land is growing faster globally, actors such as government, local communities, researchers, political parties, investors, all demand for access and control of land to generate wealth and promote their social and political status. The raise of food and fuel prices also causes the significance of land to go up than ever before in the global context. Transnational companies extensively engage in land grabbing activities in the

name of expanding large scale agriculture, developing countries are the main areas for such grabbing. Taking into account, the role of land for economic, social, political and cultural aspects and to cope up global, national, and local challenges, requires a system that enhances proper management of land for the common wellbeing of communities (Amanor 2012; Barany 2004; Kironde 2009).

Defining land governance has also its own difficulties as that of governance in general and local governance in particular, myriads of explanations have been and are given by the available literature sources. One among these is, land governance can be viewed as the set of policies, rules, regulations, processes, actors, and institutions involved in determining how to access to land, land rights, land use, land development. These includes recording land information, determining land ownership (in Ethiopian case land is owned by the state, individuals can only possess it), value and use of land. It is the mechanism by which land related issues including conflict is managed (Alemie, Zevenbergen, & Bennett 2015; Enemark 2012).

In Ethiopian context, one of the crucial points the constitution (1995 FDRE Constitution) raises is land; the constitution is the primary legal source for land governance. As per this constitution, land ownership is given to the state in which it owns on behalf of the Ethiopian people. Others such as farmers, pastoralists, investors, communal land holders, Civil Society Organizations, and the like can only possess land; they cannot transact free land in the market the same way as any other private property. The constitution also grants the power to administer land and other natural resources to Regions based on federal laws, and this implies Regions don't own the land and other natural resources available in their region; they only have administrative power (art 52 (d) of FDRE Cons). Next to the constitution in the hierarchy of laws is the proclamation. Federal government has enacted rural land administration and use proclamation No 456/2005 which is effective all over the country. The Amhara Region also formulated Proclamation No 252/2017 which governs land related issues in conformity with the federal land laws.

Though there are few studies related Land Governance especially, with regard to applications of land policies and laws, land tenure security, and land dispute or conflict resolution mechanism, even these didn't focus on local level rather give emphasis at broader level. These previous studies ignore the importance of land governance within the local context. This study, on the other hand, has examined local land governance

targeting particular land issues: application of land policies and laws, land tenure security, and land conflict or dispute resolution mechanism within the local context.

Thus, this study targets two local institutions: Woreda Court and WRLAU office where court president, land office (WRLAU) manager, land officers, landholders (farmers), and employees of the two local institutions have been involved in the study to assess and grasp the practice and challenges of local land governance of Raya Kobo Woreda located in North Wollo Zone of Amhara Region, Ethiopia.

1.2 Statement of the Problem

Land is priceless asset in which huge number of people, mainly in developing countries, get livelihood from it, by engaging in agricultural and livestock activities; with this regard, the world employs 38.5% of world land for agriculture. The main cause of poverty in rural area is related to lack of possessing land asset; people holding adequate land more likely have capability to fight poverty, or at least to reduce it into insignificant level as compared to those who don't have access to it. Demand for Land not only increases at local level but also rises at global level as a result of global food price increase and its importance for biofuel grows more than ever before. Such trends force international development agencies (WB, IMF, FAO and others) to give special emphasis for land and land related governance by organizing conferences on land reform and better management of it for sustainable development. This is an effort to support the essentiality of land by evidence and to show that land is crucial area for scientific study; a study that chiefly focuses on how to ensure better land governance by local government institutions. Handful studies have been conducted on this area (Barany 2004; Borrás & Franco 2010; Kironde 2009; Metternicht 2018; Pienaar 2009; Salilew 2016; Tikue 2016).

Among these, Aimro (2015), Tikuye (2014), G/slassie (2017), Alemie et al.,(2015), and Girma Kassa (2011) have studied various issues of land governance within the territory of Ethiopia. The main issues of these studies relate customer satisfaction in land governance, land expropriation practice, good land administration which is one segment of land governance that tend more at macro level land governance disregarding its local significance though land is hot issue at local level and is vital for economic, social, environmental, and political progress of a specific area and its strong attachment with the local communities. This study will attempt to deal with three important issues that have little, or almost insignificant coverage by previous studies: Land policy or laws

execution, land administration in relation to land tenure security, and local land dispute resolution through formal local institutions (Chalifour, Kameri-Mbote, & Lye 2006; SDSN 2014; UNDP 2014).

The primary focus of this study is land laws or policies; it will assess the performance of local government institutions in implementing land related laws, regulations, procedures and broader national, regional and locally designed policies, if any, that guide proper management of local land so that it could be used for the common social advancement of local communities. The development and effective governance of a specific area depends on the availability of strong local institutions capable to integrate its local resources, including land, to drive local people to wards better social progress by executing existing policies efficiently and effectively. This critical issue has not almost been studied (Manji 2006; Arezki, Deininger and Selod 2011; Deininger, Savastano and Xia 2017). It is, therefore appropriate to explore the role of local formal institutions in adequately executing land policies to achieve the aim of land policies in the reach of local institutions. The implementation of such policies are expected to fulfill the interest of various actors or stakeholders in the area such as the poor, peasants, local investors, and others involved in land matters (Arko-Adjei 2011; Janine Ubink, Andre´ Hoekema & Leiden 2009; Khan 2010).

The other point of concern of this study relates to land administration which comprises land use, land development and land tenure security as its constituent element and ways of resolving conflict if disagreement arises in such issues. This study opt land tenure security as its focus issue for different reasons; evidences have showed that the studies conducted on land tenure security are seen from national agencies perspective and beyond, that do not target local institutions role in producing land tenure security or focus on customary land tenure system which is out of the scope of this study. In Ethiopia, the application of customary land tenure system is not clearly stated in the statutory land laws, not reconized vividly (Arko-Adjei 2011; Denchie & Overå 2016; Salilew 2016; Singh 2014; Zevenbergen 2014). Weak land tenure security at local level could be sources of many challenges or problems to the local people and local development in general. This is because such absence hinders investment of resources on land as they lack confidence that they would continue using the land in the future and impede people from generating income by using land as collateral to gain loan from financial institutions and others that can do the same. This necessitates conducting

scientific inquiry how local institutions are able to do this and their main challenges with regard to efforts to secure land tenure in the study area.

Land related dispute is the third focus of this study which is inevitable and is hardly possible to avoid it totally, but possible to manage it in a right way. The study has no intention to discover the nature and severity of conflicts associated to land rather its main aim is how conflicts are resolved by local institutions and assess the trend of such dispute in the future. Not only scarcity of resource but also abundance of resources can cause harmful conflict; the good example is naturally endowed countries such as Democratic Congo, Libya, Nigeria, and so forth. Weak dispute settlement mechanisms could lead to social instability and other social crisis. Sufficient studies have been conducted with respect to land conflict, but few studies are available with regard to land dispute settlement mechanisms (Deininger et al. 2017; Hyden 2008; Shiroyama et al. 2012; Teklemariam, Azadi, Nyssen, Haile, & Witlox 2015). The focus is how local government institutions manage land disputes; the terms land dispute and land conflict can be used interchangeably in this study though these could have slight differences in meaning. For this study. Conflict is broader and shows severity whereas dispute shows ways of managing civil disputes not related to criminal cases, dispute is mainly associated to civil court litigation or alternative dispute resolution mechanisms (ADR) (Cousins 2007; Dixon-Gough, 2006; Grant & Osanloo 2014; Nolte 2013; UNEP 2012).

Weak governance negatively affects the land sector in Ethiopia; messes of land governance are ubiquitous throughout the country. Weak institutional capacity, lack of understanding of land laws and policies, land related corruption, inappropriate dispute resolution mechanisms; insecure land rights, expropriation with no adequate compensation, illegal landholding in the name of investment for long time, informal rural land selling; land dispute, titling the same land in the name of two or more people, delivery of false information by land administration offices to courts based on which courts pass wrong judgment, involvement of officials in unlawful land trading and speculation, are common problems identified by prior empirical studies in various parts of Ethiopia (Girma Kassa 2011; Aimro 2015; Alemie, Zevenbergen and Bennett 2015; Tikue 2016; G/slassie 2017).

Similarly, the study area (Raya Kobo Woreda) is surrounded by various land governance challenges: farm land boundary dispute is rife, not only border disputes, landholding of one could also be taken by another by transferring landholding certificate to his own name by means of corruption, land disputes related to succession (inheritance

dispute among families, adoptions) are common. When new free land is distributed for youth who are willing to engage in agriculture, a lots of corrupt practices happen; individuals having connection with land distributors receive land in the name of a person who is not actually existing or alive there and others who deserve to get it left without having land. Local officials could also get farmland in the name of another person as they themselves don't deserve to get land. As land administration office of the Woreda fails to solve many of the land disputes, aggrieved individuals take their cases to the Woreda court. This creates excessive workload to the court as huge number of files related to land is lodged continuously. This means the plaintiff should wait long to get judgment which in turn leads to economic and moral loss that consume time, energy and money which should have been invested for development efforts. There is also intentional delay from the side of some judges seeking illegal incentive (corruption) to render biased decision. Court clerks, brokers, even some local officials are linked in such corrupt activities. To conclude, land resource is not utilized to uplift social, economic, and political progress of the local community.

This study will address the land administration, land tenure, land dispute and challenges related to these in depth, all of which have less been covered by previous scientific studies; Furthermore, sever land governance problems manifested in the study area also ignites the interest of the researcher to conduct scientific inquiry. In general, the study assesses the existing practice and challenges of local land governance system in Raya Kobo Woreda located in North Wollo Zone of Amhara Region, Ethiopia.

1.3 Objectives

The main objective of this study is to assess the practice and challenges of local land governance in Raya Kobo Woreda of Amhara Region, Ethiopia.

The following three specific objectives with respect to sub-questions are formulated.

Objective 1: To assess the practices of the Woreda in ensuring secured land tenure system.

1. To what extent statutory tenure institutions meet good governance objectives?
2. What is the capacity of local institutions to enhance effective land tenure administration?
3. What good governance challenges are manifested in managing land tenure administration of the Woreda? What are the main causes of such challenges?

Objective 2: To examine the application of land policies or laws and the challenges in the study area.

4. Do local officials and landholders know and understand available land laws, regulation, and procedures employed in land governance of the study area?
5. To what extent such land laws are consistently and objectively applied?
6. What is the satisfaction of landholders with regard to land laws or policies?

Objective 3: To explore land dispute settlement mechanisms and to identify the trends of such disputes and the challenges.

7. What dispute settlement mechanism is deployed in the Woreda and what this implies?
8. To what extent such dispute settlement mechanisms are open, fair and impartial?

1.4 Delimitation of the Study

A good thesis is expected to put its scope unequivocally, this includes the area where the study intends to conduct (spatial delimitation), the population to be included in the study (population delimitation), and finally variables of the study (variable delimitation). This helps to spend time, energy, knowledge, money, and other resources wisely on the focus areas; otherwise you need to swim the whole ocean which is impossible task to try. Thus, the study is spatially delimited to RKW that situated in North Wollo Zone of Amhara Region, Ethiopia. This study is confined to land related governance in the local level; governance indicators (that help to measure it) are multifarious despite there is no unanimous agreement as to what are the full list of governance elements and is difficult to study all the claimed indicators. Accordingly, this study assess land governance mainly from the perspectives of accountability, rule of law, participation, fairness, effectiveness, consistency, impartiality, and transparency. These elements are chosen purposely as these have the potential to portray picture of land governance in the study area. These elements by themselves are wide in which many sub-elements are contained and are also recommended by international development agencies like UNDP, FAO, World Bank and others (Vries 2013). As far as the population of the study concerns, it covers small landholders, employees, land officers, including head (manager) of RKWRLAU office and finally RKWC president. Finally, the study thematically delimited to Local Land Governance with special emphasis to land tenure security, application of land policies, and land conflict resolution mechanism.

1.5 Limitation of the Study

Qualitative study mainly employs, interview, focus group discussion, and observation as data collection tools. Data obtained from such instruments represent views and perceptions of some individuals emanated from their personal experience which might not represent the whole community even if selected carefully. The study collected data from two local formal institutions: Woreda Court and land office; other local institutions such as Woreda Council, non-governmental agencies, agricultural investors, and Kebele land offices were not included. Thus, it doesn't involve all land stakeholders. The other limitation is interview and FGD conducted were not recorded as consent was not secured. It is therefore challenging to note all the emotion and feeling happening there. The researcher may also lack experience in qualitative study to extract relevant points from vast data collected during field work.

1.6 Significance of the Study

At the end, a study is expected to generate some sort of benefit: may be to individuals, community, researchers, government institutions, and so forth. Accordingly, this study is expected to bring about some significance to various bodies.

First, the study has significance for local government institutions such as RKWRLAU office and RKWC to see their drawbacks and strength in light of the findings of this study. It can also help for Woreda Administration and Council; the Woreda council is the highest political organ at Woreda level and can question activities of each offices of the Woreda and the finding of the study may provide an input to perform its functions well. On the other hand, the Woreda Administration is the highest executive organ at Woreda level and ensuring good governance and development is its main mission. Land governance is part of the broader governance and the finding in some way can generate helpful outcomes to be bridged by the Woreda Administration. The second importance may goes to landholders of the area; during the course of the study, landholders grasp their rights and duties, this could help them to fight bad governance practices such as corruption and contribute their share to promote better land governance. The third beneficiaries could be researchers having interest in the field. This will likely initiate them to carry out detail land governance study by including more variables and institutions which this study does not. Hopefully, the regional government can also get feedback about what the local land governance looks like in the study area; this could be so if government develops a habit of using and crediting research findings to tussle

challenges. Hopefully, copy of the final finding can be delivered to the institutions involved in the study and others who have interest in the area. Finally, it is crucial to the researcher to fulfill his duties of producing “Master’s thesis to get ‘MA ’award.

1.7 Organization of the Thesis

The study contains five chapters (chapter 1, 2, 3, 4, and 5). The second chapter is regarding review of related literature; it introduces various theoretical and empirical reviews drawn from various related literatures, previous empirical studies, and so on. The third chapter consists of research methodology components: research design, research approach, sampling technique, population, data sources, data collection tools, and data analysis instruments. The fourth chapter covers results and discussion, and finally, chapter five contains summary findings, conclusion and possible intervention.

Chapter Two

Review of Related Literature

2. Conceptualizing Governance and Land Governance

2.1. Conceptualizing Governance

2.1.1 Defining Governance

Governance is wide and intricate concept to define in a way everybody understands so as to have universal consensus; it comprises a number of ideas, multifarious definitions, and dimensions. It is, however, possible to highlight some definitions among the many ones to have general grasp of the term. As define by Borras & Franco (2010) governance is about the political relationship among group of people, institutions (laws, rules, regulations, both formal and informal) that govern the overall relations of the various actors. Similarly, United Nations Development Programme (UNDP) (2014) states governance as an effort made to ensure political, social, economic priorities taking public consensus as criterion and by respecting the voices of the excluded, poor, and vulnerable groups in decision making process. This implies governance is a tool or means to social change and is thus, vital for development: bring in quality of life. The definition given above also depicts, governance is broader than institutions and determines the relationship between state and its citizens.

Governance varies across the world; it is context and cultural dependent and requires the hands of different stakeholders and intervention in various areas to enhance reliable governance (UNDP 2014; Vries 2013; Or & Aranda-jan 2017; Schuurman, Ewijk, Oates, & Betsema 2016). Governance situation in international, regional, national and local level is different in terms of actors, scope, institutions (formal and informal), and other elements. One best governance experience available in one part of the world may not equally or more become best when applied in other corner of the world. For example, though Governance is vital issue for any country, developed or developing, but developed countries have better practice of governance as they own sound check and balance system embodied in the government structure. Prevalence of unsatisfactory and malfunctioned governance, rent seeking, misallocation of resources, corruption, insufficient revenue, weak public service delivery are some manifestations of poor governance in major third world countries. Existence of weak governance mainly affects the poor and other disadvantaged groups like women, children, minorities, to mention

some. Therefore, the governance condition in developed and developing countries is not similar because of environmental difference (Doss et al. 2014; Woo 2018).

To Oguniya (2010) and Roy (2005) governance means nothing else than the activities of government (at all levels), business (privates sector), and civil society organizations. This definition focuses on actors; shows who are stakeholders involved in governance matters and all their action is under the scope of governance. As per Deepali Singh (2018) governance is the process of decision making and execution which varies as the political, social, and economic changes within inter(national) and local environment. Thus, governance makes different decisions as the environment changes; this makes it shaky and challenging to manage. For Halligan, Horrigan, & Nicoll (2012) governance is concerned about the rules of collective decision making in conditions where there are plurality of actors. That is governance is all about decision making to stimulate societal change in a positive manner by ensuring efficacy. Governance tries how to allocate resources in a manner that ensures equity and social justice. Governance is the manner through which power is exercised by government in the management and distributions of social and economic resources.

However, governance, particularly, good governance sometimes becomes intangible as it is overloaded by numerous indicators which makes difficult to make it happen (Vries 2013 ; Marques 2013; Shiroyama et al. 2012). There is clash between trying doing right thing and doing desperately needed things in developing countries. This lack of clear standards put developing countries in confusion on which one to invest the available scarce resources; otherwise it is likely difficult to spend resources on all dimensions. This argument indicates good governance principles need to be defined by taking the conditions of developing countries not taking the environments of developed ones. Governance deals with complex problems with the intervention of multiple actors with the intention of delivering pluralistic solution (Knorringa 2016; Brinkerhoff & Brinkerhoff 2011; UNDP 2014).

2.1.2 Significance of Governance

The terms, governance and development are intricate motifs to fully grasp their meaning, relationship and significance, currently, the task of studying the relationship or linkage between governance and development is growing sharply in the area of development. Governance is the process deployed to achieve the golden end of a country; it is helpful to steer social and economic development. Countries with better governance system are

more likely positioned in good progress in terms of all aspects of development (Ogundiya 2010) . The root cause of development challenges in Africa is, largely, the defects of governance (Roy 2005; Vries 2013). This shows governance and development are positively linked.

The concept of development shifts from mere economic growth to sustainable human development that targets human being at its crux point. Similarly, governance is a dynamic concept that coordinates the actions of state, market and civil society in boosting social progress, where state alone is not responsible for achieving development objectives in society. Governance seeks cooperative effort for development challenges, thereby improves human life; that is, governance integrates efforts of actors (state, market and civil society organizations) to render sound solution to development problems such as poverty, inequality, unemployment and underemployment, backwardness and so forth. Generally, the realization of development to everyone, reducing poverty, creating conducive- environment, equitable, open, rule based and predictable system demands grossly the prevalence of good governance within a country. Governance is ways of governing society or community for development (Knorringa 2016; Roy 2005).

In other words, bad governance drags development efforts behind and causes societies to remain poor for long years; it is a barrier to social, economic, political, and environmental progress, in general this hampers the achievement of sustainable development (Hailu 2017). The prevalence of bad governance hinders public institutions and other actors to be accountable, transparent, participative, efficient, effective, and ensure rule of law; this in turn means there cannot be appropriate and sound management of scarce resources in a sustainable way to advance life of people. The fruits of development will not be able to reach the needy (poor) without exercising better governance in every sphere of development activities of actors (Pal 2017; Fikre 2017).

2.1.3 Challenges of Good Governance

Securing better or good governance requires substantial time, energy, knowledge, coordination skill and other tangible and intangible resources. Governance is an abstract term unrealistically loaded by many dimensions in which there is no clear priority, which element should be achieved first, how many dimensions a country should achieve to ensure good governance, how much resource is required to ensure the elements and in which one to invest more resource, all these and others are challenging issues to answer.

This places countries (particular emerging countries) in difficult choices: which indicators to focus first, which is more essential and which is less, which can be achieved in longer period and which can be realized within short time. Such difficulties results in financial shortage, absence of human development, low capacity to implement these diverse dimensions of governance (Parkinson et al. 2011; Roy 2005; Vries 2013).

Governance condition of countries, especially poor countries has been and is characterized by numerous challenges such as rent seeking, absence of commitment and capable leadership, little or no public participation in decision making processes, incapable employees, absence of clear performance standards, corruption, and ineffective public service delivery (Fufa 2014; Pal 2017; UNDP 2014). These shows third world countries demand substantial energy, time, political commitment, and other resources to solve or at least to minimize the adverse effects of bad governance if they want to go along the road of development, which developed countries have and are enjoying at the expense of global resources.

2.2 Conceptualizing Land Governance

2.2.1 Defining Land Governance

Land is among the most important resources people ever want (especially in developing countries) to have for gaining better life or better investment; it has not only economic implications, but also has political, social, cultural, environmental implications which indirectly leads usage of land into different conflicting functions. Governments, local community, elites, investors, political parties all have their respective interest on land policies; that is, governance of land involves myriads of actors or stakeholders who are expected to have competing interests. It is a basis for sustainable growth, poverty reduction, enhancing good governance, and therefore, states are required to develop appropriate land governance system with the participation of various stakeholders. It is challenging to try to ensure sustainable development devoid of owning sound land management system. In addition, better land governance promote investment, well market functioning, reduce conflict among people which is mainly common phenomenon in Africa, and give emphasis to the poor and disadvantaged. Therefore, inclusive development demands improvements in land access, tenure security and design of socially desirable use of land (Mohapatra no date ; Barany 2004; SDSN 2014; Abdulai 2016; Schuurman *et al.* 2016).

Defining land is not an easy task anybody wants to face; it embraces several complex issues within it (Ngaido 2016; Schuurman *et al.* 2016). When one refer land it includes other things it holds such as water, plants, crops, mineral and others. Land related rights include: access (means to be on the land, walk on it), withdrawal (to take something from the land like water, crop, mineral, plant, firewood, etc.), management (to change land like plant tree, crop and other), and exclusion (prevent others using your land without your willingness), and finally alienation (transfer by rent, bequest, sale) (Doss et al. 2014). Land is defined as an immovable property in which its transfer cannot be made by mere delivery rather require issuance of certificate of ownership or possession and registration by the legitimate authority as per the 1960 civil code of Ethiopia (art 1130 and art 1195). This shows, to what extent the code gives more focus on land as compared to other movable properties.

In the 1995 FDRE constitution, one of the major controversial issues was land in which it is solely owned by the state. Art 40(3) of the same constitution declares ‘land is common property of nations, nationalities and peoples of Ethiopia’; this tells how the current regime understands land as source of power. Generally, the land governance system can be used for good (for spurring development opportunities) or can be source of land grabbing, which is not vital for the advancement of the majority; countries with poor land governance are victims of land grabbing. It also determines the nature of investment in a country (Kripa Anathpur 2007; Nolte 2013).

It is difficult to gain a word or phrase that can define land governance in precise and unequivocal way, any attempt trying to define governance will have a certain level of ambiguities and complexity. However, it is possible to explore variety of definitions available in the academic literature. Thus, land governance is viewed by (Borras & Franco 2010) as the most efficient and effective ways of administrations of land issues such as land titling, land use, land development, land market and other issues related to land. It relates to securing land tenure, access to land, and land usage for socially desirable outcomes. This is, managing land resource in a way that could bring about social development, not allowing few people to control land for their political and wealth source.

Furthermore, land governance involves the set of rules, procedures, institutions by which land is accessed, used, controlled, transferred, and managed conflict for its sustainable use. It is the combination of institutions (formal –informal) through which land is managed; it relates about authority over land issues and is the outcome of social

interaction among actors and institutions. To wrap up, land governance comprises a set of policies, processes, actors, institutions through which land asset is managed through decisions on access to land, land rights, land use, conflict management, and land development (Alemie et al. 2015; Amanor 2012; G/slassie 2017; Nolte 2013).

Land governance is said to be good or better, if the land management system is efficient, effective, competent, decisions relating to land policy are made with participation of people, free available land information, laws and regulation of land are clear, accessible and enforceable, accountable land administration agencies or offices, land related services are provide with no discrimination consistently, focus on sustainable land development and make the service closer to people, land registration and the legal system in general provide tenure security, and land management officials must be genuine and act professionally without any form of rent seeking (Parkinson et al. 2011; Tikuye 2014; UNDP 2014).

2.2.2 Importance of Land Governance

Land and related issues are growing at the international, national, and local arena; it becomes part of global agenda and international development institutions (like FAO, World Bank, IMF) give more focus on it. This is due to, land is needed as a means to fulfill global food security and gain alternative source of energy such as biofuel. The pressure on land demand also arises because of high population growth, urbanization, climate change, human settlement, raw material needs (fiber, wool) and speculations on land prices. Transnational companies involve in large scale land acquisition which in turn results in deterioration of the natural environment and displacement of local communities (Borras & Franco 2010; Nolte 2013). All these signify how demand for land grows through time.

As literatures show, land and poverty are linked, especially in rural areas of developing countries, people are poor because they don't have land to use as productive asset and gain income. People having no land are relatively poor as compared to those owing or possessing land in rural areas. Agriculture is the basis of the economy in developing countries; nearly 60% of the population in Africa obtain their livelihood from agricultural related activities (Kironde 2009). Therefore, any policy which tries to alleviate or reduce poverty should focus on proper management of rural land to gain socially equitable outcomes; otherwise, it is challenging to promote agriculture as land is the main input of it. Even the issue of sustainable development can have a fruitful result

only if better land governance is ensured. Poor countries have relatively substantial land and labor (limited technological capital) on which the economy depends; if land is not managed properly, it could not help to poverty reduction and social development rather serves as source of power and money (wealth) to few people in which the majority people will continue to live under grinding poverty. If land is not used sustainably it is hard, if not absolutely impossible, to reduce poverty, inequality, and achieve social, economic, political, and environmental developments. Thus, sustainable development seems challenging to attain with the absence of sustainable land management (SLM) (Barany 2004; Doss, Meinzen-Dick and Bomuhangi 2014; UNDP 2014).

In general, better land governance protects land security rights, foster poverty reduction, enhance food security, empower women, reduce resource related dispute, inspire responsible use and proper management of natural resource, reduce commercial pressure on land, speculating related problems and so forth (Chalifour et al. 2006; SDSN 2014; UNDP 2014). Land governance is a focal point for social, economic, political, cultural and ecological progress. For example, guaranteed tenure security, encouraged full investment on the source, gain credit, increase innovation, easy to make transaction, and enhance confidence on what you have. If there is no secured land right, it is the same as died capital with no significant contribution in the economic life of the holder. To sum up, Land governance is crucial instrument to have equitable and sustainable utilization of land; it is basis for sustainable growth, poverty reduction, enhancing good governance, and therefore, states are required to develop appropriate land policy with the participation of various stakeholders (Barany 2004).

Box 1 Weak Land Governance Consequences

❖ Insecurity of Tenure

Legitimate landholders lose their possession rights if there is no transparency, accountability, equity, fairness, legal security, and rule of law in land governance.

❖ High Transaction Costs

People pay informal payments, in addition to the existing taxes and fees, which increase transaction costs.

❖ Informal land Transaction

High transaction costs discourage the poor to register land transaction, which indirectly lead to informal transaction and insecurity.

❖ Land Conflict

Tenure insecurity because of poor land governance raises land conflict- between individuals as well as between government and individuals.

❖ Landlessness and Inequitable Land Distribution

The poor is the primary victim in any corrupt system; they couldn't afford to legalize transaction leaving them without protection under the law. This makes them vulnerable to evictions of political elites.

❖ Reduce Private Investment

Insecure tenure and high transaction costs are disincentives for investment and international business will not choose such area.

❖ Illegal Transfer of State Land

Political elites can get an opportunity to transfer state land to themselves or others who have connection.

❖ Limited Local Revenue

Informal land transaction reduces government capacity to collect tax and service fees as illegal sales and lease don't pay.

❖ Social Instability, Social exclusion, and political Stability

Weak land governance reduces confidence of people on government and this causes land conflict, land poorness, and landlessness. This undermines political stability.

❖ Erosion of Ethics

Informality decrease sense of obligation to pay tax, building permits, and to stick to regulations.

❖ Unsustainable Natural Resource Management

Illegal transfer of forest areas, biosphere reserves, national parks, catchment areas of water reservoirs, protected areas, causes deterioration of natural resource.

Source :(FAO, 2006)

2.1.3 Determinants of Land Governance

Governance incorporates a number of principles or dimensions by which prevalence of good governance can be identified or indicated in the overall operations of the actors; but, it is difficult to list exhaustively all elements which can bring about better governance fully if implemented. For example United Nations Development program (UNDP) mention five dimensions legitimacy and voice (including participation and consensus orientation), direction (including strategic vision) performance (including responsiveness, effectiveness and efficiency) accountability (including transparency) and fairness (including equity and rule of law) while World Bank identified six elements (Voice and Accountability, Political Stability and Absence of Violence, Government Effectiveness, Regulatory Quality, Rule of Law and Control of Corruption) (Vries 2013). Good land governance issues relate to realize accountability, transparency, affordability, participation, rule of law, easily accessible, and accurate information in the land management process (Pienaar 2009). Each dimension has its own sub dimension. Let's examine some principles.

Accountability

Accountability is amorphous term to define exactly provided that there are proliferation definitions available in various literatures. Accountability relationship will be created when the function or tasks of individual or body is subject to another institution's control, direct or request to render information or justification for their actions. Accountability is the mechanism whereby officials, private employers, and service providers are held answerable for their policies, actions, and use of funds. This signifies the concept of accountability comprises two important element within it; answerability and enforcement (liability). Answerability means the duty of government (including its agencies and officials) to provide information about their decisions, actions and justification to the public and institutions of accountability. Enforcement, on the other hand, is when public or institutions responsible for accountability sanction or penalize officials, agencies for their wrong doing; official are answerable to the people from whom they gain the authority (Goddard 2005; Joss 2010; May 2005; Pal 2017; Sirker 2005).

Transparency

To have better outcomes, governments are expected to engage people in the governance process. This enables citizens to understand how they should be served, and what information they need. Transparency is a vital condition for effective and efficient policy making, equitable distribution of resources and ensures good land governance. Having transparency also promotes government trust and participatory practice. Transparency is not only the right to access information, but also is a mechanism of ensuring effective and accountable government, especially local government to facilitate community progress. Transparency can be classified as “formal” and “useful”; where formal transparency is associated with disclosure of information as per the legal requirements whereas useful transparency refers to the type of information in which citizens are interested (Cucciniello, Nasi, Cucciniello, & Nasi 2014; Mitchell 2011).

Transparency is one of the vital conditions for sustainable development. Always informed citizens are strength to the development efforts of any country; they will be good in cooperative works with government institutions and become partners, have potential to hold government more accountable to its action, thereby contribute for the inclusive development of the society. The more government is transparent the better will be the service delivery quality. Citizens have full right to know and question where and how public revenue and other resources are utilized in their name; this could include information on the use of natural resources like land. It is about the availability of information to the public and clarity about state rules, regulations, and decision. In other words, it means respecting citizen’s right to get valuable information from the state and its organs at all levels, government has a duty to share information and act in open manner (Hyden 2008; Pal 2017; Tikuye 2014; UNDP 2014).

Rule of Law

There is an intense debate as to what are the nature, meaning and functions of rule of law; it is a site of diverse meanings and perceptions. It is complex term combining different legal, moral and ethical, political and democratic principles. Rule of law both promotes and limits democracy; democracy is governance by the majority will or rule, but subject to constitutional limitation where the majority provides mechanism of decision making. This is both government and the governed obliged by the law and the law or constitution defines institutions of government, their power and function, and their limitations in exercising power. Thus, the parliament (house of people’s

representative, in Ethiopian case), the executive and judiciary are creatures of the law, and rule of law should be their priority (May 2005; Melese 2016; SDSN 2014).

Rule of law is an essential human good that demands the equality of all citizens, government fairness in its treatment to citizens, absence of arbitrary rule, responsibility and accountability of government to people, equity, respect to human dignity, and the protections of rights and liberty. This will likely enable government to conduct justly, fairly, honestly and openly for the betterment of all member of the nation. Rule of law is crucial for sustainable development including sustained and inclusive economic growth, social development, environmental protection and the eradication of poverty and hunger (May 2005; Mitchell 2011; UNDP 2014). Rule of law is limitation to government power; James Madison supports this idea by saying as follows:

“If angels were to govern men, neither external nor internal controls on government would be necessary. In framing a government which is to be administered by men over men, the great difficulty lies in this: you must first enable the government to control the governed, and in the next place oblige it to control itself” (May 2005).

This is, rule of law is need because government is not angel who does not make mistake, therefore, rule of law is need to limit this mistake (arbitrary power which is opposite of rule of law). In general, rule of law provides power and limitations to government and its machineries.

The prevalence of rule of law is highly vital to citizens. The role of modern government is wide and affects every aspect of life of citizens and people can be threatened by arbitrary government power. If there is no law, there is no rule of law as rule of law presupposes preexistence of law. This necessitates the need of law like the constitution and other laws to protect rights and liberty of individuals. The rule of law must be understood as the guiding ‘principle of legitimate governance’. It gives legitimacy to government power and function (May 2005; Shiroyama et al. 2012; Woo 2018).

Rule of law is one foundation of good land governance; public and private sector reforms, protecting rights and liberty, reforming property right and reducing poverty all demand prevalence of strong rule of law. There is emerging belief all aspects of good governance and development depends on rule of law and ensuring rule of law means another ways of promoting major principles such as human rights, accountability, transparency, democratic governance and free market economy. Now it is taken as a panacea for the social, political and economic ills of developing countries. Thus, it can

be described as an engine for socioeconomic development (May 2005; Melese 2016; Shiroyama et al. 2012).

Table 2. 1 Governance Determinants and Questions

Dimension	➤ Governance assessment questions or determinants
Rule of law	<ul style="list-style-type: none"> ➤ To what extent land authority is enforcing land laws effectively? ➤ To what extent Land laws are available in the areas are fair? ➤ Do local officials respect laws? ➤ Is there uniform application of laws? ➤ Landholders get awareness about land laws? ➤
Transparency	<ul style="list-style-type: none"> ➤ How accessible are institutions and land information to community members and the general public? ➤ How open is the decision-making process to community members? ➤ How clear are laws on land delivery to community members ➤ Laws clearly known
Accountability	<ul style="list-style-type: none"> ➤ To what extent do local institutions report on their stewardship to community members? ➤ To what extent officials are liable when misuse of power occurs? ➤ To what extent local institutions responsible to tell where the resource and authority given is invested to local people interest? What they produce with that?

Source: (Arko-Adjei 2011)

In Ethiopian context there are some good governance pillars posted in the public sectors. These includes transparency, accountability, confidentiality, integrity, serving the public interest, exercising legitimate authority, impartiality, respecting the law, loyalty, honesty, responsiveness, and playing exemplary role. However, as many claims, these principles rarely applied on the ground; are more paper value.

Table 2. 2 FAO- Good Land Governance Determinants

Efficiency:	Procedures to register land rights should be short and simple. Fewer steps reduce informal payment to get or speed up service
Effectiveness:	The effectiveness of land governance depends on capacity building and financial position, general socio-political situations, such as political will, commitment, and rule of law, regulatory quality, and political stability.
Transparency, Consistency & Predictability:	Transparence recruitment of staff and transparent service standards and cost of service contribute to higher efficiency, fairness and confidence.
Accountability:	Accountability in land governance can be improved by installing uniform service standards and code of conduct for staff.
Autonomy:	Increasing the autonomy of local land administration with checks and balances at national level improves service and reduce corruption.
Public Participation:	Client orientation and responsiveness in land administration can be achieved through improved access to information, customer service to measure satisfaction and hotlines to report corruption and misconducts.
Equity, fairness & impartiality:	all people should have access to services and receive the same standard of service regardless of differences. The introduction of counter office and numbering system for their arrival (first come first served) is vital here.
Rule of law:	Land good governance requires consistent and coherent legal framework, fair, transparent and independent judiciary and general prevalence of rule of law to protect land rights.

Source: (Zakout et al 2006)

2.2.4 Components of Land Governance

Assurance of good land governance demands policy and procedures issues to have accountable, transparent, affordability, access to information and law based land governance system. Unsuitable institutions are serious challenges to better land

governance as these institutions don't practice good governance principles such accountability, transparency, rule of law and so forth. It is, therefore appropriate to deeply examine land surveying, land information, and cadastral, valuation and land registration agencies within the local area. To have comprehensive land governance system some components are needed (Pienaar 2009).

Organizational structure for land management activities varies across countries, regions, even from local to local; such structures could also be changed as time goes on to fit changing social, economic, political and cultural aspects. This change helps to implement land policies and thereby ensure better land governance, i.e., organizational arrangements for land management changes as the environmental context varies. Land governance activities can be grouped into three components: land policy, land administration functions, and land information infrastructure. These components can also be affected by local, national, and global contexts (Chandra, Williams & Ricci 2009; Enemark 2012).

Land Administration Functions

It is possible to define land administration, but challenging to get comprehensive and flawless definition; for instance, it can be seen as the 'process of determining, recording and disseminating information about the ownership, value and use of land, when implementing land management policies. Land administration functions are the operational components of land management activity. These are range of land administration functions that ensure proper management of rights, restriction, responsibilities, and risks; these functions comprise: land tenure, land value, land development, and land use (Manji 2006; Metternicht 2018).

Land tenure Security

It is mechanism by which land rights are allocated and secured; how ownership or use right transfer from one to another via sale or lease, how land disputes are managed and adjudicated, use of land as security or collateral to gain credit. Land tenure security can be seen as a perception of having the right to a piece of land on continuous basis, free from imposition of outsiders and the ability to collect benefits invested (Doss et al. 2014). Before conducting land titling decision, it is advisable to assess the needs of the community and participate in any decision that affects them. Thus, it is good to have different land tenure system based on the needs of the people. Land value, on the other hand, is the assessment of value of land, collecting revenue through taxation, management of land value disputes. Whereas land use is control of land use via planning

policies and land use regulations available at national, regional, and local levels. Lastly, land development is about building of new physical infrastructure, execution of construction planning, granting permits and management of disputes and complaints related to it (Enemark 2012; Manji 2006).

Land administration efforts require reliable land information to smoothly operate. Such information infrastructures include cadastral and topographic datasets that provides access to appropriate and up to date information about things on the land and natural environment. Here ICT plays important role in computerizing land information. If there is no viable land information, it will be more likely difficult to ensure better management of land; this in turn, would hugely reduce contribution of land for community progress and overall national development effort (Arko-Adjei 2011; Metternicht 2018).

In general, land and its sources need to be seen as a coherent whole. The components of land governance discussed above should be implemented in integrated way to produce better results. Having good land policy is a good one, but if there is no capable institution to implement this in the nearby (local), it is worthless to have such policy; even if there is quality institution, still it cannot be effective with absence of appropriate land information. Therefore, components should be seen as interlinked.

Land policy Enforcement

Land policy is part of national policy deployed to achieve certain golden objectives such as environmental sustainability, economic growth, social justice and equity, and political stability; in general, it contributes to sustainable development. Land policy issues are related to security of tenure, land market (land transaction and access to credit), property taxation; sustainable management and control of land use, better management of natural resources and environment; provision of land for the poor, minorities, and women; measures to prevent land speculation and management of land disputes. In other words, land policy is the rule of game for land governance (Dekker 2005; Arko-Adjei 2011 ;Wang *et al.* 2018).

Land policies must focus on sustainable development of societies which involves diverse contradiction elements and there is always tension between environment and human action. Key components of land policies are: land tenure, land use and land value. To address existing and potential conflict land policy needs precise and relevant information in the form of developed data base. It is important to define the role and responsibilities of land related activities like land management, registration, and land management

infrastructure that are suitable to the community (Alston, Libecap, & Mueller 2000; Deininger & Feder 2009).

Tenure Models

Various tenure models are available in the literature; these include replacement model, The De Soto model, Multiple or dual tenure models, and the adaptation model (Arko-Adjei 2011).

Replacement Model

This model intends to replace customary tenure systems by statutory tenure system, where state institutions are responsible for the management of real properties within the nation; The roots of this model is the view of free market economic activities, any real property include land should be freely tradable the same as other private properties. This mode has perceptions that customary tenure systems are inefficient, not amenable to investment, fail to promote individual right (gives emphasis to group rights which likely lead to overuse, overgrazing and degradation of natural resource) and not conducive for development. Thus, it focuses on formalization of the customary tenure systems to realize its believe that market conditions that rely on individual property rights are necessary for economic development; individual private property right boosts land development, credit opportunities, reduce land disputes, and smooth land market. Security of tenure can only be achieved by formal state structures. It has been criticized as Western origin which sees land from the perspectives of ownership which is narrow as land issues involve 'bundles of rights', the argument somehow lacks soundness.

The De Soto model

As that of replacement model, De Soto Model is market-based. While this model is based on titling, titling need to be formal to utilize it as collateral, promote investment, and facilitate development. This model states the main cause of poverty in global south is related to absence of formal property rights. Property possessed by the poor is 'dead capital'; they could not use land to generate income (loan) using their formal title as security. As land rights are formalized, its value rises, people will be willing to transact and improve government tax. The drawbacks relate to this model includes costs of formalization, will create wealth difference and inequality, corrupt government systems would not enable the formalization easy process. The complex relationship between people and land cannot answered this simple model, for instance, the poor may not get

land as the tenure system is expensive, could not afford to buy as land value increases, and the models makes land to fail under the control of local elites.

Dual tenure models

This related to holding of land using statutory and customary tenure systems, some hold by statutory rules others hold by customary laws, both are recognized by the legal system of a country. The reason behind is, rejecting customary tenure system, as it is, is not profitable, as significant number of people in Africa continue to access land using indigenous tenure systems; this particularly important to remote parts of rural areas where accessibility of government institutions is limited. Still it has drawbacks: the coexistence of the two systems (customary and statutory) leads to intricate legal pluralism, and are incompatible in many aspects.

The adaptation model

This model supports the autonomous management of land by the community; customary tenure is the results of social interaction and various customary institutions, this shows that the interactions are not merely economic motive, rather has implications of social, religious, and cultural aspects. Furthermore, the individualization of rights affects social cohesion and could lead social instability. As history reveals, customary tenure systems have the capability to become flexible and responsive to social and economic changes; provide tenure security at lower cost, promote investment and pass land to the next generation by systems of inheritance. Some of the types of these modes are: locally-driven tenure models (each custom has its own locally developed tenure system, as it is difficult to integrate diverse systems as one system), gradualist tenure models (the formalization need be incremental, should not be done at once), unified tenure models (building on existing customary systems by incorporating some non-conflicting elements of formal tenure concepts).

Bad land governance is associated with insecure property rights and rampant corruption in land activities, particularly in third world countries. Indigenous farmers, the poor, women, and other disadvantaged groups are more likely the primary victims of ineffective land governance. In the public sector bad land governance is the outcome of weak institutional arrangements in managing tenure security, inadequate and improper land laws, absence of accountability and transparency, and institutional irresponsiveness; this distort officials decision making power and lead to inequality.

2.2.5 Challenges of Land Governance

Land is highly vital and complex resource to manage, unlike Ethiopia, land governance system of many African countries is influenced by colonial rules (Ngaido, 2016). Achieving or approaching to better (good) land governance is difficult task which requires many sacrifices. Land governance is affected by interactions or networks existing in the environment among various actors: state, regional, political and economic elites, and the rural poor (Borras & Franco 2010; IIED 2006). Endless competition among several actors is expected to control land to gain wealth and other related social prestige. A number of legal and institutional authorities take part in land governance which involves institutional pluralism: local administration, development services, courts, community and village level leaders, development programs, local associations, religious movements, all have share in land governance (Jean-Pierre Chauveau, Jean-Philippe Colin, Jean-Pierre Jacob 2006). Harmonizing all actors and institutions involved is tricky task.

Unknown land ownership procedures, weak execution of law, poor government land provision systems, employees having low capacity and experience, and few government institutions to deal with all land issues are challenges manifested in land governance (G/slassie 2017). In addition, High politicization of local government, multiple claimants for the same land, weak courts, absence of accountability (unbalanced upward and downward accountability), unable to attract qualified employees and retain the existing ones are also among challenges of land governance. Still, high demand for land, productive use, human settlement, environmental conservation, climate change mitigation, and land related conflicts are prevailing land governance challenges (Hailu 2017 ;Khan, 2010 ; Amanor 2012). In general, the multidimensional nature of land invites a number of challenges which are inevitable countries, primarily developing countries, to face.

2.2.6 Land Governance in Ethiopia

Ethiopia had and has been passing different Socio-economic and political dynamics till present. Along these political changes, the land governance system of the country has also made reforms, especial during the feudal, communist dictatorship and the current regime. In all the three regimes, the central problem of the land system remains the same; it doesn't benefit the rural poor. During the emperor regime (Haile Selassie), there was tenant-lord relationship which negatively affects the cultivator and unreasonably benefits the lord. The Derg regime abolished such system and land was owned solely by the state.

It repealed all customary and formal rights to land and take over the power to redefine property rights and access to land; prohibit private ownership of land and other natural resources in which land holders only have use right, not selling, mortgaging, leasing, and contracting out land (Janine Ubink, Andre´ Hoekema & Leiden 2009).

The land governance system of the present government is not basically different from that of the Derg. The 1995 FDRE constitution divide the country into nine ethnically delineated regions and two city administration. As the constitution promotes ethnic based federal system, each region is endowed power to enact legislations to administer land and other natural resources of respective regions. However, their legislation should comply with federal laws. Government of Ethiopia’s land policy is stated in the constitution (FDRE constitution); the constitution gives hope by stating ‘ any one (adults) wants to live in rural area and lead life by farming has a right access to land though there are now many landless people in the country. The constitution also makes clear land is common property of people, but managed by the state on behalf of the people. This means land holders have only usufruct right (use right) and cannot be sold mortgaged, or exchanged (1995 FDRE constitution; art 40).

Ethiopia has enacted “rural land administration and use” proclamation (Proc. No 456/2005) in 2005; the main purposes of the proclamation, as stated in the preamble, are: to sustainably conserve and develop natural resources, to establish information data base that could show the size, direction and use of various holdings, to resolve conflicts and create enabling environment to individual farmers, pastoralists and investors, to enhance land use rights of farmers and increase their effort for natural preservation, to create conditions to encourage private sector in remote areas and the like. The proclamation also reaffirms that rural land is owned by the state and its people. Though each region can develop its own land administration and use laws, this proclamation (federal proclamation) is applicable throughout the country (see art.4 of the proclamation). This means when conflict arises between state land legislation and federal land legislation, the latter one will prevail over the former.

At the same time, “rural land administration” is defined by the federal land legislation (Proc. No 456/2005) as the mechanism by which rural land holding security is guaranteed, land use planning is effected, disputes among holders is resolved, rights and obligations of holders is stated, information related land issues are analyzed, gathered and provided to users. Thus, the legislation aims to create a smooth relationship between land and people (farmers, pastoralists, investors and other). Rural land is a land outside

of municipality and town holding, what is municipality and town is defined by a relevant law as these institutions are creature of law. In general, rural land administration activities are among others, securing land holding rights, resolving land disputes if any, facilitate land use planning and development, rendering relevant land information to holders, and disclosing rights and obligations of land holders. This proclamation classifies ‘rural land holding’ into three categories: private holding, communal holding, and state holding. ‘Private holding’ is holding of peasants, semi-pastoralists, pastoralist, and other bodies given by law to use rural land, while ‘communal holding’ is land given to residents for common benefit, and finally ‘state holding’ is land taken and to be taken in the future by federal and states which comprise forest lands, wildlife protected areas, state farms, mining lands, lakes, rivers and other rural lands. Federal and state governments are not only land holders but also are land owners that gives wider right than holding rights.

Like other regions of Ethiopia, Amhara Regional State has formulated land administration and use legislation (Proc. No 252/2017). As the introduction part of the legislation states, the proclamation is needed to maintain land fertility, to pass over land to next generation properly, to protect farmers and semi-pastorals to get and use land freely, not to displace them, to have a land legislation that take into account the region’s special conditions as the power given by the federal constitution to administer land and other natural resources, to promote investment and coordinate development activities in general. The preamble contains current and future elements that the legislation aims to realize. The proclamation also elaborates ‘land holding’ types: state holding, communal holding, private holding, and common holding (holding of two or more people for the same land and is unique from federal holding types) are the holding categories. The proclamation also make clear farmers have holding right for indefinite period of time; however, they can transfer their holding through will (bequeath) and donation in accordance with the legislation. It is also possible to transfer use right by renting to anybody up to 25 years and should be made in written contract if the agreement is above three years and should be submitted and registered in land authority where the land is located.

2.2.7 Local Land Governance

Governance can operate at global, regional, national, and local levels; this study focus on local governance making its main target land. Land governance policies should be made

and executed using local institutions to achieve land sector objectives, development programs and projects. Otherwise, decisions (related land issues) cannot be responsive to the needs of the local people as decision makers are positioned remotely from the community who need their decision desperately. It is imperative to decentralize land management activities like delivery of land titling, registration, and others by strengthen the role of local institutions. It is also possible to use centrally designed standards including rules and regulation to have smooth land governance system at national level.

Local land governance is one part of the broader governance in general and local governance in particular. This includes set of local institutions (includes formal and informal) laws, regulations, directives, procedures, networks, customary practice and the like that govern access to land, use, develop, tenure security, land market and holding or ownership of land. Local land governance is the outcome of actors in the setting such as local government, local business, NGOs, political parties, local associations, various social movements and others (Thomas 2005; Tikue 2016). Local land governance promotes wise use of land resource so that it can benefit equitability current and future generation. Land is sensitive issue at local level, every one demand it as it is important source of wealth and political power (Dixon-Gough 2006; Jean-Pierre Chauveau, Jean-Philippe Colin, Jean-Pierre Jacob 2006).

2.3 Empirical Literature Review

This part reviews major findings obtained from different studies related to land governance. Doss, Meinzen-Dick and Bomuhangi (2014) conducted studies on gender pattern of land ownership in Uganda. As per the laws of the country households (husband and wife) can own land together, but often the name of the woman (wife) is not indicated in the document evidencing land ownership, only the name of the husband is listed. This adversely, affects women's land tenure security right in the country. The study concludes that though woman (wife) has a right to own land as that of their counterparts, man (husband), and their ownership right was not secured because of the registration program defects. Abdulai (2016) did his PhD thesis on comparative study of land governance in Ghana and Togo (West Africa). Accordingly, land conflict over land access and limited livelihood asset, and social competition over these countries had increased due to accelerated population growth and expansion of urbanization. These land conflicts, generated social instability and damage to the social fabric. The causes of land conflict are plural as noted by researcher; includes: statutory, religious, customary,

diverse source of substantive laws, involvement of huge number of actors, poor dispute resolution mechanisms including regular courts, to list some causes. In these countries land is the basis of political power, economic livelihood, and Socio-cultural orientation, this is, when people lose their land, they lose their bargaining power as well.

Ashenafi Aimro (2015) also carried out his studies pertaining customer satisfaction on land governance; the study was done in Addis Ababa City Administration Land Development and Management office of Yeka Sub-city. The finding revealed, the office's land related service was waning from time to time due to bad practice of land governance in the sub-city. There was misinterpretation of land related rules, regulations laws, inconsistent application of laws, clear work procedure was devoid, irresponsiveness for customer claims, no participation in decision making, lack of human and institutional capacity were chief challenges and outcomes identified. Alemie, Zevenbergen and Bennett (2015) studied urban land governance case study in three cities of Ethiopia: Bahir Dar, Hawassa, and Dire Dawa. What was found is the land governance situation was negatively affected by lack of clear land policy, lack of independent capable institution, weak coordination among various institutions, rare societal participation, weak enforcement of laws and spatial plans. Similarly, G/slassie (2017) had conducted land governance in Tigray Regional state. The study depicted there was weak institutional capacity, violations of land related laws, weak judicial institution to resolve land disputes properly, weak structure and no full coverage of institutions to serve the people. Other studies such as Mhrtay Adisalem (2016) and Girma Kassa (2011) in Oromia and Tigray regions respectively also indicated that land governance in the respective areas were characterized by corruption, weak public education, low public participation and coordination, low capacity to execute and low incentives.

This study in particular will try to assess the existing land governance conditions of Raya Kobo Woreda located in North Wollo of Amhara Region, Ethiopia. This study will be become unique from other studies (as indicated above and others) in that it will study land governance at micro level (local) than at broader national or regional level. Land is also a sensitive issue at local level and need to be inquired to identify the complex relationships. Therefore, the study tries to see how land is managed locally to steer societal progress at local level in terms of some good governance indicators: accountability, transparency, rule of law, and other dimensions.

2.4 Good land governance Practices across the Globe

The good practice is obtained from various countries by research conducted under the coordination of FAO (Zakout et al 2006).

❖ Service Standards and Improved Services

The implementation of land governance principles (transparency, accountability, rules of law, efficiency, effectiveness, security & other) requires uniform service standards for proper implementation. For example:

- ✓ Clearly defined steps for land registration and other transactions
- ✓ Transparent and fixed fees for land transaction
- ✓ Application standard forms
- ✓ Public notice of the procedures
- ✓ Complaint handling mechanisms such complaint boxes, regular survey, and fixed maximum time within which to complete the task.

In this regard, Thailand is best example. Land administration system of Thailand is one of the most efficient in the world. The government establishes a ‘one-day service standard ‘to register any land transaction. The staff cannot leave office before finishing processing of all documents submitted by clients on the given day. The number of staff for each land administration office increases as the average number of transactions increase and this reduce workload. Each land office is limited to operate up to 100,000 titles; if exceeds above this, new branch will be opened.

Web-Based Land Information System in EI Salvador

In EI Salvador, the ‘National Registry Center’ is well known government agency. This agency improves service standards and reduces response time to clients request sharply. For example, any land transaction takes less than 5 days, compared to 30 to 45 days in the old system. The amount of time needed to process a credit request lowers from several months to less than a month. A certification process which is transparent, accountable, better quality, and efficient client feedback mechanism is installed.

Counter Offices in Moscow

Land administration offices are often disorganized not convenient for clients; files scattered, people standing everywhere in the office and nothing organized in general. Organized offices minimize such problems; organized front offices including clear and short procedures reduce corruption and other forms of delay.

In Moscow, the workflow is reorganized and technology is installed. As clients come in, information needed is displayed on the computer panels; customers get a ticket and wait for their return. The head quarter controls the entire workflow of the offices to ensure that customers don't wait longer than the specified time. Access to service is provided equally to all customers, this reduces informal payment for speedy service.

Customer Survey in Albania

In Albania, the immovable property registration offices conducted customer survey to see the satisfaction of clients. Majority of the respondents declared not satisfied with the quality of the service rendered; large number of steps, the frequent visits, the extensive time spend in lines to get services and the high level of corruption were the main source of dissatisfaction. Following this finding, land administration offices improve services by designing clear standards, automation, and improved quality of registered data.

In Albania, there is a procedure how public land transfers to local governments. The law regulates type of land to be transferred, the nature of local government rights, and the process of transfer from central government to local governments. First the local government has to present to the council of ministers list of property or land that they want to have transferred. The Council will decide on this list within three months. The local government can oppose the decision; it can also take the cause to the local court in case of disagreement to the decisions of the council of ministers.

Hotline in Armenia

Hotline is helpful to provide access to the public to launch formal complaints to the land administration in case of corruption and misconduct. Complaints can be made by phone and email. Public notice how to get hotline information is vital.

Armenia used a telephone hotline installed in a head quarter to raise the awareness at national level of the existence of and scope of corruption and other misbehavior at local land administration offices. The introduction of the hotline improves office procedures, customer reception area, and workflows highly.

Internet- Based Information System

This system reduce time and cost for clients through fast access to cadastral data and land information from home or any place where internet is available. This reduces workload; enhance transparency, and easy access to land information. Parcel number, location, area, land use, and name of the user, are all available in the web. Further, Croatia has well 'stated land inventory' (shows what belongs to whom) known to people

and clear institutional responsibility (Ministry, municipality, administration) and at what level (national, regional, and local) takes responsibilities for land use, the right to identify the land user, duty to define kinds of contract of, and the right to generate income from the land . This creates transparency in the land governance system.

2.5 Conceptual Framework

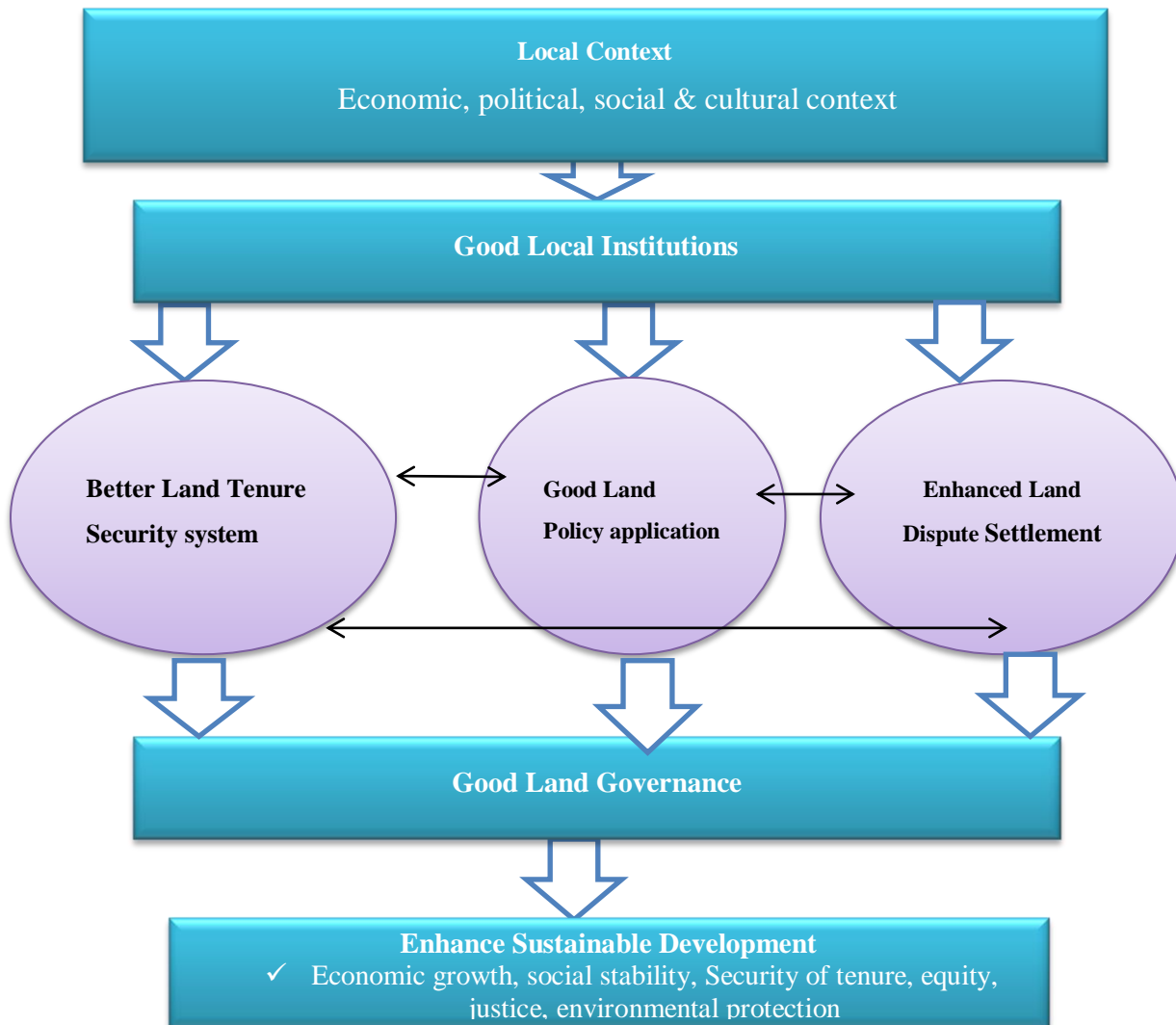


Figure 1 Conceptual Framework

Source: (Own development 2019)

Better land governance is the outcome of land policies, land tenure, land dispute settlement and other local, national and international factors. Land policy comprises constitutional laws, land proclamations, land regulations, land directives and other manual guidelines which direct governance of land. The existence of policies will not have meaning if those policies collectively don't ensure land tenure security which is precondition for investment and entrepreneurial activities. Effective land governance also demands strong institutions that could resolve land disputes effectively, fairly, impartially, openly based on the legal framework. This is crucial to foster social stability and security of the local people. Finally, local, national and even international environment affects local land governance; the legal systems, political milieu, financial system, administrative culture, all have impact on land governance.

The integration of the above elements will contribute to sustainable development which is characterized by the existence of social stability, equity, justice, economic growth, environmental protection, and security of land tenure.

2.6 Research Gap

Specifically, in the study area, there is no known research conducted in association with the theme of this study to the extent of the knowledge of the researcher. However, few studies were conducted in other places which relates to customer satisfaction in land governance, land administration, land expropriation, and so forth mainly done at macro level disregarding local milieu (Aimro 2015; Alemie et al. 2015). This study mainly intends to assess local land governance from the perspectives of application of land policies or laws at micro level, land tenure security system, and land dispute settlement approaches that didn't adequately covered by prior studies.

Chapter Three

Research Methodology

3.1 Description of the Study Area

Raya Kobo Woreda is located in Amhara Regional state, Ethiopia. It has a longitude and latitude of 12°09'N 39°38'E with an elevation of 1468 meters above sea level. It has an area of 2,001.57 square kilometers, with a population density of 110.89, which is less than the Zone average of 123.25 persons per square kilometer. The area is dominated by a flat plain area and is part of a mid-altitude area which lies between the Ethiopian highlands to the west and the Afar Depression to the east. The term Raya extends from Raya Kobo Woreda in the Amhara region all the way to the Raya Azebo woreda in the Tigray Region. It is situated on Addis Ababa- Mekele highway (Ethiopian highway 2); it is 189 Km south of Mekele and 570 Km from Addis Ababa. The Woreda is surrounded by Raya Alamata Woreda (part of Tigray region) in the north, Afar Region (Golina Woreda) in the east, Gdan Woreda in the west, and Gubalafto Woreda in the south. As the 2007 population census revealed, the Woreda has a total population of 188,816 of whom 95,291 are male and the rest 93,525 female. Above 82.88% of the population are Ethiopian Orthodox Tewahdo Church believers while 16.5% are muslim (CSA 2007).

Agriculture is the mainstay of the economy where there is vast land for agricultural activities and livestock rearing. Sorghum, maize, taff, mango, tomato, other fruits and vegetable are main outputs in the area. Though there is often shortage of natural rain; the area is known for its underground water and then is suitable for irrigation.

Various bodies such as government, private and NGOs hold 71,702 hectare of land; of which 45,000 hectare is private holding for agriculture, 10 hectare communal holding, 300 hectare Government holding, and the rest 26392 hectare of land is used by rural community for residence. These holdings are registered in WRLAU office; there could be holdings or free land not recognized by the land office.

In total, 70,741 farmers possess land. About 98% of landholders have first level landholding certificate. Only 2% don't possess certificate though their holding is lawful. However, almost none of the households have second level landholding certificate that contains a plot map. Having second level holding certificate with its cadastral planning

would enable holders to get financial loan from known financial institutions by mortgaging their holding.

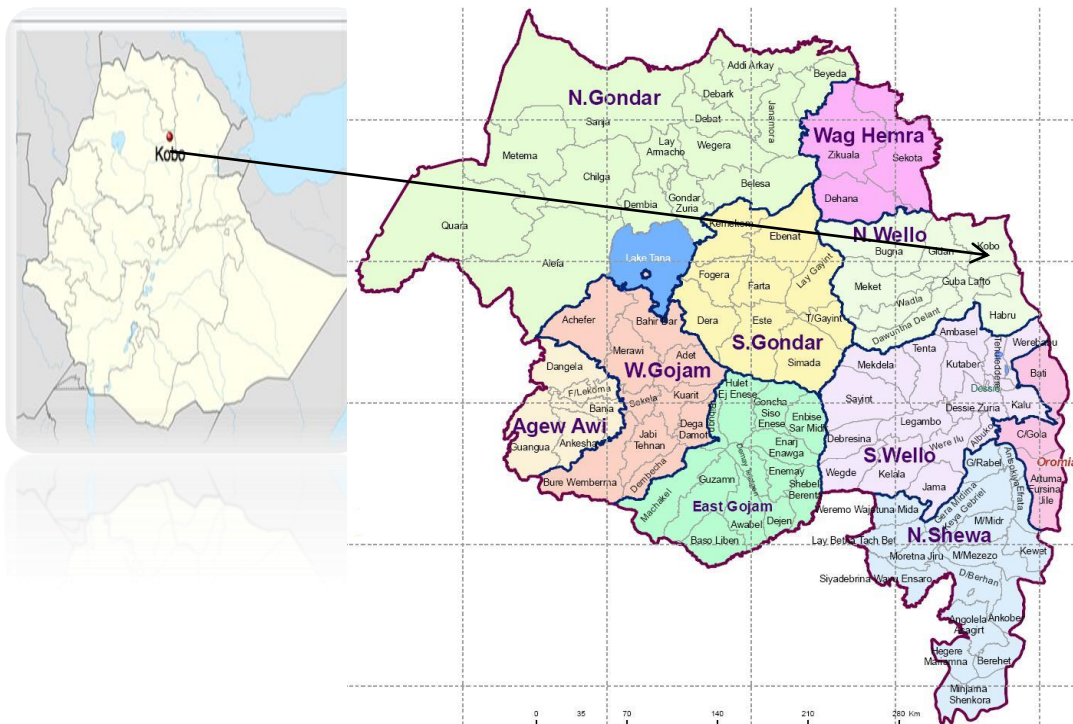


Figure 2 Location Map of Raya Kobo Woreda

3.2 Research Approach and Design

This section presents the type of research, research approaches or techniques, data sources, sample design, methods of data analysis and presentation.

3.2.1 Research Approach

This study mainly utilizes qualitative strategy or approach. This approach is popular because it is flexible and allows the researcher to understand the problem from the perspectives of participants view (Creswell, 2009). From the many qualitative research approach types, case study method is chosen as it enables to investigate interactions between events in their natural context; it is also appropriate for descriptive study in which the objective is to describe the features, contexts, and process of events. A case study research mainly uses an explanatory case study which is convenient to causal investigation, where the aim is to examine and explain, ‘how and why certain phenomena occurs’.

The field analysis involves three parts: land law or policy analysis, land administration (land tenure) analysis, and land dispute settlement mechanism analysis. The first task of

the field was to examine the application of land policy of the area: to what extent land laws are understood and implemented properly, with no discrimination among holders in ways that enable to win landholders trust by establishing transparent, accountable and lawful land administration system in the area. The second task investigated land tenure system. Examining the effort of the woreda in trying to ensure secure land tenure, what challenges happen and how tenure disputes are resolved. The third part of the field analysis was related to land dispute settlement mechanism. How the court and other actors involved in land conflict settlement operate openly, unbiasedly, and consistently based on the legal framework.

3.2.2 Data Sources and Types

Data were obtained from two sources: primary and secondary sources.

3.2.2.1 Primary Data Sources

First hand data sources for this study were generated by employing a semi structured interview, focus group discussion (FGD), and by using open ended and semi structured questionnaire. These multiple sources of data enable to generate relevant data to address the objective of the research.

3.2.3.2 Secondary Data Sources

Secondary data is collected from governance and land related literature from books, journals articles, policy documents, and other relevant documents available from local government institutions.

3.2.4 Data Collection and Instruments

Scientific research is evidence based; that evidence is generated from the data collected. It is this data that gives meaning and reliability to any research output. As this study is concerned, it deployed semi structured interview, FGD, and open ended and semi structured questionnaire as data gathering tools.

I. Key Informant Interview

The researcher has conducted interview with RKW court president (CP), RKW RLAU office manager (LM), land officers (LFs: three officers), and local landholders (LHs: three holders). Court president was interviewed in his office from 25-27 March 2019 pertaining to land dispute settlement; how court litigation is transparent, accountable, follow laws, impartiality of the court, its independence, and other related misconducts was interviewed. RKW RLAU office manager was also interviewed in his office from 28 March to 02 April 2019. The points of the interview was related to how land tenure

security is ensured, land accession, registration, enforcement of land laws, and related land governance challenges. Furthermore, interview was carried out with land officers and landholders within 03-26 April 2019. In this process landholders share their experience and what they observe in the locality with respect to land tenure, dispute settlement, enforcement of land laws and other challenges. The interview was conducted in Amharic to make it clear and generate appropriate data.

II. FGD

Focus group discussion was carried out among eight judges of the court who have been entertaining land cases for at least three years. It was done on Saturday, 20 April 2019 for 2:30 hours from 3:00 am to 5:30 am. This day was chosen by the judges as they would have a slight free time to engage in the discussion. The president of the court was moderating the discussion based on designed discussion question while the researcher took notes of the discussion. The point of the discussion was related to land governance challenges. To what extent judges decisions are transparent, impartial, adhere rule of law, meet disputants interest, evidence based, and respect their profession and the like. Only judges were used in FGD because the data obtained from this can help to balance or triangulate with what other participants: land officers, landholders, and employees said about the court environment in land conflict resolution.

III. Questionnaire Survey

Semi structured questionnaire was distributed to landholders and local employees (court and RKWRLAU office employees). The landholders chosen were those having land causes either in the Woreda land administration office or in the Woreda court for not exceeding five years. This is done intentionally to generate reliable information as they would have long time contact with the local institutions selected and can tell weakness and strength of the offices. A sample of 75 respondents which comprise landholder households and employees were selected purposely to gather data. Purposive sampling was used to gather data from those who have been or are customers of the local institutions and are expected to have good understanding of how the local institutions operate. It is difficult to collect data from individuals who don't actually know the operation of the offices. The questionnaire contains questions divided into four sections: socioeconomic questions, land tenure related questions, land laws and policies implementation related and land dispute settlement.

All the data gathering tools was converted into Amharic so that participants conveniently understand the question and render honest data and is also the working language of the Region in general and Woreda in particular. Questionnaires were administered by well-trained five assistants.

Table 3. 1 Sample for the Questionnaire Survey

No	Group	Sample	Percentage	Sampling Technique
1	Court Employees	10	13	purposive
2	RKWRLAU office Employees	15	20	Purposive
3	landholder customers	50	67	Purposive
Total		75	100	

Table 3. 2 Sample for Key Informant Interview and FGD

No	Category	Sample to be taken	Sampling technique
1	RKW RLAU Manager (LM)	1	Purposive
2	Court President (CP)	1	Purposive
4	Land Officers(LF)	3	purposive
5	Landholders (LH)	3	Purposive
6	Judges for FGD (CJ)	8	Purposive
Total		16	

Therefore, there were 75 participants for questionnaire, 8 for key informant interview and one FGD comprising eight judges.

3.2.6 Data Analysis Techniques

Once the required data is collected, the next step is analyzing using appropriate techniques. Before conducting analysis the raw data was edited, coded, and organized to prepare it for analysis. Qualitative data analysis is done at the same time during data collection, interpretation, and writing report. This study involves the following steps.

Step 1: Organize and prepare data for analysis

This part involves writing up field notes and arranging data into different categories based on the source of the information.

Step 2: Read the whole data

This is to draw general ideas from the data, what general ideas are participants conveying? Gain general sense of the data.

Step 3: Coding Process

Coding is the process of organizing the material into segments of the text. The following procedures were employed in the coding.

- i. Get sense of whole, read whole data
- ii. Design list of topics: This can be done by picking one interview document and try to understand 'what is it all about?' Then give a topic for it. Continue this approach for all the other documents.
- iii. Make a list of all topics and cluster similar topics
- iv. By taking these lists go back to the original data. Abbreviate the topics as codes and write codes next to the topics.
- v. Find the most descriptive wording for topics
- vi. Make final decision on abbreviations and alphabetize
- vii. Assemble the data material belonging to each category in one place

Step 4: Use the coding process to generate various descriptions

Description helps to provide detail information about setting, event, people and the like. This is important to generate small number of 'themes' (often 5 to 7).

Step 5: Narrative passage was employed to convey the findings of the analysis.

Step 6: Interpretation

It is about capturing the essence of the data and identifying, 'what lessons learned'?

Reliability Strategies

Reliability refers to the extent to which an instrument produces consistent results across different point in time, group of people, and diverse circumstances. This study has tried to reduce mistakes during data transcription and definition of codes.

Validity Strategies

The following techniques were used to validate the results of the study.

1. Triangulate various data sources
2. Using thick (rich) descriptions to convey findings

3. Clarify the bias the researcher brings to the study
4. Present negative information that counters the themes
5. Spend long time with participants in the field

Tables and figures were also used to present data.

3.3 Ethical Consideration

Research involves collecting data from people and during this researchers have academic duty to protect participant's legal and moral rights (dignity, confidentiality, free from risk and the like) to establish trust and promote integrity (Creswell, 2009).

Therefore, the purpose of the study was clearly stated to participants, rights of participants such as their dignity, confidentiality, anonymity, and not exposed to risk was protected, the study tried to avoid biased words related to gender, ethnicity, and other social status, refrain from falsifying or inventing ideas to one's interest or other audience and data collection, analysis and interpretation was done based on ethical standards scientific research demands.

Chapter Four

Results and Discussion

This chapter deals with results and discussions of the empirical data collected through questionnaire, interview, and focus group discussion (FGD). The analysis contains mainly three components which represent the objectives of the study. The first part discusses variables related to land tenure security while the second section presents analysis of enforcement of land laws and policies in the study area. The final segment of discussion is associated to land dispute settlement. The chapter presents empirical evidences via table, figure, and textual.

4.1 Socio-economic Conditions of Participants

This part deals with general socioeconomic background of respondents, which comprises modes of acquisition of land, ages, educational level, sex, land size, number of families, availability of infrastructure, and availability of other assets other than land. These conditions would give highlight how landholders get economic and social benefits from their holding.

Table 4. 1 Demographic Features

		Employees	Landholders	Total Frequency	Percentage	
1	Sex	Frequency	Frequency			
	F	3	9	12	16	
	M	21	41	62	84	
	Total	24	50	74	100	
2	Age	25-30	6	2	8	11
		35-45	11	5	16	22
		47-60	7	38	45	61
		>60	-	5	5	6

	Total	24	50	74	100	
3	Education	Illiterate	-	39	39	53
		1-4 grade	5	8	13	18
		5-8 grade	9	2	11	15
		Grade 10 & Above	10	1	11	14
	Total	24	50	74	100	

Source: (Own Survey 2019)

Many of the respondents are male participants which comprises 62(84%) while 12(16%) are female participants. From these 41(55%) and 9(12%) are male and female landholders respectively (Table 4.1). This doesn't mean there are fewer female landholders in the Woreda. The main reason why females are low in this study could be because they are not easily accessible, or may not bring cases to the local institutions due to various social, political, and economic problems.

Majority of the participants 45(61%) are within the age range of 47 and 60. Only 11% of the study participants were below 30 years of age. Out of the total participants, 38(51%) are landholders aged between 47 and 60 years. Whereas only few landholders 2(3% of participants) are below 30 years old. Thus, majority of the participants are aged farmers who might be vulnerable to violation of land rights.

Most of the farmer participants 39(53%) of this study are illiterate and aged which would more likely make them easily vulnerable to bad land governance. Pérez-cirera & Lovett (2005) confirmed in their study literate people tend to have more privilege as compared to the illiterate ones in governance system. Literate people can question local authorities to ensure their rights and hold local authorities accountable. Also SDC (2014), in its gender and land governance study, revealed most of poor women negatively affected by land governance are illiterate. A landholder only has an educational level up to grade 10 and above for this study (Table 4.1). The demographic figures show that participants were matured enough to deliver genuine answer to the questions forwarded.

Table 4. 2 Modes of Accessing Land

	Frequency	Percentage
Distribution	22	44
Succession or inheritance	8	16
Rent	6	12
Donation	4	8
Combination of Two or more	10	20
Total	50	100

Source: (Own Survey 2019)

Farmers were asked about the source of their landholding. The results show that (table 4.2) majority of the Participant landholders have got land through land distribution and combinations of other sources (44% and 20% respectively). Rent, donation, and succession are also sources of landholding; these account for 36% all together. People holding land could also get another land via donation or succession so long as the holding doesn't exceed the maximum limit one person could hold which is 10 hectare for lowland areas and is 7 hectare for highland and semi-highland areas as per state of Amhara land proclamation (Pro No 252/2017).

According to interviews with some landholders, FGD with judges and WRLAU office manager reveals, people still hold land illegally; that is when there exist free land in the locality people fence and hold it. KRLAU Committee, which has power to administer land at Kebele level remain silent when such unlawful activity happen because of family relationship or some economic relationships. The illegal activity will not stop here; the one who hold the land unlawfully would ask his friend or family to sue him before the court by claiming the land he holds is his own holding. The parties know the land is not theirs. But after court decision at least one of them would become legal holder. When one sues the other that involves land, the first thing the court does is to order WRLAU office to assure to whom this land in dispute belongs to and write a letter to the court. The office would do the same, ordering KRLAU Committee to investigate whose land it is, as Kebele committee knows the situation before, and then the committee will write a letter stating it belongs to one of them (actually it is free land). WRLAU office will write to the court based on the evidence obtained from the Kebele. Finally, one of them becomes a legal holder and can get landholding certificate from the WRLAU office. In

this way, people legalize illegal holding. In this regard, a landholder interviewee (LH01) explained his experience as follows:

I personally know some people in my Kebele who hold land illegally; people do this with the help of Kebele land administration and use committee. If the committee wants you, they allow you to hold land unlawfully by remaining silent when you hold illegally. If they don't want you, let alone to allow you hold illegal holding, even they interfere with your legal land use rights. Every illegal activity is done with the committee's knowledge.

The maximum and minimum rural landholding is determined by the statutory land laws (regional land proclamation, regulation, and directive). Rain-fed and irrigation lands have different minimum thresholds. For rain-fed cultivated lands the lowest limit is 0.25 hectare and, for irrigated land, it is 0.06 hectare. The maximum land size a farmer can hold is 10 hectare for lowland areas, and 7 hectare for highland and semi-highland areas.

Table 4. 3 Land Size of Landholders (in hectare)

Responses	Frequency	Percentage
0.25-1	6	11
>1-3	18	35
>3-5	22	45
>5-6	4	9
Total	50	100

Source: (Own Survey 2019)

About 54% of the farmers have holdings above 3 hectare (table 4.3). Significant numbers of participant landholders 44(89%) have holdings ranging from more than 1 to 5 and above hectare (see table 4.3). On the other hand, 46% of the participants have holdings 3 hectare and below. Mostly the young generation, who access land after 1991 (when there was land distribution), have small land size. As rural population increases, the share each person get will decrease from time to time. Those who receive land in the earlier time would get larger size in relation to those who obtained later. A Land officer (LF02) stated his view with this regard.

There is shortage of land in some Kebeles; significant numbers of youths are unable to access land as a result of this. The amount of land available

for distribution decreases year after year while the number of people, mostly youth, rises through time. Prevalence of illegality over land also aggravates the shortage.

Table 4. 4 Household Size

	Frequency	Proportion (%)
1-2	11	22
4-5	28	57
6-8	11	21
Total	50	100

Source: (Own Survey 2019)

As table 4.4 depicts 78% of the households have family numbers from 4 to 8 (in average 6) which is larger figure as compared to 4.6 average household sizes in the country, studied by DHS Ethiopia in 2016 (DHS 2016). If these households lost their land use right because of weak land governance, the number of people at risk livelihood challenges would be considerable. Even the majority of the farmers don't have other source of income other than their holding. In the open ended questionnaire a holder explained:

My land is everything for me and my family; it is my source of life, I lost my land means I lost my life. Land is my only source for income and livelihood.

4.2 Land Tenure Security

4.2.1 Tenure Security and Confidence on Land Laws

Land tenure security is one of the essential elements of land governance. If people don't have tenure security over the property they owned or possessed, they will be discouraged to invest time, money, and to manage it sustainably (Amanor 2012; Törhönen 2003). Landholders could not generate income from their land by using it as collateral from financial institutions because these institutions may not trust to use land as a security, (legally it is possible to mortgage rural land, but the holder need to have second level holding certificate) otherwise they don't want to lose later. Tenure security is something that exists in the mind of holders (it is the result of perception) (Dekker 2005; Janine

Ubink, Andre´ Hoekema & Leiden 2009). Regarding this, a question was forwarded to respondents if they feel secured that the local administration will not take away their land for whatever reason (Table 4.5).

Table 4. 5 Security from Land Eviction

	Employees	Landholders	Total Frequency	Percentage
Responses	Frequency	Frequency		
Strongly agree or Agree	5	2	7	9
Neither Agree nor Disagree	9	3	12	16
Strongly Disagree or Disagree	10	45	55	75
Total	24	50	74	100

Source: (Own Survey 2019)

Table 4.5 portrays majorities of the participants (75%) don't feel secure on the holding. From this 45(close to 61%) are farmers who fear they could be displaced any time from their holding. While 16% of participants (only around 4% are farmer participants) didn't show position, while 9% (nearly 3% are landholders) of them feel secured. They stated that the local administration may take any holding for various reasons. Pertaining to this, one landholder interviewee (LH03) has explained:

We lost our land for about three years, we are around 300 farmers. They took our farmland for the construction of Kombelcha-Woldia-Hara-Mekelle railway and we didn't get any form of compensation till now. The local administration is still unable to provide us solution despite we face challenges. Thus, we cannot feel secured for other holdings.

WRLAU office manager also accepted that some landholders lost their holding with delaying compensation. The regional land proclamation clearly states that no rural holding will be taken without prior compensation; however, there are people who lost land without having prior compensation due to lack of coordination among Kebele, Woreda, and Zonal stakeholders as land is cross cutting issue which demand the involvement of actors beyond the WRLAU office. It is important to note that low tenure security will tend to result in negative consequences: farmers cannot have sense of ownership, refrain from spending time, energy, and other resources on the land, and fail to manage it sustainably so that it can also serve the future generation (Arko-Adjei, 2011;

Kironde, 2009). Participants were also asked to state if they have confidence on the existing land laws and other government land policies (Table 4.6).

	Employees	Landholders	Total Frequency	Percentage
Responses	Frequency	Frequency		
Strongly agree or Agree	8	5	13	17
Neither Agree nor Disagree	13	3	16	21
Strongly Disagree or Disagree	3	42	45	62
Total	24	50	74	100

Source: (Own Survey 2019)

Accordingly, many of the respondents (62%) confirmed that they have little confidence on the existing land laws and policies, of these participants 42 (close to 57%) are farmers who have low trust of the available land laws. but a few 17% , where 5 (nearly 7%) are landholder, expressed their confidence on existing land laws and policies. The main reasons why farmers lose confidence include existence of weak institutions locally. Having good laws without strong institutions is meaningless. WRLAU office Manager shared his view on this as follows.

We don't believe we apply all the statutory land laws (FDRE constitution, Regional constitution, federal rural land law, regional land proclamation, regulation, and directives); as office we don't have the required resources to operate fully. For example, at Woreda we need 10 land officers who are not still hired. We don't also have convenient office. In this way, it seems challenging to win public trust as office.

An interviewed landholder (LH02) shared his feeling about the existing land laws as follows.

Personally I don't know the laws fully, but I have little confidence on these laws. This is because I see so many mischiefs practically happening both at Kebele and Woreda level. Bribery and other relationships are above the laws in my locality. For this reason, it is difficult for me to have confidence on such laws which don't practically put into practice on the ground.

This low confidence of farmers on the existing land laws and policies will probably expand illegal activities on land; when the legal options are not satisfactory or closed farmers may engage in unlawful task to meet their interest.

4.2.2 Cost of Restoring Land Rights

Landholders could lose interest on the land for different reasons, might be taken by individuals, group, or government. Once that right is lost, cost of regaining ones land interest applying the available legal means need to be affordable to have better land tenure (Arko-Adjei 2011; Manji 2006). Bribery, red tape, bureaucratic service delivery, inconvenient land registration and accession procedure, distance to travel to get service, informal payments, and so forth can augment the cost. Relating to this, participants were asked if the cost of returning land interests is low; their opinion is given as follows in table 4.7.

Responses	Employees Frequency	Landholders Frequency	Total Frequency	Percentage
Strongly agree or Agree	11	5	16	21
Neither Agree nor Disagree	6	2	8	11
Strongly Disagree or Disagree	7	43	50	68
Total	24	50	74	100

Source: (Own Survey 2019)

As table 4.7 indicates, about 8% participants believe the costs of reinstating lost land right is not low as it should be; 43(58%) of participant landholders also confirmed this. As their view shows, the irresponsive service delivery procedure and various misconducts make it costly. The legal charge is not high, what makes it costly is: long time spend to get service, covering long distance (some Kebele has to cover up to 100Km with no modern transport), excessive meetings while customers are waiting for service, improper service delivery, and some form of dishonesty. One of the study participant farmers has stated:

I had farm land boundary dispute with my neighbor in which he took some portion of my land. I took the case to KRLAU committee so that the committee would measure our land and return me the portion taken. I frequently asked the committee but failed to do so. Later I appealed to WRLAU office to order the committee to measure the land. I gave them the Woreda letter still refuse to do as

per the order. After I exhausted all the options I sued him before court of law where the court ordered Woreda RLAU office to determine the amount and direction of land taken, if any. Thus, Woreda RLAU office, write a letter to KRLAU committee to measure the land to assure if there is any portion of land lost. But the committee writes a letter by stating there is no piece of land taken by the defendant, though there is. By taking this evidence the court decided in favor of the defendant despite my objections that Kebele committee didn't measure the land to identify the lost land. I appealed to Zonal high court and the court order independent experts to measure the land on the field. Finally, the size portion taken was identified and decided in favor of the appellant (me) after two years of litigation.

The fact that farmers could not restore lost land interest with affordable cost highlights that the poor may sell available assets, or take loan to cover cost of litigation or remain silent when their land interest is lost; this would make the poor poorer.

4.2.3 Adequate Compensation

Appropriate compensation is needed when local administration takes land which is holding of farmers. Proclamation No 252/2017 demands compensation to be given before the land is taken. Adequate compensation, as the land proclamation states (in its art 26(1), is compensation that enables farmers to live sustainably; the displaced should not become poorer after his holding is taken. The compensation is expected to rehabilitate the uprooted on permanent basis (art 15 (1) of rural land Regulation No 159/2018). The compensation evaluation committee, set up at woreda level, will design a formula to determine the appropriate compensation; there is no clear information as what this formula is. Participants were asked whether farmers obtain adequate compensation for the lost land which was under their possession (Table 4.8).

Table 4. 8 Adequate Compensation

Responses	Employees	Landholders	Total Frequency	Percentage
Strongly agree or Agree	9	3	12	17
Neither Agree nor Disagree	15	6	21	28
Strongly Disagree or Disagree	-	41	41	55
Total	24	50	74	100

Source: (Own Survey 2019)

Table 4.8 reveals more than half participant farmers (55%) confirmed that landholders don't get adequate compensation when their land is taken for development purposes. Nearly 30% of the participants opted not to take position whereas the rest 17% agreed government pays adequate compensation; only 3(4%) of holders feel there is adequate compensation. As per the majority, government pays inadequate compensation; for example government pay 34 birr per meter square while sells the same size by 16,000 birr, which shows huge loss to landholders and is unreasonable benefit or profit to government. This situation encourages farmers to construct residential building illegally on their land so that government could not take it with low price when included into urban area. This also facilitates informal land selling. Even some landholders sale their farm land by dividing it into some parcels.



Figure 3 Subdivided farm land by fence for sale

Local administration or government participates in land trading in which it receive land with low price from farmers and sells with high price in the form of lease. To illustrate, the local administration displaced around 156 farmers by paying 14 birr per meter square which as land officers suggested is very low, yet sells 16,000 per meter square to private

developers in lease. This shows local administration collects money by transferring rural land from farmers to private investors without adding value on that land; however this degrades farmers' life.

4.2.4 Land Use Rights and Use of Land as Mortgage

For what purpose can farmers use their land? Do they have unlimited time rights to use land for whatever reason? Proclamation No 252/2017, its regulation and directives impose obligation to use the land in accordance with land use planning prepared by respective Kebeles. Each holder has duty to protect his land from degradation and pollution in order to function sustainably for the future. If the user fails to protect the land, it will be returned to government land bank by Kebele RLAU committee which has the power to do so. Participants were asked whether they have different options to use land (Table 4.9).

Table 4. 9 Land Use Rights

Responses	(Yes)	(No)
Growing Permanent fruit plants or preferred tree species	74	-
Growing Vegetable or annual crops	74	-
Growing animal food	74	-
Building house	-	74

Source: (Own Survey 2019)

Table 4.9 demonstrates participants have variety of land use options except using farmland for building house. All of the participants including landholders confirmed that holders can grow permanent tree plants or tree species, growing vegetable or crops, and to use it for animal grazing. However, farmers closer to Kobo town construct house illegally; they do this because the town administration expands and could include the



Figure 4 Illegal building on farm land

surrounding farmlands to holdings of the towns' administration. The value of the land increases when building is there-so that it could be sold informally. Informal land selling is also common in other parties of the country. This is revealed by studies conducted by (Alemie et al. 2015; Bezu & Holden 2014; G/slassie 2017; Tikue 2016).

In addition participants were asked if capital can be generated by mortgaging land to lending institutions, the responses reveals that they could not mortgage at this level. Regional land proclamation allows farmers to borrow money by using land as collateral. But to do this, second level holding certificate and map which shows amount, boundaries, and location of the land is required. Currently none of the holders have this and hence could not borrow money. As RLAU office reveals they are preparing to provide second level holding certificate and plot map. Still 2% of woreda landholders don't have first level holding certificate. The maximum time for mortgaging land use rights is 30 years. It is not allowed to use land as collateral for more than this maximum limit. If land is found mortgaged above the upper limit, the law consider that it has done for 30 years as per Pro No 252/2017.

4.2.5 Believe on Duration of Land Rights

The Statutory land laws (FDRE constitution, Pro No 252/2017 & others) give farmers and semi-pastoralists to hold and use land for undefined period of time. This question was forwarded to participants to assess if they believe their holding exists for indefinite period (Table 4.10).

	Employees	Landholders	Total Frequency	Percentage
Responses				
Strongly agree or Agree	16	8	24	32
Neither Agree nor Disagree				-
Strongly Disagree or Disagree	8	42	50	68
Total	24	50	74	100

Source: (Own Survey 2019)

The evidence in Table 4.10 demonstrates 68% of participants (of which around 42(57% are farmers) don't believe the interest on the land could persist for unlimited period of time. Oppositely, 32% of them perceive their holding will remain for indefinite period, only 8(11%) of landholders have believe that they will use their land for undefined period. The laws grant unlimited time to exercise land rights; however, taking the

dynamic environment, weak local institution, growing demand for land, and defective enforcement of laws into consideration, it is difficult to hold land rights for indefinite period. Regardless of the statutory laws participants have less confidence on the existence of infinite time land rights. One participant landholder interviewee expressed his view:

I don't think my land remain with me for longer time, the local administration could take it in the name of public purpose. For example, local administration took my land (and other holdings) with low compensation to distribute it for house associations formed in the town to construct residential house. Therefore, I don't assume land rights exist for indefinite period; it is unlikely.

Low perception of land use duration might adversely affect tenure security; this in turn would affect sustainable use of land. Pienaar (2009) studied good land governance in South Africa. His study ascertained that the uncertainty of duration of land rights negatively impacts tenure security in South Africa.

4.2.6 Transferring land Rights and Accessibility of Court Services

Flexible tenure system enables free transfer of land rights, this will help to pass property rights to descendants and generate income by transferring ones land right. Participants were asked by what mode land rights can be transferred (Table 4.11).

Table 4. 11 Methods of Transferring Land Rights		
Responses	(Yes)	(No)
Selling	-	74
Succession	74	-
Donation	74	-
Exchange	74	-
Rent	74	
Develop land together with investors	74	

Source: (Own Survey 2019)

As the information displayed in Table 4.11 proves holders can transfer land rights through succession, donation, exchange, and rent, only selling rural land is not allowed. Landholders can also develop their land with private investors to share the benefit; this would help to solve technical and financial limitations of holders. Renting ones land for others has time limitations; for cultivating permanent fruits or preferred tree plants the rent period can go up to 30 years and if it is to grow annual crops, the maximum renting period is 10 years. The rent contract is required to be made in written form and registered in KRLAU office if the rent period is for two years and below, for above two years, it should be registered in WRLAU office. Holders can only rent their land for agricultural activity not for other services such as construction. The law provides various options of transferring ones land interests; However, the bureaucracy is not convenient to exercise these rights; for example to transfer land interest through succession beneficiaries should go to court to approve the inheritance, to transfer by donation holders need to go to public prosecutor office for approval. After that those evidences obtained from court or prosecutor office have to be delivered to land office for registration and to obtain new holding certificate in the name of the transferee, these procedures consume, time, energy, and are costly. Participants were requested to give their view whether court services are accessible to landholders in terms of speedy service, quality service, distance to get service, and cost of services (Table 4.12).

Response	(Yes)	(No)
Distance	3	71
Speedy service	10	64
Quality Service	5	69
Costs	8	66

Source: (Own Survey 2019)

The statistics in Table 4.12 confirmed that participants don't view court services are easily accessible in terms of distance, speedy service, quality service, and low cost to get service. There are around 48 kebeles which are remotely located from the center (Kobo town). Some are 90-120 km away with no modern transport. Customers demand courts

close to kebele centers. Recently in two kebeles: Tekulesh and Kalim, new court benches are opened, which is encouraging. There is high work load in the court; the number of land disputes and judges is not comparable. This situation affects quality and service speed. Misbehavior of some judges also adds to the problem. Therefore, this inaccessibility of court service appears to result in tenure insecurity because holders cannot return lost land interest efficiently (Manji 2006; Pal 2017; Wang et al. 2018).



Figure 5 Land Disputants Waiting for Judicial Service

4.2.7 Land Registration and Accession Procedures

Land registration procedure is expected to be convenient, less costly and that encourage holders to register land. According to art 34 of Pro No 252/2017 ‘any rural holding measured by the pertinent Land Administration and Use body’, has to be registered in the land file prepared for this purpose. The points the land file need to contain includes: full name of the holder, how it is acquired, boundaries, fertility level, services the land would give, and descriptions of the obligations of the holder. With this regard, participants were asked to give their perception on the convenience of land registration procedure (See table 4.13).

	Employees	Landholders	Total Frequency	Percentage
Responses				
Strongly agree or Agree	17	5	22	29
Neither Agree nor Disagree	2	5	7	10

Strongly Disagree or Disagree	5	40	45	61
Total	24	50	74	100
Source: (Own Survey 2019)				

The data in table 4.13 reveals 61% of participants (40 (54%) are farmer participants) don't perceive the land registration procedure is to the extent of their expectation. Nearly 30% of participants (only 5(around 7% are landholders) accepted that land registration procedure in the woreda is convenient. Before registration the land to be registered has be measured with the presence of landholder and adjacent holders to make sure the demarcation is right. During this land measurement process a number of messes has happened by the registering authority. Land size could be increased or decreased during measurement. The holder's land could be registered as one 'Timad' (Quads) while it is actually two 'Timad' (Quads) or more. Especially, illiterate people don't recognize this for the moment as to what is written in the land file. Anyone who has grievance with regard to measurement and demarcation of his land has right to request for re-measurement. Though the law gives this right, authorities don't respond actively. The other challenge is the claim has to be made within 30 days from the time measurement has completed, after this period one can't claim. In areas, where huge numbers of uneducated farmers exist, this period of limitation might cause landholders to lose some land interests. The legal fee for any land service is not costly; for any service the fee is between 50 birr and 150 birr. The maximum cost a holder could incur for land service is 150 birr which is not high cost. However, the bureaucracy causes holders to sustain high cost by paying informal payment to speed up service or to get it. Thus, the land registration procedure is not suitable for clients as per their perception. This would become bad incentive to register land and this probably can result in low land tenure security (Bezu & Holden, 2014; Tikue, 2016). At the same time, participants were asked to explain how they view (clarity & equitability) land accession procedure (Table 4.14).

Table 4. 14 Land Accession Process

	Employees	Landholders	Total Frequency	Percentage
Responses	Frequency	Frequency		
Strongly agree or Agree	19	8	27	36
Neither Agree nor Disagree	3	2	5	7
Strongly Disagree or Disagree	2	40	42	57

Total	24	50	74	100
Source: (Own Survey 2019)				

According to Pro No 252/2017 anyone who is above 18 years, residing in the region and willing to engage in agricultural activity has a right to acquire land without any form of discrimination. When the available land is not enough for all applicants, priority shall be given to children whose parents lost, disables, weaklings, women, and aged people respectively. As can be seen from table 4.14 participants (close to 60%) were not convinced by the land acquisition process; 40(54%) landholder participants also don't feel that the land accession procedures are clear and equitable. Only 36% of participants, of which 8(around 11%) landholders, believe land accession procedure is clear and equitable. As the majority states, the land accession procedure lacks clarity, entails bias and involves bribery. An interviewee landholder (LH03) states:

Land is one of the areas where bad governance is highly manifested; local officials transfer state land to their own, relatives, and friends benefit, they involve in selling rural land informally to get financial benefit. People, especially the poor, are unable to access land because of such illegal activities. Using this money they construct house in other towns like Woldia.

These evidences prove land accession procedure lacks clarity and is not equitable, many deserved has failed to access land due to this weak land accession system. This might cause poverty to persist over those who don't unfairly access land (Nelson, 2016; SDC, 2014).

4.2.8 Updating Land Information and Reliability of Landholding Certificate

Land information may not stay the same for longer period; land might to be transferred through succession, donation, it might to be rented, exchanged with other land, or mortgaged, in such way when land user changes, the interest should be registered and updated in Land administration and Use's land documents; any change on the use rights has to be documented. This is what the land laws require. Participants were asked if this occurs actually (Table 4.15).

Table 4. 15 Continuous Updating of Land Information

	Employees	Landholders	Total Frequency	Percentage
Responses	Frequency	Frequency		
Strongly agree or Agree	14	2	16	21
Neither Agree nor Disagree	4	1	5	7
Strongly Disagree or Disagree	6	47	53	72
Total	24	50	74	100

Source: (Own Survey 2019)

The evidence in table 4.15 shows the WRLAU office fails (as 72% participants confirmed) to update its land information on time. Around 47 (64%) of the participant farmers also revealed the land office didn't update its land information on continuous basis. Land documents easily disappear, disorganized, and are difficult to find land information in the office. Land information system is not digitalized, it is difficult to obtain about land transactions such as land exchange, rent, donation, and land succession. In this regard, a landholder shared his experience related loss of documentation and suggested the following.

I had lost my holding certificate suddenly and went to Woreda RLAU office to give me new holding certificate. The office instructed me to bring a document from police that shows the loss of my holding certificate. I did everything as ordered but they said your profile is not here. After checking my land on the field, they finally gave me new holding certificate. There are still lands which transferred either through succession, donation, or exchange to other holder but not updated via registration.

This and data obtained from land officers and employees confirmed the land office is poor in continuously renewing its land information. This would lead to land conflict, unable to provide accurate land information when the office is required by court or other body; this in turn may impede local efforts for progress. Abdulai (2016) conducted his PhD thesis on, "Grounding Land Governance: Embedded Land Conflict, Legal Pluralism, and Contestations in Pre-Urban West Africa" which is a comparative study of Ghana and Togo highlighted that lack of update of land information is the main cause of land conflict in West Africa, Particularly Ghana and Togo. Thus, updating land

information can contribute for stability of a local community. In Ethiopian case, this is also a big challenge (Bezu & Holden, 2014; G/slassie 2017) .

Table 4. 16 Reliability of Landholding Certificate

	Employees	Landholders	Total Frequency	Percentage
Responses	Frequency	Frequency		
Strongly agree or Agree	16	9	25	34
Neither Agree nor Disagree	3	2	5	7
Strongly Disagree or Disagree	5	39	44	59
Total	24	50	74	100

Source: (Own Survey 2019)

Participants were also requested to share their view if the holding certificate guarantees land use rights (Table 4.16). The law has given an assumption that one who holds a land certificate in his name is landholder. This means land certificate has higher probative value than oral evidences and other documents. To disprove this assumption strong evidence is required. Farmers responses related to the reliability of holding certificate is presented in Table 4.16. Only one-third of participant farmers think that having holding certificate is guarantee to maintain land interest. Many holders (around 50% of participant farmers) having holding certificate are being displaced improperly or lose a portion of their land, which shows the unreliability of holding certificate to ensure tenure security. Round 300 farmers lost their land for the construction of railway project still without getting any compensation though they all have holding certificate. Study conducted by (Bezu & Holden 2014) on, ” Demand for Second- Stage Land Certification in Ethiopia” (done in southern Ethiopia) also prove holding certificate is not fully reliable for land security. This can discourage holders to register their land to obtain land certificate. This on the other hand would lead to land insecurity. Still some landholders express that landholding certificate is essential for: serving as evidence to defend land rights in legal institutions, to transfer land through donation, rent, succession, and exchange, having the certificate is vital, and provides confidence to the holder to some extent.

4.2.9 Women access Equal Land Rights

As the statutory laws, including federal constitution, explains women have equal land holding rights as of their counter parts. Participants replied to this question as follows.

Table 4. 17 WomenS’ Equal Land Access

	Employees	Landholders	Total Frequency	Percentage
Responses	Frequency	Frequency		
Strongly agree or Agree	22	42	64	87
Neither Agree nor Disagree	-	-	-	-
Strongly Disagree or Disagree	2	8	10	13
Total	24	50	74	100

Source: (Own Survey 2019)

The data in Table 4.17 highlights (almost 90%) women have equal access to land rights as that of male. Few participants (13%) only believe that women don’t enjoy equal land rights as that of men farmers. Women have rights to access, use, rent, transfer by succession or donation, and exchange their land. Women less likely involve in illegal activities as compared to male. However, as a woman landholder shows some male landholders try to refuse to share from the harvest, others take a portion of their land, sometimes took the whole land. This often happen to women who don’t have male relative around. A Woman explained her experience as follows.

When I went to Saudi Arabia for economic reason my neighbor had (800 square meters) sold my land for 25,000 birr to another person for residence as it is in the pre-urban area (close to Kobo town). After two years when I came back the buyer constructed a building on it and refused to return my land. Finally, I sued the buyer and seller before the court and my land is returned by court decision. Later on, the seller denied the buyer that he sold the land to him. They are still in litigation to return the money paid for the land and other compensation issues.

Though the land laws provide equal protection of land interest of women still there is a violation of woman’s right that mainly originate from the society and lack of proper protection from the local authority.

4.3 Implementation of Land Laws

To use land sustainably for economic, social, political, and environmental advancement, laws and regulation play a vital role. It is scarce resource and needs to be managed in a way promoting development and contribute for poverty reduction. To contribute to the realization of these objectives having proper laws and better enforcement of such laws is

required (Nelson 2016; SDSN 2014). This section aims to assess perception of participants on the effectiveness of laws and their enforcement. Various laws at different hierarchies are available to govern land; these ranges from constitution (FDRE constitution, State of Amhara constitution) to proclamations (Federal and Regional land proclamations), and to land regulations and directives. In this study, more emphasis is given to regional land proclamation (Pro No 252/2017), regulation (Re No 159/2018), and directive (Dire No 1/2018).

4.3.1 Inclusiveness of Land Laws

Inclusiveness is one of the elements of governance; it enables to see how land laws are impartial, extent of rights given to holder, and how land laws treat holders properly. Pro No 252/2017 openly prohibits displacement of any rural landholder except for good reason decided by concerning government organ. To displace legally, the holder should get adequate compensation and get job opportunities to engage in activities other than agriculture. According to the proclamation discrimination based on religion, social status, sex, ethnicity, is not allowed.

Table 4. 18 Farmers Responses to the Inclusiveness of Land Laws

Responses	Employees	Landholders	Total Frequency	Percentage
	Frequency	Frequency		
Strongly agree or Agree	12	27	39	53
Neither Agree nor Disagree	6	4	10	13
Strongly Disagree or Disagree	6	19	25	34
Total	24	50	74	100

Source: (Own Survey 2019)

The governing rule to get land is: being above 18 years, reside within the region, and willingness to engage in agriculture. It also provides a range of right to the holder; to use land for agricultural activity, collect fruits produced on it, transfer it through donation or succession, and generate income by mortgaging, renting, and exchanging with other land. The holding right given for the holder is slightly lower than ownership right which includes rights of disposal (selling). What is prohibited is selling a plot and building house on it. Participants view on the inclusiveness of land laws is stated in Table 4.18.

The evidence in Table 4.18 depicts land laws are relatively inclusive as per the suggestions of participants (53%). While 34% of the participants perceive the existing land laws and regulations are not inclusive. Significant number of participants stated in

the open ended questions they don't know exactly the content of available land laws but hear there are good laws despite enforcement limitation. Thus, landholders imagine existing land laws are fine and fair. However, almost all participants believe provisions of land proclamation related to succession lack fairness: because these provisions give equal right to inherit a deceased's land even if one of the heir has sufficient holding. The claim is it should have given priority to the one without land or having small plot. This informs landholder or local communities have little or no participation in contributing input when enacting land laws; had they participated their wishes would have been included. It is unknown what landholders would think about the fairness of land laws and regulations if holders know clearly the content of these laws.

4.3.2. Effective Enforcement and Transparency of Land Laws

Existence of good laws requires better execution to achieve the objectives intended. Better implementations of laws, particularly land laws, require strong local institution. Primary task of governing land is given to Land Administration and use office at woreda level; woreda court also involve in interpreting laws when land dispute arose. From higher hierarchy, zonal and regional land administration and use department and office respectively play in coordination of land activities. Participants were asked to render their view how land laws are implemented by the land office (Table 4.19).

	Employees	Landholders	Total Frequency	Percentage
Responses	Frequency	Frequency		
Strongly agree or Agree	8	3	11	15
Neither Agree nor Disagree	2	3	5	7
Strongly Disagree or Disagree	14	44	58	78
Total	24	50	74	100

Source: (Own Survey 2019)

Table 4.19 illustrates weak implementation of land laws. Nearly 80% of participants ascertained this: with this regard, 44(59%) of participant farmers expressed that local institutions don't apply land laws to the extent of their satisfaction; only 4% of the landholders explain that there is better enforcement of land policies and laws in the local area . About 15% of them feel the land office properly executes land laws. While few (7%) ignore to respond the question posed. Misconduct, lack of capacity, weak organizational structure and resources, are the main causes of the defects. It is common to hear government claiming there is weak execution of laws in the country. Thus, there

is no proper execution of land laws; this would lead to bad land governance which indirectly retards development efforts of local area.

Table 4. 20 Transparency of Land Laws to Landholders

Responses	Employees Frequency	Landholders Frequency	Total Frequency	Percentage
Strongly agree or Agree	11	4	15	21
Neither Agree nor Disagree	3	1	4	5
Strongly Disagree or Disagree	10	45	55	74
Total	24	50	74	100

Source: (Own Survey 2019)

Participants were also asked about the transparency of land laws (Table 4.20). About 74% of the participants strongly disagreed or disagreed that laws are not transparent to them, particularly, 45(61%) of landholder participants claimed that land laws are not openly accessible and known. Whereas around one-fifth percent of respondents think land laws are transparent to them. There is a legal principle that states “ignorance of law has no excuse”. When the law says this, an obligation is also imposed on government to teach people, make easily accessible, and use media to announce laws. This question was posed to check if holders get training, contribute input when new laws enacted, introduce newly enacted land laws, and make accessible with low price.

When laws are clear to holders they can defend for their rights and hold local administration accountable. However, as Table 4.20 indicates land laws are not transparent to holders. This would create fertile ground for local authorities to make arbitrary decision that might affect land interest (Grindle 2007; Joss 2010).

4.3.3 Misuse of Land Laws by Local Authorities

This question is posed to see whether land laws misused by local authorities. Land is significant source of economic and political power (Pienaar 2009; Singh 2014). Participants were asked whether local officials engage in illegal activities.

Table 4. 21 Misuse of Land Laws by Local Authorities

Responses	Employees	Landholders	Total Frequency	Percentage
	Frequency	Frequency		
Strongly agree or Agree	12	43	55	74
Neither Agree nor Disagree	3	-	3	5
Strongly Disagree or Disagree	9	7	16	21
Total	24	50	74	100

Source: (Own Survey 2019)

In table 4.21 majorities of participants (74%) reveal local officials engage in illegal land trading activities, 43(58%) of the landholder participants also confirmed the claim. There are officials who involve in land selling unlawfully and receive land in the name of other person who is not actually alive. Officials tend to benefit relatives, friends, and other closer people, as data gained from interview and open ended questions illustrate. A land officer states:

Land is one of the areas local officials engaged illegally; participate in speculating land prices, receive land in two or more places, sale rural land to build modern building in nearby towns, receive money in the form of corruption. Generally, few times after appointment, they become rich, economically and politically strong, and expand their network of illegality.

Thus, misuse of land laws is common in the study area. This implies local land is not used for the benefit of local people; this particularly will more likely affect the poor (Grindle 2007; Janine Ubink, Andre´ Hoekema & Leiden 2009; Nelson 2016).

4.3.4 Equal Land Service and Efficiency of Service Standards

Getting equal land service is crucial to entertain land interests; equality here means rendering land service with no discrimination to all holders who deserve it based on the legal provision. Respondents were asked how land office implements this principle (Table 4.22).

	Employees	Landholders	Total Frequency	Percentage
Responses	Frequency	Frequency		
Strongly agree or Agree	14	5	19	26
Neither Agree nor Disagree	3	4	7	9
Strongly Disagree or Disagree	8	40	48	65
Total	24	50	74	100

Source: (Own Survey 2019)

Accordingly, table 4.22 shows many of the participants (65%) don't believe the land office provides its service with equality, from this, 40(54%) of farmer participants do believe same . Only 26% stated that the land office deliveries equal service to all. But, the majority revealed there is favoritism and discrimination based on various factors; it could be based on economic conditions, friendship, and consanguinity. The office provides fast services to those who have relations and delay for others. Even if holders get service they would get it after long wait. This would cause clients to lose confidence on the office in particular and local administration in general. In addition participants were asked about the efficiency of service standards. As explained by participants the office has written service standards but not fully practiced (table 4.23).

	Employees	Landholders	Total Frequency	Percentage
Responses	Frequency	Frequency		
Strongly agree or Agree	9	7	16	21
Neither Agree nor Disagree	4	-	4	6
Strongly Disagree or Disagree	11	43	54	73
Total	24	50	74	100

Source: (Own Survey 2019)

Participants suggested service standards are not applied (Table 4.23). This is confirmed by 73% of the participants; but 21% of them believe the opposite. With respect to participant landholders, 43(58%) of them explained the available service standards don't put into practice. The standards are there though have no valuable significance to help holders get service with the standard set. Note absence of enforcement of standards would lead to partiality and inequality (Zakout et al, 2006).

4.3.5 Participation in Land Related Decision

The more holders participate in land decisions that affect their interest, the better they understand how the office operates and this would help them to hold officials accountable and fight for their rights. Participation also promotes transparency, this in turn enhance accountability. Participants were asked whether landholders participate in land related decisions (Table 4.24).

Responses	Employees	Landholders	Total Frequency	Percentage
Strongly agree or Agree	16	5	21	28
Neither Agree nor Disagree	5	3	8	11
Strongly Disagree or Disagree	3	42	45	61
Total	24	50	74	100

Source: (Own Survey 2019)

As table 4.24 illustrates landholder have low involvement in land decisions that affect their interest. Around 42 (57%) of the farmers indicate that they have little or almost no participation in land related decisions in the study area. On the other hand, 5(4%) of them suggested they have significant participation. Majority holders almost have no participation when new guidelines deigned, standards set, committee members organized, and when the office prepare plan and evaluate its performance. All these will contribute to weak enforcement of governance principles and lead to weak land governance. There is a similar situation in Hawzen Woreda located in eastern zone of Tigray region. The study was on “Decentralized Good Governance in Rural Land Administration” which revealed the local farmers have little contribution in land related decisions (G/slassie 2017).

4.3.6 Competent Human Resource

As human resource is the most important element for organizations to operate effectively. This question is posed to see if WRLAU office has qualified human and other resources to function properly.

Table 4. 25 Human Resource Capacity

		Frequency	Percentage
Educational Background	Degree	8	18
	Diploma	20	46
	Grade 8- 10	16	36
	Total	44	100
Work experience	1-2	13	30
	>2-3	9	20
	>3-6	19	43
	>6	3	7
	Total	44	100

Source: (RKWRLAU 2019)

The data in table shows, 18% of the employees have first degree, 46% of them have diploma, and the rest 36% of the employees have completed grade 8 to 10. Thus, almost half of the employees have diploma. There are few degree holders, only 6 land officers are there whose task is directly related to land issues, of which 4 holds first degree and 2 holds diploma. Majority of the employees are support staff.

. As evidence obtained from the office also shows the office has 10 land officer vacancies which are not yet filed until this data was collected; due to budget constraint the office doesn't operate with full staff. The building in which the office operates is not suitable for work. To illustrate, the compound is small to accommodate all clients with no convenient sitting area, rooms are also small difficult to move freely within it, lack of chair, table, and other related equipment helpful for better operation, and unstandardized shelf where land files and client profiles are lined up. Institutions to better function, resource (human, physical, and material), better structure, and good strategies and policies are required. Otherwise it is challenging to build institutional capacity which is highly important in realizing better land governance.

As table 4.25 also illustrates 63% of employees have work experience from more than 2 years to 6 years. However, majority of these employees are not land officers rather

supportive staff. The woreda is vast containing 48 Kebeles and these employees are not enough to coordinate all these.



Figure 6 Raya Kobo Woreda Land Administration and Use office

4.4 Land Dispute Settlement

Land dispute settlement is one of the important issues in land governance: dispute in land issues could cause social instability and impedes development efforts. Various actors participate in land dispute settlement as the statutory land laws have showed. State of Amhara land laws (proclamation No., 252/2017, Regulation No., 159/2017, Directive No., 1/20118) states the parties, RLAU committee existing at various levels, and courts of different levels would involve in land dispute settlement. These laws give first chance to the disputants to solve their land dispute through discussion by themselves, if the parties disagreed, they would try to solve it by negotiators chosen by the parties. Finally, woreda court will entertain the case if the dispute remains unresolved with the help of the negotiators. The case needs to be sent within 30 days so that the court could see it from the date where they are unable to resolve with the help of negotiators. The court still can encourage parties to solve their dispute by agreement extra-judicially, before judicial decision is rendered. The debtor can appeal to the next higher court.

Table 4. 26 Numbers of Files Lodged per year (E.C)

Year	Total cases lodged	Land cases	Proportion of land cases
2008	5630	4050	72
2009	6361	4965	78
2010	7125	5429	76
2011 to March	6752	4652	69

Source: (RKWC 2019)

Note: RKWC= Raya Kobo Woreda Court

As Table 4.26 indicates the court entertains large number of files compared to the number of judges it has. In 2008 and 2009 E.C land cases account averagely for 75% of total cases lodged during these yours. Furthermore, in 2010 and 2011 up to March out of 13,877 cases filed 10,081 were land cases which amounts for around 73%. The court has only 11 judges excluding registrar and defense lawyer, which shows lower number as judges revealed. Out of the total cases filed, land cases take the major share and also indicate increase in absolute number from year to year. This excessive load of files can undermine judicial service quality and result in miss application of laws. Table 4.27 provides land dispute types common in the study area.

Table 4. 27 Type of Land Cases

Year	Type of land cases per year (E.C)				
	Succession	boundary	Donation	Rent	Total
2008	2940	1049	37	24	4050
2009	3420	1545	-	-	4965
2010	3056	2340	6	27	5429
2011 to March	2862	1423	146	221	4652
Total	12278	6357	189	272	19096

Source: (RKWC 2019)

RKWC= Raya Kobo Woreda Court

As can be seen from Table 4.27 succession related disputes constitute the major ones; boundary disputes ranked second in terms of frequency of happening. From 2008 to

March 2011 E.C 12278 land succession disputes were filed and 6357 were land boundary disputes. 65% -75% of lodged files are decided within that year as the field report confirms. Succession cases happen between or among close relatives, thus, can create family instability and insecurity.

4.4.1 Court’s Reliability in Dispute Settlement

Holders need to have confidence on the activities (judgments) of the court so that they could bring cases before it, rather than taking the law into ones pocket by using force to protect rights. This part examines how holders perceive the reliability of court land dispute settlement when compared against ADR mechanism. Participants were asked to express whether court is reliable means of land dispute settlement as compared to ADR mechanisms.

	Employees	Landholders	Total Frequency	Percentage
Responses				
Strongly agree or Agree	5	2	7	9
Neither Agree nor Disagree	7	1	8	11
Strongly Disagree or Disagree	12	47	59	80
Total	24	50	74	100

Source: (Own Survey 2019)

Table 4.28 reveals participants don’t perceive court is reliable for land dispute settlement; 80% of them suggested it, from this 47(close to 64%) are landholders. Few of them (9%) conceive it is reliable. Participants believe ADR (alternative dispute resolution) is better option as compared to court litigation; it has no rigid procedures (fast), less costly, all parties would become winner and is good for future relationships. However, disputants claim they bring cases to the court because they don’t have other option; no developed ADR mechanism. If well-developed ADR mechanism is put in place they would chose it to save time and energy. An interviewee explained (LH01):

I wish land disputes solved through negotiation, mediation, or arbitration rather than court. We took cases to court beyond our preference, there is to solve land dispute via ADR. For them, winning cases before the court is great success than solving it by ADR.

It is possible to safely say that ADR is the choice of participants for land dispute resolution. This would promote social cohesion and reduce severe dispute among holders. A study studied by Abdulai (2016) in Togo and Ghana indicates that landholders in those countries prefer land disputes resolved by ADR to regular court litigation.

4.4.2 Bias Free Judgment

This question is posed to see if court judgments are unbiased, that is, court decision need to be consistent and objective regardless of the status of parties. With this regard participants were requested that judges commit no bias during land related litigation (Table 4.29).

	Employees	Landholders	Total Frequency	Percentage
Responses	Frequency	Frequency		
Strongly agree or Agree	11	6	17	23
Neither Agree nor Disagree	4	-	4	5
Strongly Disagree or Disagree	9	44	53	72
Total	24	50	74	100

Source: (Own Survey 2019)

As Table 4.29 demonstrates court judgments (72% of participants suggested) are not free of bias, decision is not impersonal, objective, and consistent. Around 59% of the participant farmers also revealed that court decisions with regard to land conflict are not free of bias, it involves discrimination. Judges fail to interpret the law to the extent of their knowledge free of external factors like friendship, bribery, and other forms of causes of biasness. However, 23% of respondents believe there is impartiality of judges. A land officer interviewee (LF02) stated his experience as follows:

I don't believe most of judges in this woreda decide cases impartially, judgments depend on personal relationships. We write evidence to the court but decide cases against the evidence. The court is one of the sectors of the woreda questioned for weak governance.

When there is favoritism and biasness the local poor will become the primary victim, because decision is expected to be made in favor of who are powerful (economically, politically, socially). This will reduce public trust which would make the court insignificant in playing role for community wellbeing (Janine Ubink, Andre´ Hoekema & Leiden 2009; Mitchell 2011; Watson, Noble, Bolin, Ravindranath, & Verado 2003).

4.4.3 Accountability of Judges

Judges are free to interpret the law with reasonable accountability, depending on the laws and their free mind to render judgment. Judges are accountable to judicial administration council, Woreda Council, and state council. They are accountable to the public, media, and other who can influence judges decision making power. Participants were asked to share their view on the accountability of judges (Table 4.30).

Responses	Employees	Landholders	Total Frequency	Percentage
Strongly agree or Agree	13	6	19	25
Neither Agree nor Disagree	7	4	11	16
Strongly Disagree or Disagree	4	40	44	59
Total	24	50	74	100

Source: (Own Survey 2019)

In Table 4.30 majority of the participants (59%) believe judges are not accountable to the extent of their expectation, above 54% of the participants proved the judges are less accountable in the study area. Around 25% of participants alone support that judges are accountable for their action. Annually, the court reports to woreda council and higher court. It also reports to administrative council which is unlawful and would undermine judicial independence. Accountability refers to duty to respond where taken public power and resource have been spent and liability for misconduct. Though there are so many claimed misconducts (corruption) only two judges were fired so far for their corrupt action. In addition participants stated the ruling party often remove judges from office if they collide with politics otherwise they remain in office despite prevalence of misbehavior. There is also high judicial meddling where Woreda and higher executive hierarchies intervene against the function of judges. Judges don't want to lose their job as there is low judicial tenure security, this will lead to judicial dependence, all these in turn leads to violation of rule of law principles.

4.4.4 Clarity of Court Judgment

Judgments have to be clear to disputants and appealing court. When decision is not clear, it would affect the right to get valid decision from the next higher court through the

process of appeal. Thus, disputants have right to know as what is clearly decided, orally and in written form. Pertaining to this, participants were requested to render their opinion to what extent court judgments are easily understood to them (Table 4.31).

	Employees	Landholder	Total Frequency	Percentage
Responses	Frequency	Frequency		
Strongly agree or Agree	11	12	23	31
Neither Agree nor Disagree	4	1	5	7
Strongly Disagree or Disagree	9	37	46	62
Total	24	50	74	100

Source: (Own Survey 2019)

The data in Table 4.31 confirms participants (62% of them) perceive the court usually fail to deliver clear judgment understood to disputants as well as appealing court. As table indicates 37(50%) of participant landholders explain that court judgement are less clear and detail to understand it. As a result significant number of files returned from the high court for being not clear. So many decisions of the court were requested by zonal high court to be rewritten and made clear. The judicial code of conduct obliges judges to give detail information for each case with clear legal reasons. When parties know the reasons of the decision, they can easily file appeal based on that reason. This will help to get right decision at the higher court. Otherwise it is violation of rule of law in particular and constitutional right in general to obtain clear court judgment.

4.4.5 Service Standard and Complaint Handling Mechanism

Having service standard is one of the mechanisms of ensuring transparency and accountability of action. Clients can demand service based on the standard if they know the standards clearly. Here participants were asked availability of service standard in the court (See table 4.32).

	Employees	Landholders	Total Frequency	Percentage
Responses	Frequency	Frequency		
Strongly agree or Agree	22	44	66	89
Neither Agree nor Disagree	-	1	1	2
Strongly Disagree or Disagree	2	5	7	9
Total	24	50	74	100

Source: (Own Survey 2019)

Table 4.32 shows the court has written service standards seen everywhere in the courtyard, visible in the compound (89%). From participant landholders side, 44 (nearl 60%) of them suggested that the court has service standard, yet not applied effectively. Other 9% of participants suggested no clear service standard known to them is found in the court. The majority confirmed despite their availability almost none of the standards doesn't put in to practice. However, Judges perform some activities beyond the standard; for example, every judge is required to decide 34 cases within a month yet judges decide averagely up to 100 files per month because of the work load. In quantity, judges decide significant number of files in a month; however, the quality of the decisions is under question. Participants were also asked about the availability of complaint handling mechanisms (Table 4.33).

	Employees	Landholders	Total Frequency	Percentage
Responses	Frequency	Frequency		
Strongly agree or Agree	15	43	58	79
Neither Agree nor Disagree				-
Strongly Disagree or Disagree	9	7	16	21
Total	24	50	74	100

Source: (Own Survey 2019)

As can be observed from Table 4.33 participants (79%) accept that there is complaint handing mechanism in the court. Moreover, Participant farmers (58%) confirmed the existence of complaint handling system. But, 21% of participants don't confirm availability of complaint handling mechanism in the court. Still, participants explain that the court doesn't apply the mechanism properly even if it exists.. Complaint hearing

officer is assigned but most of the time not available in the office. Some judges also fail to cooperate with the grievance hearing officer by claiming it is judicial interference. This absence of proper grievance handling mechanism would probably cause clients to incur unnecessary cost and violations of legal rights (Mitchell 2011; Zakout et al. 2006).

5.4.6 Legal Knowledge and Trial openness

Knowledge of judges with respect to land laws is vital for better enforcement. Judges interpret laws so that their interpretation can be enforced by concerning executive body. Even they have power to force anybody for execution of an action or to refrain from the action. This section therefore tries to assess knowledge of judges with respect to land laws. It also try to see how the trial process is open to anyone who wishes to attend. When the trial is open, people can easily follow court procedures and this will improve awareness of clients and enhance transparency. Participants were asked to give opinion whether Judges have adequate legal knowledge pertaining to land laws (Table 4.34).

	Employees	Landholders	Total Frequency	Percentage
Responses	Frequency	Frequency		
Strongly agree or Agree	8	3	11	15
Neither Agree nor Disagree	2	-	2	3
Strongly Disagree or Disagree	14	47	61	82
Total	24	50	74	100

Source: (Own Survey 2019)

Data provided by Table 4.34 illustrate 82% of participants don't believe judges in the woreda acquire adequate knowledge to perform their job: Majority of the participant farmers, comprising 47(64%), explain judges lack the necessary legal knowledge with regard to land laws, a number of their decisions are being reversed by the next higher courts as result of error of interpretation of land laws. The evidence obtained from the court also strength this allegation; 49.6% (almost half) of the cases appealed to the next hierarchy were reversed. This however, may not fully confirm knowledge gap, the high court can also reverse judgment mistakenly. Poor legal, especially land laws, knowledge can lead to misuse of laws and would contribute to weak land dispute settlement. Participants were at the same time asked if the trial process is open to clients (See table 4.35).

	Employees	Landholders	Total Frequency	Percentage
Responses	Frequency	Frequency		
Strongly agree or Agree	23	35	58	78
Neither Agree nor Disagree	1	5	6	9
Strongly Disagree or Disagree	-	10	10	13
Total	24	50	74	100

Source: (Own Survey 2019)

Table 4.35 reveals the trial process is open (78% showed), i.e., the court doesn't intentionally prevent clients from attending court procedures; few participants (15%) feel the trial process is not open to anyone to attend. Court rooms are small; don't allow clients to follow the process. As clients follow court cases, it will increase understanding how court cases are decided and defend rights better.

4.4.7 Genuine Evidence

Court decision depends on the evidence provided before it; so the quality of the evidence matters most. For land dispute, majority of the evidence is coming from WRLAU office. This question was posed to investigate if the court receives true evidence from woreda land office.

	Employees	Landholders	Total Frequency	Percentage
Responses				
Strongly agree or Agree	6	2	8	11
Neither Agree nor Disagree	13	4	17	23
Strongly Disagree or Disagree	5	44	49	66
Total	24	50	74	100%

Source: (Own Survey 2019)

The statistics in table 4.36 indicates land dispute judgments are not based on true evidence (66% of participants proved this); similarly, closely 60% of landholder participants proved court decisions, most of the time, are not based on true evidential documents. Most of the time WRLAU office misleads court decision by sending land information which is not actually true. Often the court uses documents coming from land office as if they are completely true, but most of the time not. If, for example, the dispute

is boundary, the office can exaggerate or minimize the amount of land pushed. This could be solved by sending assistant judges to see the dispute on the field. This way land authorities could not mislead by sending document to the court. Witness could also falsify to contribute for rendition of defective judgment. Therefore, most of the land information coming to the court as evidence from the land office has defects, contribute to mislead the court to produce a judgment which is not really true. This means holders can lose easily their land rights.

4.4.8 Results of FGD

Judges contribute a lot in land conflict resolution in the study area. Data obtained from the FGD display judges have always tried to settle land dispute with objective and genuine evidence, render decisions that meets the objectives of land laws, being neutral, open and transparent decisions are delivered.

However, some judges still involve in various misconducts; for example, two judges were caught receiving money to divert decision, the two judges were fired and criminally held liable. In some cases there could be limited knowledge of land laws, huge flow of land disputes which may compromise quality, some times documents coming from the woreda land office may not reflect the truth and lead to wrong judgment, pressure from politicians, these are the main challenges in land conflict settlement.

Chapter Five

Summary of Findings, Conclusion and Recommendation

This study has been conducted in Raya Kobo Woreda (RKW) with the aim of assessing local land governance of the area. The study examines how Woreda institutions operate to ensure secured land tenure, execute existing land laws, and how land disputes are resolved and challenges related to land governance. By focusing on these broader objectives, summary findings, conclusion, and recommendation are presented.

The main research question was reduced into sub-specific questions. In this chapter, the researcher provides summary of the finding with respect to specific objectives formulated in chapter one. The chapter provides answer to the research questions and thus conclusion will be drawn based on the answers to such questions.

5.1 Summary Findings

5.1.1 Secured Land Tenure System

To answer this broader question (how local institutions operate to ensure secured land tenure), three specific questions were designed; the answer to each question is summarized.

Question 1: To what extent statutory tenure institutions meet good governance objectives?

This question was answered in chapter four. As the data obtained from the field study reveals the land tenure system of the study area remains poor. Holders fail to have trust on the available land laws, difficult to restore land rights once lost through litigation procedure, widespread land eviction with no or low compensation, informal land selling, unable to get loan using land as security even though the law permits, land accession and registration process don't meet the needs of local people. Holders feel land laws are not sufficient to protect land interests and they don't hope they will hold land for indefinite duration; because they fear one time they can be displaced. The laws allow holders to transfer land through succession, donation, rent, and exchange with other land. However, there are challenges when they try to exercise such rights in the land office.

Little participation of holders in decisions that affect rights, this leads to lack of transparency of institutions and fail to be accountable to the people.

Court and land office services are less likely accessible and with less dependability. Landholders' confidence to such local institutions is low. Holders can only use their

holding for agricultural activities such growing crops, fruit plants, animal food, and special trees. But, they can't use it for constructing building though this doesn't prevent erecting illegal building on nearby farmlands for informal selling. Local authorities extensively involved in such activity.

Question 2: What is the capacity of local institutions to enhance effective land tenure administration?

Institutions are vital for proper enforcement of statutory land laws in a way that enhances tenure security. As field data shows, both RKWC and Raya Kobo Woreda RLAU remain weak to effectively install better land tenure system. Land office lacks up to 10 land officers to conduct its function properly; the office also lacks budget to manage its activities and coordinate 48 Kebles. There is also weak institutional arrangement. The same is true for the woreda court. The court receives land files from 48 kebles available in the Woreda. Only 11 judges render the service, efforts have been made to establish movable trial, which moves from kebele to kebele to provide judicial service, but budget becomes constraint. To escape from delays and divert decision, parties often use other illegal mechanism such as bribery or informal payments which indirectly affects the poor who could not do the same. Lack of command of laws, low level of accountability and transparency also contribute to the weakness of institutions.

Question 3: What good governance challenges are manifested in managing land tenure administration of the Woreda? What are the underline causes of such challenges?

Proper management of land has contribution for social, economic, political and cultural advancement of local community; however, there are always challenges to this effort. The major challenges related to land tenure includes: violation of land laws, displacement before compensation provision and is low to sustain life, inconvenient land accession, measurement and registration process, missing of documents containing land information, lack of proper update of land information , lack of knowledge, low participation in land use planning, costly land transaction (renting, mortgaging, exchange, succession, donation). Politicized managers in the land sector who are not chosen with the consent of people. Professionals don't get space as party loyalty is the main criteria to be Woreda land manager or head, no accountability to the people as well.

5.1.2 Enforcement of Existing Land Laws

To answer this question (how local institutions implement land laws and other policies) three specific research questions were developed. Each is presented here.

Question 4: Do local officials and landholders know and understand available land laws, regulation, and procedures employed in land management of RKW?

Land laws ranges from the highest legal hierarchy (constitution) to lowest hierarchy (directives); Federal and Regional constitutions have some general guidelines that is helpful to govern land issues. Next to the constitutional hierarchy land proclamations are laws specific to land matters. Specially, land in the study area in particular and the region in general is governed by proclamation No 252/2017, Regulation No 159/2017, and Directive No 1/2018 which are laws directly relevant to land governance. As the answers to this question indicate there is low level of legal awareness. Landholders don't get legal training about the content and application of these laws; laws are not accessible with low price in the area, as a result they don't have reasonable command of such laws to defend their rights. Land officers and heads get some training on these laws, but are not fruitful as there is no much focus and sometimes irrelevant people (like office secretary) takes the training for the sake of allowance.

Judges also lack capacity to interpret land laws; however, judges relatively are good in those common laws (such as civil code, criminal code, civil and criminal procedure codes...) but weak in fully mastering the application of land laws. When compared to land holders and land officials judges have better understanding yet not adequate to enforce land laws as the intention of their enactment. No training was given to judges on how to apply land laws. The legal regime is often dynamic and hence need to be updated to fit with the changing environment.

Question 5: To what extent such land laws are consistently and objectively applied?

This question is related to rule of law which is essential component of governance. This is to ascertain that land laws are applied to all regardless of social, economic, political, and cultural differences among its subjects. When the law works for somebody but failed to work for another in all similar conditions, there is no consistency. Objectivity indicates every decision is dependent on the law, decisions are supported by legal evidence otherwise it is arbitrary.

With this regard, the response obtained illustrates there is no consistency and objectivity in application of land laws. The main causes include (to mention some) corruption, friendship, lack of capacity, absence of clear service delivery procedure, lack of transparency how offices operate, absence of participation, ambiguity of laws, all these contribute different shares.

Question 6: What is the satisfaction of landholders with regard to land policies?

The answer obtained for this question portrays satisfaction of landholders by the available land laws and policy is low. The reason for the dissatisfaction is failure of land laws to properly function on the ground, for example, part of legal provision that governs inheritance in the proclamation. These provisions put all heirs at equal footing regardless of previous holding so long as it doesn't exceed the maximum holding limit. Two heirs, one who has his own holding and the other who doesn't hold land before, will share equally the land they inherited. This seems unfair in which the former will possess large land in addition to his holding while the later will have small share. The one with no land should take the same size of land before sharing the estate. Holders in pre-urban areas want to construct residence (the law prohibits) but continued to construct building illegally. To wrap up, holders have low level of satisfaction with regard to the available land laws.

5.1.3 Land Dispute settlement

Question 7: What dispute settlement mechanism is deployed in the Woreda and what this implies?

To ensure better land governance enhanced dispute settlement mechanism is required, land is valuable and scarce asset in which dispute is inevitable among various individuals, groups, government institutions and other interest groups. Land disputes can be settled using customary practices (ADR) or via litigation before formal courts. Each has its own merits and demerits

Participants don't assume or prefer court as reliable land dispute settlement option; they opt for extra judicial solution if conditions allow. Nevertheless, land files continue to flow into the court. Traditionally, people want to show superiority by winning cases before the court by any means, legally or illegally. The other cause for the increment might to be absence of well-designed legally supported alternative dispute settlement (ADR) system. Judgments of the court are biased, not evidence based, unclear to clients, interpret laws wrongly, changing witnesses word, and not accountable for decisions.

Despite all these drawbacks, court litigation is still the common ways of land dispute settlement and little attention is given to customary practices.

Question 8: To what extent such dispute settlement mechanisms are open, fair and impartial?

Judicial independence is required to provide judgment that win public trust; the judiciary need to be independent institutionally from the executive and legislature branches and personal or decisional independence in which each judge is demanded to decide cases solely based on the law. Without fulfilling these conditions a court could not render impartial and fair judgment.

With this regard, the court in the study area is not fully independent as the data obtained reveals. It receives subsidy budget from the local administration, many of the judges indirectly elected by the party and had been members of the ruling party (currently ADP). The court also reports to woreda administration council which should not have been done, the court need to report to woreda council which is legislative organ like that of parliament at federal level and state council at regional level. Court need to also manage its supporting staff but it is woreda civil service that perform the activity. It is expected to determine its employee's job description, wages, preparing its budget, and other benefits. Without conducting such activities it is difficult to assume the court is independent institutionally. To sum up, court decisions are partial, less inclusive, and less transparent to clients.

5.2 Conclusion

This study has been conducted in Raya Kobo Woreda (RKW) situated in Northern Wollo Zone of State of Amhara, Ethiopia, with the aim of assessing local land governance practices and challenges of the study area. Particularly, the study emphasizes the land tenure system, enforcement of land laws, and land dispute settlement of the local area. Based on this, conclusion is drawn depending on the major findings of the study.

Local institutions in the study area fails to meet better land governance principles; there exists arbitrary eviction of holders with no or little prior reimbursement, land accession, measurement, and registration processes don't suit to the needs of clients, landholders don't feel secured on their holdings as improper displacement is common phenomenon, this feelings of insecurity causes holders to participate in illegal land transaction such as selling farmland by building house on it. Low participation of holders when land use planning is prepared, selection of various land committees is conducted, and appointment

of land administrators. Where there is land tenure insecurity, people tend not invest time and energy on their holding, retard investment, encourage unlawful land transaction and thereby impends development efforts.

The results of the study also reveals full of drawbacks of enforcement of land laws and policies; land laws have little recognition by holders, land officials and are not accessible to anyone interested. This, therefore, would create lack of transparency, accountability; facilitate violation of land laws, widespread bribery and improper use of local land in a way that doesn't foster local development. Thus, weak implementation of land laws and policy prevails in the study area.

Court litigation is the common means of land dispute settlement in the area. Though it is common way, it is not accessible in terms of cost, distance, and quality service. The trial process is not transparent, rarely accountable, partial, and not dependent on evidence.

5.3 Recommendation

The following intervention mechanisms are recommended based on the gaps identified in this study.

5.3.1 Digitalizing Land Sector

It is really good to use modern land data base to hold land information in a computer based system. It would contain profile of each holder including its size, boundary, and location of the land and make freely available online. This would promote transparency, tenure security, reduce land dispute, and minimize informal land selling, illegal construction, and increase level of awareness of holders.

5.3.2 Restructuring the Woreda Land Office

The task of administering land in the local area resides in the shoulder of this Woreda Rural Land Administration and Use office (WRLAU). However, it doesn't have convenient building, trained land professionals, technological capacity, and financial capacity to reach and support all kebeles. This leads to a number of land governance messes such as violation of land laws, partiality, absence of transparency, accountability during land accession, registration, determination of possession, and dispute settlement. Thus by well organizing the office with qualified human resource, finance, technology, and working system, it is possible reduce the above challenges.

5.3.3 Participation of Local People in Land Decisions

The ultimate beneficiaries of local land should be local people. The land office is there to administer land which is common resource of local people. Thus, landholders have right to participate in decision that affect their land interests; in selecting land authorities, various land committees, land use planning, when new land laws are drafted, dispute settlement, to access land laws with minimum cost and get relevant legal training that could increase awareness and this in turn would create openness and sense of ownership and feelings security.

5.3.4 Promote ADR in Land Dispute Settlement

Trying to solve all land disputes through formal litigation is waste of resource. People have their own customary practices to resolve disputes; it is better to formalize and well organize such practices by designing guidelines and producing experts in the area. Using ADR reduces court workload, enhance relationship (because parties are all winner) and ensure stability in the land sector.

5.3.5 Improve Service Delivery

The steps to get a certain service need to be short and clear to the clients. This enhances openness, reduce informal payment to speed up or get service, reduce bribery, and increase liability. Customers should know what they should fulfill before they come to get service. Clearly publicized standards with effective adherence for implementation would enhance transparency, fairness, predictability, and consistency which rule of law demands.

5.3.6 Improve the Court Environment

Court is inevitable to have role in dispute settlement, particularly land dispute resolution; when parties fail to solve differences by their own out of the judiciary, court litigation is the final guarantee, ideally as it is believed to be neutral and purely dependent on the evidence provided to it. To have such an ideal court system it requires effort from various stakeholders. It starts from recruitment of judges, institutional independence, personal independence of judges, clear codes of conduct, clear accountability, adequate professional training, fulfillment of skillful supportive staff and other resources. This is not the sole task of a Woreda though it can contribute its own share. Without fostering the overall court performance, it is challenging to ensure rule of law, transparency, accountability, fairness, impartiality and other principles when a court engage in land dispute settlement.

5.4 Future Research Recommendation

Research recommendation is expected to emanate from the limitation of the study. This study didn't include all stakeholders of local land governance in the area; for example, agricultural investors, NGOs, communal land holders, and other formal local institutions. Thus, it is possible to investigate local land governance by including all these actors as population of the study. This study mainly uses qualitative research design; it is still possible to conduct quantitative analysis. The other point could be the impact of poor land governance on the livelihood of farmers which this study didn't cover. It is good to see to what extent this poor local land governance affects farmers' quality of life.

Reference

- Aa.Vv. (2006). *Sustainable land management. Challenges, opportunities and trade-offs*.
<https://doi.org/10.4141/cjss95-058>
- Abdulai, M. M. (2016). Grounding Land Governance: Embedded Land Conflicts, Legal Pluralism, and Contestations in Peri-Urban West Africa - A Comparative Analysis of Ghana and Togo.
- Aimro, A. (2015). *The Assessment of Good Urban Governance Practice in Land Administration of Addis Ababa: The Case of Yeka Sub-City*. Addis Ababa.
- Alemie, B. K., Zevenbergen, J., & Bennett, R. (2015). Assessing Land Governance in Ethiopian Cities (2002-2011): Lessons for the Implementation of the 2011 Urban Land Management Policy. *FIG Working Week*, (May 2015), 17–21.
- Alston, L. J., Libecap, G. D., & Mueller, B. (2000). conflict and land use: The development of property rights and land reform on the Brazilian Amazon frontier. *Journal of Economic History*, 60(2), 1149–1150. Retrieved from <http://www.getcited.org/pub/100364369>
- Amanor, K. (2012). *Land Governance in Africa. How historical context has shaped key contemporary issues relating to policy on land*.
- Arezki, R., Deininger, K., & Selod, H. (2011). What Drives the Global Land Rush? Rabah Arezki, 44(0). <https://doi.org/10.1093/wber/lht034>
- Arko-Adjei, A. (2011). *Adapting land administration to the institutional framework of customary tenure*. Amsterdam: IOS Press. Retrieved from http://www.itc.nl/library/papers_2011/phd/arko-adjai.pdf
- Author, B., Halligan, J., Horrigan, B., & Nicoll, G. (2012). Dimensions of Governance for the Public Sector. *ANU Press*, 6–34.
- Author, R., & Ngaido, M. (2016). *Land investments , accountability and the law : Report Subtitle : Lessons from Senegal 2 . Overview of land governance in Senegal*.
- Barany;, Sc. D. D. (2004). *Land and Development in Latin America*.
- Bezu, S., & Holden, S. (2014). Land Use Policy Demand for second-stage land certification in Ethiopia : Evidence from household panel data. *Land Use Policy*, 41, 193–205. <https://doi.org/10.1016/j.landusepol.2014.05.013>
- Borras, S. M., & Franco, J. C. (2010). Contemporary discourses and contestations around pro-poor land policies and land governance. *Journal of Agrarian Change*, 10(1), 1–32. <https://doi.org/10.1111/j.1471-0366.2009.00243.x>

- Chalifour, N. J., Kameri-Mbote, P., & Lye, L. H. (2006). *Land use law for sustainable development. Land Use Law for Sustainable Development*. <https://doi.org/10.1017/CBO9780511511400>
- Chandra, A., Williams, M. V, & Ricci, K. A. (2009). Governance. *JSTOR*, (February), 60–73.
- Cousins, B. (2007). More than socially embedded: The distinctive character of “communal tenure” regimes in South Africa and its implications for land policy. *Journal of Agrarian Change*, 7(3), 281–315. <https://doi.org/10.1111/j.1471-0366.2007.00147.x>
- Creswell. (2009). *Research Design: Quantitative, Qualitative, and Mixed Methods Approach* (3 rd). London, New Delhi and Los Angeles: SAGE.
- Cucciniello, M., Nasi, G., Cucciniello, M., & Nasi, G. (2014). Transparency for Trust in Government : How Effective is Formal Transparency ? Transparency for Trust in Government : How Effective is Formal Transparency ?, (June 2015), 37–41. <https://doi.org/10.1080/01900692.2014.949754>
- Deepali Singh, N. A. A. and S. S. (2018). Indian Political Science Association GOOD GOVERNANCE & IMPLEMENTATION IN ERA OF GLOBALIZATION Author (s): Deepali Singh , Nafees A . Ansari and Shaifali Singh Source : The Indian Journal of Political Science , Vol . 70 , No . 4 (OCT . - DEC . , 2009) ,. *Indian Political Science Association*, 70(4), 1109–1120.
- Deininger, K., & Feder, G. (2009). Land Registration, Governance, and Development: Evidence and Implications for Policy. *Ssrn*, 24(2), 233–266. <https://doi.org/lkp007>
- Deininger, K., Savastano, S., & Xia, F. (2017). Smallholders’ land access in Sub-Saharan Africa: A new landscape? *Food Policy*, 67, 78–92. <https://doi.org/10.1016/j.foodpol.2016.09.012>
- DEKKER, H. A. L. (2005). *In pursuit of Land Tenure Security*. Amsterdam: Pallas Publications.
- Denchie, E. O., & Overå, P. R. (2016). Land Governance And Competition For Space In Ghana’s Emerging Oil City, Sekondi-Takoradi. *Geography, Master of*, 124.
- DHS. (2016). *Demographic and Health Survey*. Addis Ababa.
- DIXON-GOUGH, R. W. (2006). *The Role of the State and Individual in Sustainable Land Management*. London: University of East London.
- Doss, C., Meinzen-Dick, R., & Bomuhangi, A. (2014). Who Owns the Land? Perspectives from Rural Ugandans and Implications for Large-Scale Land Acquisitions.

- Feminist Economics*, 20(1), 76–100. <https://doi.org/10.1080/13545701.2013.855320>
- Enemark, S. (2012). Sustainable Land Governance: Spatially enabled, fit for purpose, and supporting the global agenda. *Annual World Bank Conference on Land and Poverty*, 1–25.
- Fufa, F. F. (2014). *Challenges of Good Governance in Ethiopia*. Ambo University.
- G/slassie, W. N. (2017). Decentralized Good Governance in Rural Land Administration : The Case of, 5(2), 131–142.
- Girma Kassa Kumsa. (2011). *Issues of Expropriation: The Law and the Practice in Oromia*. Addis Ababa University.
- Goddard, A. (2005). Reform as regulation — accounting , governance and accountability in UK local government.
- Grant, C., & Osanloo, A. (2014). Understanding, Selecting, and Integrating a Theoretical Framework in Dissertation Research: Creating the Blueprint for Your “House.” *Administrative Issues Journal Education Practice and Research*, 12–26. <https://doi.org/10.5929/2014.4.2.9>
- Grindle, M. S. (2007). *The promise of good governance. Going local: Decentralization, democratization, and the promise of good governance*.
- HAILU, G. K. (2017). Challenges of good governance in local government: the case of saesietsaedamba woreda, tigray region, ethiopia, 2(March).
- Hyden, G. (2008). GOVERNANCE, DEVELOPMENT AND POVERTY ERADICATION Goran, (c), 1–10.
- IIED. (2006). Land Governance: Actors,Arenas, Governmentality. *International Institute for Environment and Development*.
- Janine M. Ubink, Andre´ J. Hoekema, W. J. A., & Leiden. (2009). *Legalising Land Rights and Poverty* : l e i d e n u n i v e r s i t y p r e s s .
- Jean-Pierre Chauveau, Jean-Philippe Colin, Jean-Pierre Jacob, P. L. D. and P.-Y. L. M. (2006). Land governance: actors, arenas, governmentality Report. *IIED*.
- Joss, S. (2010). Accountable Governance, Accountable Sustainability? A Case Study of Accountability in the Governance for Sustainability, 421, 408–421. <https://doi.org/10.1002/eet.559>
- Khan, M. H. (2010). Governance and Growth Challenges for Africa, 1–23.
- Kironde, J. M. L. (2009). Improving Land Sector Governance in Africa: The Case of Tanzania. *Workshop on “Land Governance in Support of the MDGs: Responding to New Challenges,”* 1–29. <https://doi.org/10.1016/j.foodpol.2014.03.003>

- Knorringa, G. M. omez and P. (2016). *Local Governance, Economic Development and Institutions. Local Governance, Economic Development and Institutions*. Rotterdam: Palgrave Macmillan. <https://doi.org/10.1017/CBO9781107415324.004>
- Kripa Anathpur. (2007). Dynamics of local Governance in Karnataka. *Economic And Political Weekly*, 42(8), 667–673.
- Lucain, N. T. (2017). *The Impact of Poor Land Governance on the Reduction of Rural Poverty in Camerom: WB Conference on Land and Poverty*. Washington DC.
- Manji, A. (2006). *The politics of Land reform in Africa*. Landon/New york: Zed Books.
- Marques, E. (2013). Government, Political Actors and Gover- nance in Urban Policies in Brazil and São Paulo: Concepts for a Future Research Agenda, 7(3), 8–35.
- May, B. M. and M. (2005). *Rule of Law Legitimate Governance and Development in the Pacific*. ANU E Press and Asia Pacific Press.
- Melese, N. (2016). AApplication of Good Governance Principles for Urban Land Development and Management in Addis Ababa city Administration: The Practices and Challenges in Yeka Sub-City, (June), 87. Retrieved from [http://etd.aau.edu.et/bitstream/123456789/10252/1/Nigussie Melese.pdf](http://etd.aau.edu.et/bitstream/123456789/10252/1/Nigussie%20Melese.pdf)
- Metternicht, G. (2018). *Land Use and Spatial Planning Enabling Sustainable Management of Land Resources*. Sydney: Unversity of New Slouth Wales. <https://doi.org/10.1007/978-3-319-71861-3>
- Mitchell, R. B. (2011). Transparency for governance : The mechanisms and effectiveness of disclosure-based and education-based transparency policies. *Ecological Economics*, 70(11), 1882–1890. <https://doi.org/10.1016/j.ecolecon.2011.03.006>
- Mohapatra, B. (n.d.). Good Governance and Sustainable Development : Issues & Challeng.
- Nelson, C. (2016). LAND GOVERNANCE, GENDER EQUALITY AND DEVELOPMENT: PAST ACHIEVEMENTS AND REMAINING CHALLENGES. *Journal of International Development*, 96(1), 10–14. <https://doi.org/10.1002/jid>
- Nolte, K. (2013). Large-scale agricultural investments under poor land governance systems: Actors and institutions in the case of Zambia.
- Ogundiya, I. S. (2010). Democracy and good governance : Nigeria ’ s dilemma, 4(June), 2010.
- Pal, R. P. (2017). Challenges and Prospects of Good Governance In Reduction of, 5(3), 13–27.

- Parkinson, J., Evans, M., Stoker, G., Marsh, D., Kamarianakis, Y., Baron, J., ... Camões, P. J. (2011). From Local Government to Local Governance : And beyond ? Author (s): Caroline Andrew and Michael Goldsmith From Local Government to Local. *IDS Bulletin*, 34(2), 101–117. <https://doi.org/10.1177/0020852314566009>
- Pérez-cirera, V., & Lovett, J. C. (2005). Power distribution , the external environment and common property forest governance : A local user groups model, 9.
- Pienaar, G. (2009). Aspects of land administration in the context of good governance. *PER: Potchefstroomse Elektroniese Regsblad*, 12(2), 0. <https://doi.org/10.4314/pej.v12i2.44755>
- Roy, I. (2005). Good governance and the dilemma of development: What lies beneath? *Socio-Economic Review*, 3(1), 83–116. <https://doi.org/10.1093/SER/mwi002>
- Salilew, K. G. (2016). *AN OVERVIEW OF LOCAL GOVERNANCE AND DECENTRALIZATION IN ETHIOPIA*.
- Schuurman, J., Ewijk, E. Van, Oates, L., & Betsema, G. (2016). Strengthening Land Governance.
- SDC. (2014). Gender and Land Governance, 16(4), 1–8.
- SDSN. (2014). Why good governance of land and tenure security need to be part of the Sustainable Development Goal framework. *JSTOR*, (2014).
- Shiroyama, H., Yarime, M., Scholz, R., Ulrich, A. E., & Phosphorus, R. Á. (2012). Governance for sustainability : knowledge integration and multi-actor dimensions in risk management, 7, 45–55. <https://doi.org/10.1007/s11625-011-0155-z>
- Singh, C. (2014). Improving Land Governance and Securing Land Rights. *Journal of Land and Rural Studies*, 2(1), 71–74. <https://doi.org/10.1177/2321024913515136>
- Sirker, D. A. ; K. (2005). Stocktaking of Social Accountability Initiatives in the Asia and Pacific Region. *The World Bank Institute Community Empowerment and Social Inclusion Learning Program*, (Stock No. 37255), 1–45.
- Teklemariam, D., Azadi, H., Nyssen, J., Haile, M., & Witlox, F. (2015). Transnational Land Deals: Creating Inclusive Governance Frameworks. *Land Use Policy*, 42, 781–789.
- Thomas, P. Y. (2005). CHAPTER 4 Research Methodology and Design, 291–334. <https://doi.org/10.1515/9783110215519.82>
- Tikue, M. A. (2016). Good Governance in Land Administration from Below : The Case of Naeder Adet Woreda , Ethiopia. *Intejournal Journal of African and Asan Studes*, 23, 85–97.

- Tikuye, M. A. (2014). *Assessment on Performance of Good Governance in Land Administration at Local Level: The Case of Naeder Adet Woreda, Tigray Region, Ethiopia*.
- Törhönen, M.-P. (2003). Sustainable Land Tenure and Land Registration.
- UNDP. (2006). *Land Rights Reform and Governance in Africa*. New York.
- UNDP. (2014). Governance for sustainable development. Integrating Governance in the Post-2015 Development Framework. *United Nations Development Programme*, 96(3), 14. <https://doi.org/10.1016/j.yexmp.2014.03.001>
- UNEP. (2012). Land and Conflict TOOLKIT AND GUIDANCE FOR PREVENTING AND MANAGING LAND AND NATURAL RESOURCES CONFLICT About the United Nations Interagency Framework Team for Preventive Action. *Un*. <https://doi.org/10.1038/206985b0>
- Vries, M. de. (2013). the Challenge of Good Governance in India : *The Public Sector Innovation Journal*, 18(1), 1–10. <https://doi.org/10.1177/004908570803800105>
- Wang, Z., Chen, J., Zheng, W., & Deng, X. (2018). Dynamics of land use efficiency with ecological intercorrelation in regional development. *Landscape and Urban Planning*, 177, 303–316. <https://doi.org/10.1016/j.landurbplan.2017.09.022>
- Watson, R., Noble, A., Bolin, B., Ravindranath, N. H., & Verardo, D. (2003). *Good Practice Guidance for Land Use, Land-Use Change and Forestry*. Hayama, Japan: Published by the Institute for Global Environmental Strategies (IGES).
- Woo, C. (2018). Good Governance and Happiness Does Technical Quality of Governance Lead to Happiness Universally. *JSTOR*, 25(1), 37–56.
- Yeboah, J. T. B. ; E. (2017). International Institute for Environment and Development, (57).
- Zakout et al. (2006). Good Governance in Land Administration Principles and Good Practices, 16. <https://doi.org/10.1111/j.1365-2559.2008.03035.x>
- Zevenbergen, J. A. (2014). Systems of land registration : aspects and effects / Systems of Land Registration Aspects and Effects Nederlandse Commissie voor Geodesie Netherlands Geodetic Commission. *ResearchGate*.

Annexes

Table A Interviewees				
Local Institution		Code	Position	Interview date
	Court	CP	President	25-27 March 2019
	RKWRLAU office	LM	Manager	28March to 02April 2019
		LF01	Land officer	03-05 April 2019
		LF02	>> >>	08-10 April 2019
		LF03	>> >>	16-18 April 2019
Clients	Landholders	LH01	Farmer	13-15 April 2019
		LH02	>> >>	24-26 April 2019
		LH03	>> >>	20-23 April 2019

Addis Ababa University
College of Development Studies
Center for Regional and Local Development Study

Questionnaire

Dear Respondents:

This is a study aims to investigate land governance conditions of your Woreda, Raya Kobo, which is purely an academic activity. The researcher is a graduate student at ‘Addis Ababa University’, ‘College of Development Studies’, ‘Center for Regional and Local Development Studies’. Your genuine answer has crucial role to realize the aim of the study i.e. to clearly portray land governance practice, challenges and to provide sound recommendation to the challenges based on the results of the study. Thus, I kindly request you to render answer to each question following the instructions given as per your true understanding. Information you give will not be disclosed to other third party and will only be used for this study. No need of writing your name on this questionnaire.

‘Thank you in advance’

Address: 0920531904, Email: moa23ecsu@gmail.com

Specific Objectives	Variables	Question	Data collection tool
Basic socio-economic conditions	<ul style="list-style-type: none"> ✓ Land Size in hectare ✓ Household size ✓ Available assets ✓ Source of landholding ✓ Age ✓ Education ✓ Sex ✓ Infrastructure availability ✓ 	<ul style="list-style-type: none"> ○ What is your land size in tmad? _____ ○ How many family members you have? ____ ○ What assets you have for living? _____ ○ What is source of your land holding? (put X in front of your choice) <ul style="list-style-type: none"> a) Redistribution b) Inheritance c) Rent d) Donation e) Investment f) Other _____ ○ Age _____ ○ Education level _____ ○ Sex _____ ○ Infrastructure (yes or No): <ul style="list-style-type: none"> a) Reliable road _____ b) Electricity _____ c) Safe Water for drinking _____ d) For agriculture _____ ○ You have landholding certificate <ul style="list-style-type: none"> a) Yes b) No 	
a) To assess to what extent land tenure administration system of the Woreda meets good governance principles.	<ul style="list-style-type: none"> ✓ Land security ✓ Certainty of rights ✓ Cost of restoration of rights ✓ Sufficiency of land laws ✓ Appropriate compensation ✓ Breadth of land rights ✓ using Land as collateral ✓ Duration of land rights 	<ul style="list-style-type: none"> ○ You feel secured that local administration will not take away your land for whatever reason? <ul style="list-style-type: none"> a) Agree b) Disagree c) Neither agree nor disagree ○ You feel confident that available land laws protect your land interests. <ul style="list-style-type: none"> a) Agree b) Disagree c) Neither agree nor disagree 	<p>Questionnaire to:</p> <ul style="list-style-type: none"> ❖ Landholders (LH) ❖ Court employees ❖ RLAU employees <p>Interview to:</p> <ul style="list-style-type: none"> ❖ Landhol

	<ul style="list-style-type: none"> ✓ Reliability of court litigation ✓ Accessibility of court service (cost, distance & speedy service) ✓ Land registration process ✓ Procedures of land access 	<p>_____</p> <p>_____</p> <p>_____</p> <p>○ You believe the cost of restoring land rights is less costly.</p> <ul style="list-style-type: none"> a) Yes b) No <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>○ You believe available land laws are enough to protect land related rights.</p> <ul style="list-style-type: none"> a) Agree b) Disagree c) Neither agree nor disagree <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>○ Land possessors get enough compensation in relation to the value of the land taken by local administration.</p> <ul style="list-style-type: none"> a) Agree b) Disagree c) Neither agree nor disagree <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>○ Landholders have rights to use their land in various options available.</p> <ul style="list-style-type: none"> a) Agree b) Disagree c) Neither agree nor disagree <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>○ You can use your land as collateral to get loan from financial institutions, like banks or</p>	<p>ders (5)</p> <ul style="list-style-type: none"> ❖ RLAU Manager (LM) ❖ Land Officers (LF) (3)
--	---	--	---

		<p>microfinances.</p> <p>a) Yes</p> <p>b) No</p> <p>c) I have no information</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>○ You believe your land rights exist for indefinite period of time.</p> <p>a) Yes</p> <p>b) No</p> <p>○ By what means you can transfer land rights?</p> <p>a) Sell</p> <p>b) Donation</p> <p>c) Succession</p> <p>d) Other, if any</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>○ Court litigation is accessible in terms of</p> <p>a) cost</p> <p>b) distance</p> <p>c) speedy service</p> <p>d) other _____</p> <p>_____</p> <p>_____</p> <p>○ Land registration processes are convenient to customer needs.</p> <p>a) Yes</p> <p>b) No</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>○ Land registration process is less costly that encourage people to register their land.</p> <p>a) Yes</p> <p>b) No</p> <p>_____</p> <p>_____</p>	
--	--	--	--

		<p>_____</p> <ul style="list-style-type: none"> ○ Land accession procedures are clear and equitable to every one legible for such right. <ul style="list-style-type: none"> a) Agree b) Disagree c) Neither agree nor disagree <p>_____</p> <p>_____</p> <p>_____</p> ○ Land office continuously updates its land information. <ul style="list-style-type: none"> a) Agree b) Disagree c) Neither agree nor disagree <p>_____</p> <p>_____</p> <p>_____</p> ○ Having land use certificate protects your land rights effectively. <ul style="list-style-type: none"> a) Agree b) Disagree c) Neither agree nor disagree <p>_____</p> <p>_____</p> <p>_____</p> ○ Women access equal land rights as their counterparts. <ul style="list-style-type: none"> a) Yes b) No <p>_____</p> <p>_____</p> <p>_____</p> 	
<p>b)To analyze the existing land policy / Law/ implementation of the EPLAU.</p>	<ul style="list-style-type: none"> ✓ Fairness of land laws ✓ Effective enforcement ✓ Transparency of land laws ✓ Rule of law 	<ul style="list-style-type: none"> ○ You feel available land laws are fair. <ul style="list-style-type: none"> a) Agree b) Disagree c) Neither of the above <p>_____</p> <p>_____</p> 	<p>Questionnaire to:</p> <ul style="list-style-type: none"> ❖ Landholders (LH) ❖ EPLAU employees

	<ul style="list-style-type: none"> ✓ Accountability ✓ Participation ✓ Awareness of land laws ✓ Misuse of land laws ✓ Equality in service delivery ✓ Equality in gaining land information ✓ corruption ✓ Consistency in execution of land laws 	<p>_____</p> <p>_____</p> <p>○ Land authorities enforce land laws effectively.</p> <p style="padding-left: 20px;">a) Agree</p> <p style="padding-left: 20px;">b) Disagree</p> <p style="padding-left: 20px;">c) Neither of the above</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>○ Implementation of land laws is transparent to you.</p> <p style="padding-left: 20px;">a) Agree</p> <p style="padding-left: 20px;">b) Disagree</p> <p style="padding-left: 20px;">c) Neither of the above</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>○ You know available land laws.</p> <p style="padding-left: 20px;">a) Yes</p> <p style="padding-left: 20px;">b) No</p> <p style="padding-left: 20px;">If yes, Mention some</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>○ Local authorities misuse land laws for personal or others interest.</p> <p style="padding-left: 20px;">a) Yes</p> <p style="padding-left: 20px;">b) No</p> <p style="padding-left: 20px;">c) I don't know</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>○ Land office delivers service equally to any client.</p> <p style="padding-left: 20px;">a) Agree</p> <p style="padding-left: 20px;">b) Disagree</p> <p style="padding-left: 20px;">c) Neither of the above</p> <p>_____</p> <p>_____</p>	<p>Interview to:</p> <ul style="list-style-type: none"> ❖ EPLAU head ❖ Land experts (LE)
--	---	--	--

		<p>_____</p> <p>_____</p> <ul style="list-style-type: none"> ○ Land office provides land related information equally to any who wishes it. <ul style="list-style-type: none"> a) Agree b) Disagree c) Neither agree nor disagree <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <ul style="list-style-type: none"> ○ Corruption (any form) is common practice in service delivery of the land office. <ul style="list-style-type: none"> a) Agree b) Disagree c) Neither agree nor disagree ○ Land office has clear service standards. <ul style="list-style-type: none"> a) Yes b) No ○ If yes, these standards are effectively implemented. <ul style="list-style-type: none"> a) Agree b) Disagree c) Neither agree nor disagree <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <ul style="list-style-type: none"> ○ There is no consistency in execution of land laws. <ul style="list-style-type: none"> a) Agree b) Disagree c) Neither of the above <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <ul style="list-style-type: none"> ○ Land office has competent human resource to implement land laws. <ul style="list-style-type: none"> a) Agree b) Disagree c) Neither of the above 	
--	--	---	--

		<p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>○ Landholders get continuous training about land laws to protect your interest by land office or prosecutor office.</p> <p>a) Yes</p> <p>b) No</p> <p>○ Landholders actively participate in land related decision of land office.</p> <p>a) Yes</p> <p>b) No</p> <p>c) If No, why</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>	
<p>c) To understand land dispute settlement mechanisms practiced in the Woreda.</p>	<ul style="list-style-type: none"> ✓ Preference to solve land dispute ✓ Biasness in land dispute settlement ✓ Open dispute resolution mechanism ✓ Evidence based court decision ✓ Accountability of judges ✓ Knowledge of land laws by judges ✓ Openness of trial ✓ Service standards ✓ Effective enforcement of standards ✓ Perception of disputants on court services 	<p>○ You believe court is reliable means of land dispute settlement as compared to ADR mechanisms.</p> <p>a) Yes</p> <p>b) No</p> <p>c) Reason for your choice</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>○ Judges commit no bias during land related litigation.</p> <p>a) Agree</p> <p>b) Disagree</p> <p>c) Neither of the above</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>○ The court has open trial process when engaged in land dispute settlement.</p> <p>a) Yes</p> <p>b) No</p> <p>c) I don't know</p>	<p>Questionnaire to:</p> <ul style="list-style-type: none"> ❖ Court employees ❖ Landholders Interview to: ❖ Court President (CP) FGD to: ❖ Judges (8)

		<ul style="list-style-type: none"> ○ The court resolve land disputes solely based on justified evidence. <ul style="list-style-type: none"> a) Agree b) Disagree c) Neither of the above <hr/> <hr/> <hr/> ○ Judges are liable to their judgment. <ul style="list-style-type: none"> a) Agree b) Disagree c) Neither of the above ○ Judges make clear to disputants why they decide the land dispute the way they decide. <ul style="list-style-type: none"> a) Yes b) No c) I don't know <hr/> <hr/> <hr/> ○ You trust court decision as it is based on the legal framework. <ul style="list-style-type: none"> a) Yes b) No ○ Judges have adequate legal knowledge to decide cases. <ul style="list-style-type: none"> a) Yes b) No c) I don't know ○ Judges decide land disputes to the extent of their legal knowledge, no more other influence. <ul style="list-style-type: none"> a) Agree b) Disagree c) Neither of the above <hr/> <hr/> <hr/> 	
--	--	---	--

		<ul style="list-style-type: none"> ○ The trial process is open to anyone to attend. <ul style="list-style-type: none"> a) Yes b) No ○ The court has service standards. <ul style="list-style-type: none"> a) Yes b) No <hr/> <hr/> <hr/> <hr/> ○ If yes, such standards are effectively followed. <ul style="list-style-type: none"> a) Agree b) Disagree c) Neither of the above <hr/> <hr/> <hr/> <hr/> ○ Is there any complaint handling mechanism? <ul style="list-style-type: none"> a) Yes b) No ○ If yes, it is effectively executed. <ul style="list-style-type: none"> a) Agree b) Disagree c) Neither of the above ○ You satisfied by the overall service delivery of the court, especially related to land litigation. <ul style="list-style-type: none"> a) Yes b) No c) If no why <hr/> <hr/> <hr/> <hr/> ○ What challenges you observe with regard to land related dispute settlement? <ul style="list-style-type: none"> a) Impartiality b) Violation of laws c) Lack of openness d) Procedural irregularity 	
--	--	--	--

		<p>e) Legal knowledge gap</p> <p>f) Lack of consistency in decisions</p> <p>g) others</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>○ What should be done to avoid or at least minimize such challenges?</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>○ How do you judge the role of land office in resolving land disputes by negotiation before it lead to court?</p> <p>a) It is effective</p> <p>b) Not effective</p> <p>c) Weak contribution</p> <p>○ Does the land office render right land information to the court when ordered to do so?</p> <p>a) Yes</p> <p>b) No</p> <p>○ Does it mislead court decision by delivery incorrect evidence to the court?</p> <p>a) Yes</p> <p>b) No</p> <p>c) Sometimes</p> <p>d) I don't know</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>	
--	--	--	--

Addis Ababa University
College of Development Study
Regional and Local Development study

Interview Guideline

A. To EPLAU office head

1. How would you describe land governance in your office?
2. Is there any land governance challenge that faces your office?
3. How do you try to solve such challenges?
4. Is decision making process open to all community members?
5. Do you believe overall land related operation of your office is law based, transparent and accountable? If there are limitations what are they? Any strong side?
6. How do you protect land tenure security, compensate in case of expropriation?
7. If you have anything you want to say about land governance of your Woreda?

B. To Court President

1. How do evaluate the effectiveness of dispute resolution in your court?
2. Are judgments of the court clear and open to the disputants?
3. To what extent decisions of the court are based on the legal framework?
4. Do you believe your court win public trust? If not, what you are doing to get that trust?
5. To what extent judges held accountable during misuse of power?
6. Can anyone attend the trial process?
7. How do you rate the accessibility of your court in terms of cost, distance, and speedy trial?
8. Are court decisions fair, consistent, accessible, unbiased and follow all procedural laws?
9. What challenges you face in land dispute resolution
10. If you have anything to say?

C. To land experts, Landholders

1. Do you believe community members have equal access to land?
2. Are women and men having equal access to land? If not, why?
3. Are all community members having equal access to land information?
4. Is decision making on land administration open to community members?
5. What challenges and opportunities are available in terms of ensuring transparent, accountable, and law based land administration system in the woreda?
6. What are the major challenges of land governance in your area?

7. If you have any to add?

Guideline for FGD

1. What are main land governance challenges?
2. What are the main causes?
3. What should be done to eradicate or at least minimize the challenges?
4. What are good practices of land governance in the woreda, if any?

Interview Protocol

Date: _____

Place: _____

Interviewer: Moges Amare

Interviewee: _____

The following are guideline questions for the interviewing process. You can explain in detail and raise other related issues to land governance.

1. _____

2. _____

3. _____

4. _____

