

Land Administration: Securing Limited Resource with Skyrocketed Demand in Shashemene City of Oromia Regional State, Ethiopia

Olira Kebede*

Abstract

This study aims to assess urban land administration practices in the study area. The study has applied a multi-stage representative sampling technique to achieve this objective. The researcher has employed a descriptive research design, and both quantitative and qualitative methods were adopted. The study used 137 systematically selected sample households from four sampled kebeles. The primary data was collected from the municipal city officials and experts, focus group discussions participants as well as households by the researcher with the help of enumerators, and secondary data was collected from rules and regulations, documents concerning land and property registration system, different documents on good governance principles and official records. Five (5) key informants from sectorial offices concerning urban land administration were interviewed. The researcher has also organized two focus group discussions having six (6) purposively selected participants in each group comprising the residents of Shashemene city. The cumulative findings revealed an absence of transparency on land administration-related issues and a problem of responsiveness in the study area. Finally, the study recommended organizing meetings to take complaints as input, setting clear and uniform work procedures based on the study's findings.

Keywords: Land, Responsiveness, Urban Land, Land Administration, Good Governance

Introduction

An effective and efficient land administration system is vital for the government to manage land-related issues. In a land administration, different stakeholders raise the concepts of beneficiaries, the interaction of informal and legal framework, stakeholders involved in, the right decision-makers, and usage, utilization, transfer, and inheritance of land (Palmer et al., 2009). On the other hand, global factors like sustainable development, environmental sustainability, globalization, rapid urbanization, economic reform, and technological advancement have necessitated the adjustment of various land administration policies and models by governments (Williamson, 2001). Besides, the issue of urban land administration (hereafter ULA) becomes arguable in the current global agendas and gets recognition by international organizations like World Bank and United Nations (UN) in framing sustainable urban development (Berhanu *et al.*, 2015).

* Adama Science and Technology University, Ethiopia. Email: olirakebede@gmail.com

Urban centers or cities in Ethiopia struggle with the increasing demand for land for different urban development purposes, making the urban land delivery process a critical land policy matter (Lindner, 2014). Good governance in land administration is also the foundation for achieving good governance in society. However, to have successful good governance in land administration, FAO (2007) argues that there should be a need for commitment and participation from all the stakeholders involved. The statement aligns with the good governance principles, which require proper organizational arrangements and public interventions in the decision-making process.

Many countries, including Ethiopia, have poor land administration mainly due to incompetent and ineffective land institutions (UN Habitat, 2012). Having fast population growth and increasing land demand with limited capacity to administer urban land impedes the development of a city. Thus, as good governance is the backbone for city development, it is interesting to investigate the practice of urban land administration with the principles of good governance with special reference to transparency and responsiveness in the study area.

Shashemene is one of the vibrant cities in which many socio-economic activities take place, making the city to play a significant role in the development of the region and the country. As the center of multiple business attractions, the city grows fast in physical size and population. As a result of rapid population growth and rural migration to the city, many problems emerged like infrastructure problems, rent-seeking, unlawful land transaction, and land-holding that require the city administration to match its service providers with the change of demands (Compass AEPED, 2015).

The issue of lawmaking is the business of government alone. Even though the proposed law affects the lives of Ethiopians, the concerned bodies and stakeholders are rarely consulted. Ethiopia's legal framework on urban and rural land was introduced, and differentiating urban land from rural began in the 1970s by enacting proclamation number 47/1975 to nationalize all urban lands and extra-urban houses. Since then, Ethiopia has administered urban land with various legal systems and institutions, and many proclamations were repealed and replaced successively.

The Ethiopian legal system gives the right to administer land to both federal and regional governments. However, considerable autonomy over the land administration system is given to the regional governments. Regional governments try to incorporate and adjust the federal land policy and apply it according to their respective land tenure systems and socio-economic context. Regional governments lay down specific and varied provisions via their proclamations and legal framework despite the federal governments' general land policy guidelines and legal frameworks. Devolution of power to subsidiary sovereign bodies provides an opportunity and flexibility in adjusting such provisions. The land policy and lawmaking process in the three government regimes (Imperial, Derg, and EPRDF) is minimal (Berhanu A., 2015).

The existing legal frameworks include proclamation number 455/2005 (issues related compensation), proclamation number 721/2011 (urban land administration/lease law), and proclamation number 818/2014 (urban land registration). In addition, there are regional constitutions, laws, regulations, and directives of regional governments.

The FDRE constitution under Article 40 stipulates the exclusive ownership rights of rural land, urban land, and natural resources by the state and the people of Ethiopia. State ownership of land is acknowledged due to the assumed fear that private ownership of land will lead to the absorption of land in few people's hands, leading to the eviction of the poor landholders and frustrating landlessness.

According to the FDRE constitution, urban land is administered by the urban land leasehold law, established in 1993 and amended by Proclamation Number 80/1993, 272/2002, and 721/2011. Other proclamations govern urban land administrations like Proclamations No.574/2008 and No. 818/214. The legislation and proclamations aimed at facilitating good urban land administrations. However, the empirical study reveals that the practice of urban land administration in Ethiopia is at its worst stage (Y. Bekele, D. Kjosavik, 2016).

Though there are studies conducted on urban land issues in other parts of Ethiopia on land policy (Daniel B, 2011), tenure security (Hussein 2004 and Wibke Crewett et al., 2008), land rights, and land certification (Daniel W.2013 and Zemen, 2013), there is dearth attention on urban land administration practices including Shashemene city of Oromia Region. However, the transparency and responsiveness in the urban land administration from the good governance dimension at the local level of Shashemene city on the issue is yet to be studied. Thus, this study

focuses on the practices of urban land administration from the lens of two variables of good governance - transparency and responsiveness.

The general objective of the study is the assessment of urban land administration practice in Shashemene city of Oromia Regional State, and the specific objectives of the study are to examine the transparency in the accessibility of urban land information to the general public and to assess urban land development and management office's responsiveness to the demands.

Review of Related Literature

Land continues to cause social, ethnic, cultural, and religious conflict. Many wars and revolutions have been fought over land rights for many centuries. Throughout history, all civilizations have devoted considerable efforts to defining land rights and establishing institutions to administer these rights, i.e., land administration systems.

Basic Concepts Related to Urban Land Administration

Land Management

According to United Nations Economic Commission for Europe (UN-ECE, 1996), land management is the procedure by which we manage the resources of land effectively that includes both environmental and economic perspectives of land resources. Burns and Dalrymple (2008) also associate land management with the activities on the land and natural resources, including such activities as land allocation, use planning, and resource management. Generally speaking, the following issues fall under the umbrella of land management:

- a) Property transfer, including decisions on mortgages and investment
- b) Property assessment and valuation;
- c) The development and management of utilities and services;
- d) The management of land resources such as forestry, soils, or agriculture;
- e) The formation and implementation of land-use policies;
- f) Environmental impact assessment; and
- g) The monitoring of all activities on land that affect the best use of that land (UN-ECE, 1996).

Land management allows everyone to understand land tenure, land value, land use, land development, how land administration institutions relate to the historical circumstances of a country, and policy decisions (Enemark, 2012).

Transparency

Bell (2007) defined transparency based on how institutions tried to improve information sharing within and between the agency and clients and how it tried to reduce rent-seeking breaks in facility provision. Transparency necessitates decisions and actions to be taken openly and the prevalence of adequate information to be assessed by any concerned body whether relevant procedures are followed or not (Gloppen *et al.*, 2003). Transparency is a critical component of a well-functioning land administration, particularly given the scarcity of clear and credible information on land availability and transactions and the poor dissemination of public information on land rights and policies.

Transparency plays a pivotal role in building trust, legitimacy, and powerful strategy to empower people. People only claim their rights if processes are transparent enough to understand them and have access to information, enabling them to participate in different arenas (UNDP, 2006).

Responsiveness

Responsiveness is a mechanism in which a power holder or decision-maker recognizes the demands of individuals or particular groups and responds to them properly (Gloppen *et al.*, 2003). Furthermore, UNDP defines responsiveness as how development agents - both private and public - observe the will and need of the people and respond to the people's requests (UNDP, 2006). Public policy formulation, decisions, and implementation must be according to the will of the people and expectations by exemplifying satisfactory responses. It means that good governance necessitates institutions and processes of government to serve all stakeholders within a reasonable timeframe (Oviasuyi *et al.*, 2010).

Rule of Law

The FDRE constitution intended to establish a political community based on the principle of the rule of law. The main actors who participate in the draft of the constitution even show their effort to establish a constitutionally limited government by including a constitutional provision which stipulates that "any law, customary practice or a decision of an organ of state or a public official

which contravenes" constitutional provisions is ineffective (FDRE Constitution, article 9(1)). As one basic principle of good governance, the rule of law indicates a fair legal framework enforced without bias and consistent constitutional procedures (Oviasuyi *et al.*, 2010). The rule of law is apprehending observation in which agents develop confidence and put up with the rules of society. The prevalence of the rule of law indicates protection of property rights, enforcement and implementation of the law, eradication of crime and violence, and peaceful resolution of disagreements (Kaufmann and Kraay, 2008). According to Palmer *et al.* (2009), land policy and administration should be done by elected representatives with consultation with interested and affected parties. Democratically elected politicians must approve the plans designed for land use after dealing with the public effectively.

Effectiveness and Efficiency

The land administration system should be efficient, effective, and competent. According to FAO (2007), effective and efficient administration formulates policy and implements it efficiently by delivering services of high quality. Effective and efficient land administration makes the work accurate and timely with inquiries being answered within a reasonable period; competent persons can undertake it. The programs and projects designed by the government must be committed to the benefit of the community within the guidelines of good governance principles - effective and efficient use of resources. Processes and institutions must produce results that meet the needs of the people by using resources efficiently and effectively (Oviasuyi *et al.*, 2010).

Equity

Equity means fairness and impartiality deals with individuals and groups and delivers non-discriminatory benefits and services (Palmer *et al.*, 2009). Land administration services should be provided for all without discrimination based on gender, ethnicity, religion, age, or political affiliation. For the prevalence of the principle of equity, the same service with the same standard must be accessed by all individuals independent of their political and economic status. Customers must be served as per the principles of first come, first served without undermining the interest and benefit of others (Bell, 2007). The notion behind the application of equity is moral equality in which people are treated in a principled manner.

Importance of Good Governance in Land Administration

Since sustainability includes social, economic, and environmental issues in the decision-making process, the concept of governance has become controversial. However, the debate continued in various disciplines (Olowu, 2002). Even though the concept of governance is complex, it refers to the worth of the public delivery system, and on the other hand, it deals with the development of a proper institutional framework in the political dimension (Sheng 2010). Urban land administration, according to FAO (2009), is described as the process, rules, and structures in which land-related decisions concerning the right to use land, how decisions are implemented and enforced, and how challenging interests in urban land are managed. It also deals with the state structure concerned for urban land, legal and policy frameworks, practices governing land transactions, inheritance, and conflict resolution mechanisms.

The growing maladministration practice in urban land administration necessitates the importance of governance in urban land. In many developing countries, corruption is linked to weak governance, and having power over land is a means of controlling political and economic power and privilege. Moreover, weak urban land administration is associated with the increasing insecurity level of property rights and corruption in the administration systems (FAO, 2007).

There is empirical evidence that supports the above statement. The studies conducted by Burns and Dalrymple (2008) in developing countries have witnessed that cities cannot provide affordable urban land in sufficient quantities, particularly for the urban poor, because of the inefficiency and ineffectiveness of land management. They pointed out that a weak institutional and legal framework will affect the poor in particular and may leave them to be marginalized.

Urban Land Policy and Administration

The place of land in social, political, environmental, and economic dimensions is central in every society. It is also fundamental to the level of urbanization, economic prosperity, and social stability of a country. The land is positioned at the hub of human culture and institutions, which is pivotal in producing all goods and services directly and indirectly. The land's fundamental feature is its fixed supply and immobility. Hence, land property right is essential for economic growth and poverty alleviation. According to Deininger et al. (2003), to afford incentives for

investment and sustainable resource management, to smooth the progress of the low-cost transfer of land and credit access, the right to land should be secured and well appropriately defined in a country. Thus, discussing urban land policy is essential to assess urban land administration.

Land policy is a formal government declaration and its target and strategy on land use, administration, and distribution. It also describes the political adjustments regarding the division of power and interests on land among the government and people. The land policy aims to attain equity, promote investment, reassure land developers, and foster cultural and environmental sustainability. It is not only for promoting security and social stability but also serves as a foundation for economic growth. To make the land policy effective, it needs various institutional arrangements to smooth the progress of land administration activities and land information management. Urban land policy is multifaceted and varied in different countries, as revealed by theoretical and empirical evidence (Doebelej, 1987). The primary debate on urban land policy is instigated on the issue of private versus public ownership of land. Deininger and Chamorro (2002) argued that the private ownership of land is well thought-out as convincing; however, the real incident shows an unenthusiastic result. On the other hand, public land ownership was fashionable, for instance, in numerous former socialist countries in the 1960s and 1970s (Hong and Bourassa, 2003 and Nega, 2005). The experience of many countries reveals that state ownership of land, on the other hand, is characterized by underutilization of resources, mismanagement, and corruption (Deininger, 2003).

The land rent will increase proportionally according to the people's demand for more land. One of its distinctive features of land demand is the exclusive determinant of land value that manipulates the effective administration of land on its value, the amount of price paid periodically for the exclusive rights of land and other resources. The economic rental fee is the foundation revenue for the community with no impact on the economy's productive potential. Land rent captured by the community enhances efficiency and equity in land administration. Land rights benefit from creating income rapidly and being more accessible to administer than betterment taxes, land re-adjustment systems, or universal possession dues. As to George E. Peterson (2006), many urban areas in China have funded half or more of their urban facilities investment directly from land leasing while borrowing against the value of the land on their

balance sheets to finance much of the remainder. The same is true in Ethiopia since land is owned publicly, and land leasing is considered the primary municipal revenue source.

The value of land is affected by many factors. One of the major factors includes the physical attributes of the land, including the quality of location, lots of sizes, landscape, access to basic social services and infrastructures, and environmental features. The other factor includes land administration regulations like the type and amount of taxation, zoning and building laws, planning, and restrictions. Moreover, there are social factors such as population growth or decline, changes in family sizes, typical ages, attitudes toward law and order, prestige, and education levels. Lastly, economic forces include value and income levels, growth and new construction, vacancy, and availability of land.

Land Lease System in Ethiopia

Currently, the land is described constitutionally as state-owned. The FDRE constitution states that the right to ownership of both urban and rural land is given to the state and people of Ethiopia, which facilitates the acquisition of land through a leasehold system. The land lease system is important for attaining effective land use planning, enhancing investment and investors, and getting back land from the leaseholder at a needy time. Holding land as public ownership is advantageous as land value increases; it is easy to allocate land to the community and additional use in the future.

In order to determine the value of urban land in Ethiopia and foster investment in business, residential or other purposes, many proclamations and regulations have been established. Many studies have been conducted on the land policy in Ethiopia (Alebel and Genanew; 2007a; 2007b, Yusuf 2009; Belachew, 2010; Zemen, 2013; Zelalem, 2014) and make out gaps, inconsistency, and ambiguity in the urban land lease regulations as well as the constraints and challenges that impede their effective implementations. Almost all of these studies are employed by qualitative data and review of documents which open rooms for debate since they are qualitative and subject to individual judgments. However, careful quantitative studies on the issue of the urban land system are carried out by Alebel and Genanew (2007a; 2007b) by using lease auction data to analyze investors' willingness to pay for a plot of land in Addis Ababa for the period 1994/95 – 2002/03.

Among the various proclamations of urban land lease systems of Ethiopia, Proclamation No. 80/1993 is the primary proclamation. Next to this proclamation, the government endorsed Proclamations 271/2002; and 721/2011 in 2002 and 2011, respectively. The enactments of these proclamations are not only constitutional foundations, but also they have economic and social goals in their effective implementations. The objectives of these proclamations are to attain sustainable economic growth via suitable land administration, which is transparent, responsive, and efficient to the skyrocketing demand for land. Ensuring a free-market economy, responsive, transparent, and accountable land administration systems are the targets of these proclamations. The effective implementation of the proclamations can be tested in fostering investment (economic growth), housing and infrastructure (equity), revenue collection (capital mobilization), regulated expansion, and restricting the informal expansion of cities (social objective).

The land lease policy is objectively adjusted for the common interest and development of the people to use the right of urban land. Hence, the lease system is projected to overcome the urban development challenges in the country. Empirical shreds of evidence show that lack of affordable and decent houses, unemployment, infrastructure such as water supply and sanitation, and poor waste management are some of the major urban challenges in Ethiopia (World Bank, 2015). The leading cause for these key urban challenges includes land management, administration, and municipal finance (*ibid*).

The lease system should practice transparency, responsiveness, and accountability to prevent corruption and maladministration in the land delivery system. To do so, public interest should be a priority as an important element of lease policy to guarantee rapid urban development and equitable benefits of citizens.

The contents of regulations like the scope of application, property rights related to transfer, mortgaging, compensation, and associated duties, ways of acquiring new development land, manner of fixing rates and modalities of lease fee payment, and duration of lease period have a direct attachment with its practical implementation. For example, Proclamation No 721/2014 stated that the grace period is determined based on the type of development or service of the plot of land as well as the conclusion of the lease contract and completion of the construction period.

Furthermore, the same regulation also stated that a leaseholder might transfer his/her leasehold right or use it as collateral or capital contribution to the extent of the lease amount already paid. He can transfer prior to commencement or half completion of construction. However, based on the level of urban development and sector of development activity or the type of service, the year of urban land lease may differ. For example, residential plots have 99 years lease period, 70 years for the industry, 60 years for commercial use but business-like urban agriculture has only 15 years lease period.

The different proclamations are enacted with different objectives. For instance, Proclamation No. 80/1993 indicates that the regulation is being applied only to urban land permitted to be held by lease and does not include urban land held through other means before, which creates uncertainty. However, the issue has been addressed by the enactment of Proclamation No. 272/2002 by stating that any urban land held by the permit system, the leasehold system, or by any other means prior thereto should be under the lease system. More to the point, the same proclamation tried to congregate the skyrocketing demand for land, unfair allocation, and manage illegal settlements. The issues that are not enclosed by the above two proclamations are addressed by Proclamation No. 721/2011. The regulation stated that any urban land which has not been under the leasehold system is allowed to be held only via the lease system. The proclamation's goal is to encourage uniformity of the old possessions with the new ones.

In Ethiopia, the policy and institutional arrangement of the land acquisition system for investment include three modes of land access: rent from a private source, leasehold, and public allotment (Proclamation No 721/2011; Regulation No.14/2004; Regulation No.4/1994; Regulation No.3/1994). According to World Bank (2012) study, land allocation is the second most area of corruption in Ethiopia following customs services. The most corrupt activity in the land sector occurs at the implementation stage, suggesting that the level of corruption is influenced by how policies and legislations are formulated and enforced.

Material and Methods

Research Design

In this study, the researcher has employed a descriptive research design based on the ground that it helps to describe the current status of good governance practices in urban land administration of the municipality under study.

Research Approach

The researcher has employed qualitative and quantitative research approaches to fulfill the study's objectives. Qualitative research is used to answer questions about the complex nature, often to describe and understand the phenomenon from the participant's point of view, alongside quantitative research data.

Sampling Technique and Procedures

The researcher applied multi-stage sampling techniques. At the first stage, purposive sampling was used to select the Oromia region due to its rapid expansion of investment and industry compared to other regions. At the second stage, the researcher selected West Arsi Zone purposively owed to its immediacy and portion of outlet for other adjacent areas. At the third stage, Shashemene city was selected by its center of business and investment compared to other surrounding West Arsi Zone. Finally, from Shashemene city, four Kebeles were selected based on the land-holding mechanisms - predominantly high informal land transaction namely Abosto (4,464 Households [HH's]), Arada (3,384 HH's), Buchana (3,372 HH's), and DidaBoke (3,387HH's).

The sum of 14,607 households was considered as sampling frames of the study. Thus, the researcher uses the sample size determination formula developed by Jeff (2001) to determine the total sample size for this study.

$$S = \frac{x^2 NP(1-P)}{d^2 (n-1) + x^2 P (1-P)} \quad \text{Where:}$$

S = required sample size.

X²= the table value of chi-square for 1 degree of freedom at the desired confidence level (3.841).

N = the population size.

P = the population variability (assumed to be 0.10 since the population is homogeneous in terms of geography, similar social class, and similar economic activity (cash economy) as the urban economy is monetized economy).

d = the degree of accuracy expressed as a proportion (0.05).

When this formula is applied to the above sample, we get

$$S = \frac{3.841 \times 14,607 \times 0.1 \times (1-0.1)}{0.05^2 (14,606) + 3.841 \times 0.1 \times (1-0.1)} = \frac{5049.49}{36.86} = 137$$

On the other hand, to determine the number of the sample (respondents) in Agosto kebele (n1), Arada kebele (n2), Bulchana kebele (n3), and Dida Boke kebele (n4); the following formula better helped.

Thus, $n1 = S (N1/N)$ and hence

$$n1 = 137 (4,464/14,607) = 42$$

Similarly, $n2 = S (N2/N)$, which is

$$n2 = 137 (3,384/14,607) = 32$$

$n3 = S (N3/N)$ which is

$$n3 = 137 (3,372/14,607) = 31$$

$n4 = S (N4/N)$ which is

$$n4 = 137 (3,387/14,607) = 32$$

Sample respondents were selected through a systematic sampling technique. The study uses both probability and nonprobability sampling designs. Probability sampling was used to select respondents for the questionnaire. From the probability sampling design, systematic sampling was used. Nonprobability sampling was used to select the key informants for the interview and focus group discussion participants.

Data Type and Source

The researcher employed both primary and secondary data. The sources of primary data were sample household respondents, head of Shashemene Urban Land Development and Management Office (hereafter ShULDMO), FGD participants, ShULDMO officials, and experts and secondary data sources have been collected from written materials including books, journals, articles, good governance principle documents, land and property recording document, government's policy and strategy documents, proclamations and regulations that were relevant to this study.

Data Collection

The primary data were gathered using structured questionnaires, semi-structured interviews, and focus group discussions.

Questionnaire: The study has designed structured questionnaires and converted them to a local language - Afan Oromo for easy understanding. The researcher employed data collectors; hence, four enumerators were trained for two days and employed for eight days to collect the data. A criterion for selecting enumerators was educational background (more than 10+2 grade).

Key informant Interview: The type of interview employed in this study was a semi-structured interview. Based on the non-probability sampling method, the researcher selected five (5) key informants, based on their position and work experience. Hence, the head of ShULDMO and four (4) officials were interviewed.

Focus Group Discussion: The researcher has organized two focus group discussions with the residents in the selected sample Kebeles. The number of individuals that participated in each focus group discussion was six (6) and selected purposefully.

Results and Discussion

This part devotes to the presentation, analysis, and discussion of the data collected from the sampled respondents through questionnaires' interviews, focus group discussion, key informants, and written documents. The data are presented in tables and graphs and analyzed using numbers, percentages, and descriptive statements.

Response Rate

The respondents were divided into households residents, and officials treated using questionnaires, FGD, and interviews. The total questionnaires being distributed for those households were 137. Out of the total questionnaires distributed for households, 129 respondents returned the questionnaire with their responses on time. The rest eight (8) respondents did not fill out and return the questionnaires. The response rate to the questionnaire distributed was 94% ($129/137 \times 100$).

Furthermore, the interview was successfully conducted with five (5) key urban land sector officials. Moreover, two FGDs were arranged with residents from sampled *kebeles* by having six (6) participants in each group.

Accessibility of the Institution's Information to the Public

The land sector must be part of global trends towards fairness and openness and strive to develop sound and transparent administrative systems (UN Habitat, 2013). Transparency is one of the major principles of good governance, which enhances trust between the service delivering institution (ShULDMO) and the customer in accelerating effective urban land administration. Transparency promotes the openness of the democratic process through reporting and feedback, clear processes, and procedures. It is a management method where nearly all decision-making is carried out publicly (Enemark and Williamson, 2003). The transparency in the office of ShULDMO, accessibility of information, the openness of the office on its decisions, and clarity on the administration of urban land-related aspects were analyzed and presented hereunder.

Accessibility of Information

Good governance requires that land information systems provide relevant, accurate, and affordable land-related information to the public and that land administration services are accessible, affordable, and sustainable, as suggested by Burns and Dalrymple (2008). Policies, rules, and regulations can be effective within any specific governmental or non-governmental institution when an adequate institutional capacity exists. To assess this issue, the researcher tried to pinpoint the accessibility of land information of the city under study.

Table 1: Perception of Respondents on the Accessibility of Information

Description	Response	n	%
Information flow is free and direct and to those who be affected by the decisions	Strongly Disagree	22	17
	Disagree	66	51.2
	Neutral	15	11.6
	Agree	19	14.7
	Strongly Agree	7	5.4
Total		129	100

Source: Own Survey Data, 2016

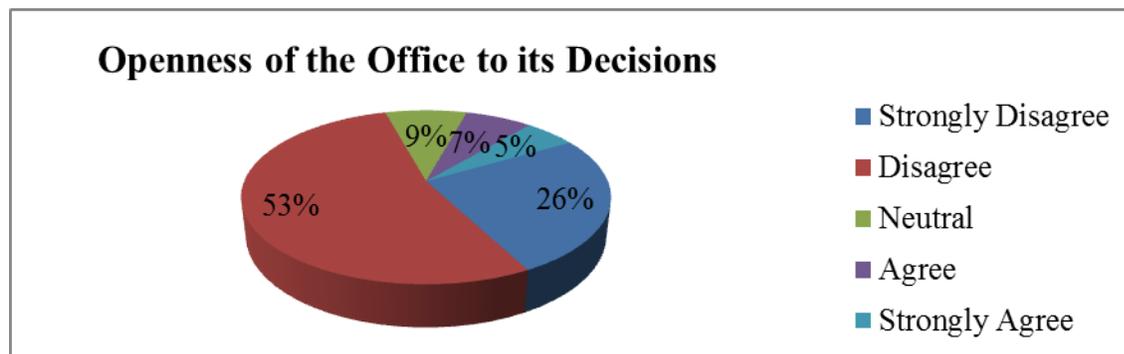
Table 1 above deals with the accessibility of information on land to the people/customers to enquire whether the information was accessible to those who will be affected by decisions. Respondents and FGD participants replied that the information was not open to them. From the cursory look in Table 1 and the views of FGD participants, we can understand that information was not freely and directly accessible to the stakeholders. Thus, it affects the overall administration of the urban land.

The Openness of the Office on Decisions

There are different types of decisions that might pass on urban lands, such as land delivery, land acquisition (who gets what), and areas for what purpose should be reserved. According to Figure 1, respondents were asked whether the office is open to land delivery and land acquisition decisions. The majority of respondents and key informants said that decisions made on the land and land-related property were publicized to the residents and concerned bodies; however, it is difficult to say the correct information was disseminated at the right time.

FGD participants likely confirm a lack of clear information on decisions made by the land administrators. Thus, the lack of key information in land administration is a significant obstacle for a further efficiency increase, as suggested by MoUDHC (2014). Hence, problems were found in the study area, especially with the information on the size of the land and reserved areas for different purposes.

Figure 1: Openness of the Office to its Decisions



Source: Own Survey Data, 2016

Transparency on Administration of Urban Land



For urban development projects, the basic obstacle is the lack of sufficient data. The reasons for this can be technical, personal, or institutional. Procedures for acquiring land must be transparent and open to all stakeholders (UN Habitat, 2012). The clarity of land administration procedures will help customers quickly identify the steps they pass to acquire land, which will remove the ups and downs in getting land-related service.

Table 2: Transparency in Urban Land Administration

By taking the above concept as a base, the clarity of the procedures for acquiring land was one of

Descriptions	Response	n	%
Procedures for acquiring land is clear to all stakeholders	Strongly Disagree	5	3.9
	Disagree	21	16.3
	Neutral	14	10.9
	Agree	85	65.9
	Strongly Agree	4	3.1
	Total	129	100.0
The size of land to be allocated is clear to all	Strongly Disagree	5	3.9
	Disagree	14	10.9
	Neutral	10	7.8
	Agree	93	72.1
	Strongly Agree	7	5.3
	Total	129	100.0

Source: Own Survey Data, 2016

the questions raised to assess the office's transparency in its activities. Thus, the survey result shows that most of the responses indicated that the procedures for acquiring land were clear to all stakeholders. In connection with the clarity of urban land administration, Arko *et al.* (2010) argue that getting land must be transparent and open to all interested parties. To know the office's transparency concerning the size of land to be allocated by the municipality, data collected on whether the size of land to be allocated is clear and precise or not? It shows the presence of clear information on the size of land. FGD participants and key informants also confirmed the same. Thus, based on the above data, we can understand that there is an understanding among the respondents on the size of the land to be allocated.

Knowledge on the Frequency of Land Delivery

As shown in Table 3 below, the survey result reveals that the time of land allocation was not clear to all stakeholders. The same question was delivered to FGD participants to cross-check the reliability of data collected through the questionnaire, and they replied that there were times

when the land was given in an irregular schedule in which no one was aware. Thus, it can be inferred from the above discussion that there is a gap in informing society about the time for land allocation from the municipality side. The absence of periodic (fixed) time for land allocation may cause maladministration, which affects the practice of good governance.

Table 3: Knowledge on Time of Land Allocation

Description	Response	n	%
The time of land allocation to the public is clear to all	Strongly Disagree	26	20.2
	Disagree	73	56.6
	Neutral	10	7.8
	Agree	18	14.0
	Strongly Agree	2	1.4
Total		129	100.0

Source: Own Survey Data, 2016

Clarity of procedures related to land acquisition, land size to be allocated, and time for allocation of land simplify the practice of good governance in urban land administration. Generally, according to the survey results, procedures for acquiring land and the size of land allocated by the office were clear to all. However, the time for land allocation is not uniform and clear to all. There is a time when land is given arbitrarily without a formal schedule, which opens the door for malpractice in the study area.

Enforceability of Decisions

There should be good work in service delivery, legislation, rules, and regulations to improve land administration service. The laws and regulations should be integrated, consolidated, and updated (World Bank, 2007). In a democratic government, decisions should be made and enforced following the rules and regulations to ensure the practice of good governance. As Table 4 portrays, the survey result reveals that decisions were not taken and enforced under the rules and regulations by the study area's land development and management office.

One of the main duties and responsibilities of ShULDMO is ensuring the delivery of efficient, transparent, and equitable services; however, according to data from household respondents and FGD participants, they are not executing under rules and regulations. FGD participants support the above idea by stating that most of the time, decisions were made in a way that would benefit

the administrators, and there was also partiality in giving service to the stakeholders. For instance, during valuation, the same land size was estimated differently. Those with a relationship with the decision-makers and their relatives get target areas with low prices and protected green areas are given to business people and relatives of higher officials. Hence, corruption and favoritism cut the path of exercising rules and regulations.

Table 4: Enforceability of decisions in the ShULDMO

Description	Response	n	%
Decisions are taken and enforced in accordance to the rules and regulations	Strongly Disagree	22	17.1
	Disagree	69	53.5
	Neutral	9	7.0
	Agree	24	18.6
	Strongly Agree	5	3.8
	Total	129	100.0

Source: Own Survey Data, 2016

Institutions Responsiveness to the Needs and Preferences of the Society

In applying the principle of responsiveness, Urban Land Development and Management Office shows poor performance, and the result of the study reveals that there was no assessment of needs and preferences of society in the study area, which in turn results from loss of confidence in administration and absence of participation in the overall administration of urban land.

Table 5: Needs and Preferences of the Society

Description	Response	n	%
The office of urban land administration assess the needs and preferences of stakeholders	Strongly Disagree	14	10.8
	Disagree	82	63.5
	Neutral	6	4.7
	Agree	12	9.3
	Strongly Agree	15	11.7
	Total	129	100
Implementation of decision is according to the needs and preferences of stakeholders	Strongly Disagree	26	20.2
	Disagree	79	61.2
	Neutral	4	3.1
	Agree	12	9.3
	Strongly Agree	8	6.2
	Total	129	100.0

Source: Own Survey Data, 2016

The organized and unbroken methods should be accustomed since people's desires are vigorous (Adisalem, 2015). It is important to know the needs and preferences of the people to give priority

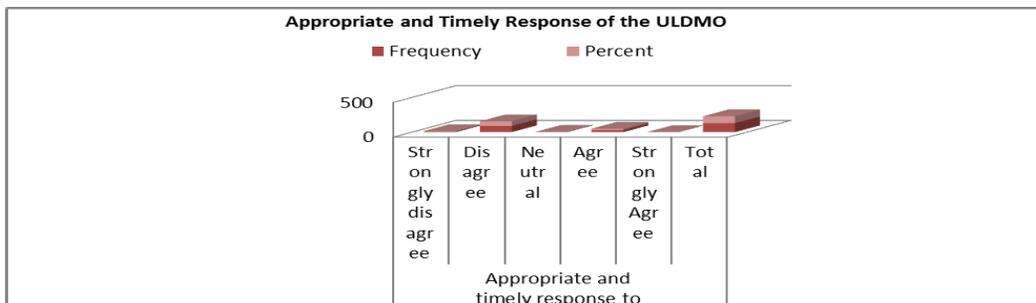
to which they give more attention (UNDP, 2006). However, the survey result indicates that the office does not prioritize the needs and preferences of people. Most of the key informants also indicate that there is a gap in identifying the needs and preferences of people on the city-wide distribution of coble stone due to financial constraints. Furthermore, the FGD participants argued on this issue and identified the absence of assessment of stakeholders' needs and preferences.

Incorporating different needs and preferences of people into plans and projects will not be the only matter, but its implementation should be according to these needs and preferences (Oviasuyi *et al.*, 2010). Table 5 above indicates that a significant number of respondents replied that the implementation of the office is not in accordance with the needs and preferences of the people in the study area. However, a plan or policy is well based on its implementation; even a fascinating plan's effectiveness depends on its implementation. Participants of the focus group discussion also present that they were not satisfied with the exclusion of their needs and preferences since the office makes plans and projects by undermining people's real needs and preferences.

Timeliness and Appropriateness of Response

Figure 2 below presents the responsiveness of the office, and it discloses how the office gives a timely and appropriate response to the demands of society. In the FGD, participants expressed that they presented their demands to the office, but the office did not use it as input and failed to give a response to their demands on time. So from this, it can be concluded that the people in the study area are not getting a timely response and appropriately to their claimed demands, and most of the residents were not satisfied with the response given by the ULDMO.

Figure 2: Appropriate and Timely Response of the ULDM Office



Source: Own Survey Data, 2016

The responsiveness of a given institution can be evaluated in terms of the timeliness of the response given to people's demands, but this is not the only issue to be evaluated. However, the appropriateness of the response given is also an essential factor to consider (Gloppen et al., 2003). According to data obtained from FGD participants to get holding right on land-related property service, for example, after buying a house, it may take up to 2-3 years on average. However, in the study area, the office of ULDM was not giving an appropriate and timely response to the demands of people.

Responsiveness of the Employees to Their Customers

Employees of ShULDMO were not quick to respond to their customers due to the absence of getting into their job on time, unwillingness to serve society, and lack of appropriate response to the customers. The result in Table 6 reflects that most respondents, 104 (80.6%), replied as they did not believe that there were no responsive servants. They provide their reasons as follows: Firstly, the employees did not give a response on time; secondly, they did not get into their office on time, thirdly, they did not give an appropriate response, and lastly, they were not willing to serve the people. From this result, it can be concluded that the employees were not responsive to people. Discussion with FGD participants also verifies the absence of responsive employees in ShULDMO.

One of the important problems of the employees as identified by household respondents and FGD participants was a failure to give appropriate answers and the absence of the workers in getting to their office on time. Thus, if they do not give a response on time, get to their office on time, do not give an appropriate response to the demands of the customers, and added to this if they do not have the willingness to serve their customer; it is difficult to give a timely and appropriate response. It implies that the office does not have responsive workers. As a result, respondents in the study area did not have confidence in the office.

Table 6: Responsiveness of the Employees

Description	Response	n	%
There are responsive Officers in urban land administration	Strongly disagree	15	11.6
	Disagree	89	69
	Neutral	3	2.3
	Agree	17	13.2

	Strongly Agree	5	3.9
	Total	129	100.0
Reasons for Unresponsiveness of ULA Officers			
	They did not get to their office on time	29	23
	They did not give a response on time	37	29
	They did not give an appropriate response	21	16
	They are not willing to serve the people	17	13

Source: Own Survey Data, 2016

Key: *Multiple Answers were possible; the percentages calculated for the unresponsiveness of ULA Officers do not add up to 100%.*

Effective Complaint Handling Mechanisms

Public confidence may be enhanced if there is independent oversight of the complaint system and if the public can take complaints to an independent body (FAO, 2007). Customers have the right to claim and complain whenever they are dissatisfied with their service. However, there was no effective complaint handling systems in the study area.

Therefore, problems related to urban land administration should be solved on time to have good land administration (Arko *et al.*, 2010). If complaints are not solved on time, people will not be satisfied with the office's service, which will affect the administration of the urban land. Then, people will tend to act out of the law because they believe that they will not get a timely response even though they present their complaints to the concerned body. FGD participants agreed on the absence of an effective complaint handling mechanism. However, most key informants deny and argue that they are trying to solve complaints. Due to the limited capacity of the office in terms of professional human resources, they failed to solve the complaints on time. It is inferred from the above discussion that a weak grievance redressing mechanism exists in ShULDMO.

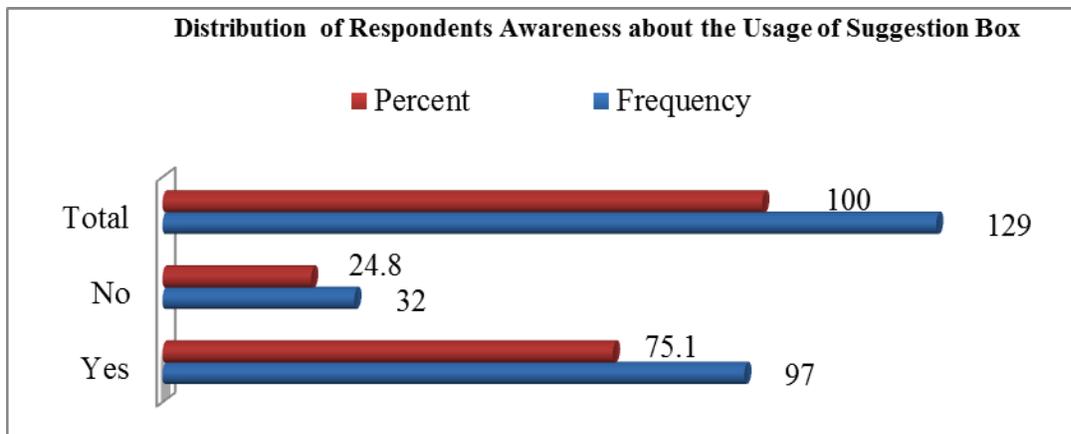
Mechanisms to Get Feedback from the People

Ministry of Urban Development and Housing Construction stated that it would be unreasonable to expect the cities continued to report on the growing number of meetings and groups. Instead, it could be more beneficial to establish a general standard for meetings and other opportunities for citizens to air their views (MoUDHC, 2014). Figure 3 portrays that about 75.2% of the

respondents believe that the office has a suggestion box while the rest, 24.8% of sampled respondents, said 'No'. In addition, the researcher observes the presence of a suggestion box during the field survey. The study result indicates that the office has a suggestion box. Nevertheless, the difference in the response of the respondents may come from the critical observation of the respondents, the level of individual respondent's familiarity with the office working environment, i.e., the more he is close, the more he will identify.

By supporting the above idea, key informants and FGD participants mentioned the presence of a suggestion box in the office premises. The key informants explicated the most important problem witnessed about the issue of a suggestion box. Some of the problems were improper usage and lack of awareness about the suggestion box from the customers' side. As per the study result, most customers never use this box either due to lack of awareness or could not find out the location of the suggestion box. Contrary to this, some customers put unnecessary information upon the individuals (workers) in connection with their cases out of the issues of workplace place, opined by key informants.

Figure 3: Distribution of Respondents Awareness about Usage of Suggestion Box



Source: Own Survey Data, 2016

FGD participants also verify the existence of a suggestion box, but no one dares to use it according to their discussions. The reason is by saying; first, they doubted whether the office takes that suggestion as an input or not. Secondly, they fear to inform malpractices since they require their service and assume that might result in denial of appropriate service. Thirdly, as such, there were no suggestion boxes. Owing to the reasons mentioned, clients remain silent to use the suggestion box.

Major Findings

Good governance plays a pivotal role in enhancing the effective utilization of scarce resources in any nation of the world. The researcher tried to assess the practices of urban land administration of the area under study based on the study's objectives. Transparency is one of the major principles of good governance, which enhances trust between the service delivering institution and customers in accelerating effective urban land administration. To access transparency in ShULDMO; accessibility of information, the openness of the office on its decisions, and clarity on the administration of urban land related questions were analyzed, and the major findings were presented here as follows:

According to the survey result, ShULDMO executes its daily activity as usual. Precise, clear, and uniform standardization in their daily activities, procedures for acquiring land, and the size of land allocated by the office are found with minor challenges. However, time for land allocation is not uniform and clear; information does not freely and directly flow to those who will be affected by decisions. Decisions made by the office were not open for the majority of the customers. Thus, there is a lack of transparency (openness) from ShULDMO in serving its customers.

The responsiveness of an organization/office can be tested by how the office/organization responds to customers' demands timely and appropriately. In applying the principle of responsiveness, Urban Land Development and Management Office performed poorly, and the result of the study revealed that there was no assessment of needs and preferences of the people as customers in the study area, which in turn results in loss of confidence in administration and absence of participation in the overall administration of urban land. In the study area, the office was not giving an appropriate and timely response to the demands of customers. Additionally, employees of ShULDMO were not responsive to their customers. Customers have the right to claim and complain whenever they are dissatisfied with their service. Concerning this, however, there was an absence of effective complaint handling systems in the study area.

Conclusions

The analysis shows that urban land administration in the study area was generally weak and surrounded by a growing number of challenges. In the study area, the day-to-day activities and services related to the land and land-related property were not transparent and not clear to the public, and ULDMO was unresponsive to the community's demands and failed to handle customers compliant effectively. Although participating in urban society within urban activities is an important factor for city development, the involvement of the local community inland and land-related issues was less in the study area.

Recommendations

Based on the results, the following possible solutions as recommendations are forwarded to different levels of decision-makers, potential researchers, and ShULDMO in the study area. The study found no transparency (openness) from ShULDMO in serving its customers. Therefore, it is vital to enhance transparency in urban land administration to effectively and efficiently use scarce (land) resources. The actions suggested for ShULDMO in this regard are the followings:

- ✓ To ensure transparency ShULDMO should encourage citizens to participate in the service delivery to harness the service delivery process.
- ✓ Since the city is experiencing a fast rate of urbanization, a suitable institutional system needs to be in place to provide appropriate incentives for domestic investment, a governance system for accountability in determining the land-use type, and inland sales revenue utilization.
- ✓ Publicizing information on the notice board regularly and, using the website, preparing meetings and conferences.
- ✓ Rules governing land allocation must be clear to all stakeholders before allocating the land, and there should be a consensus on it.
- ✓ Time for land allocation must be informed to the people by giving prior information/announcements about the meetings and preparing and circulating notices, banners, and brochures and disseminating to the society and follow up is also mandatory from the community.

The findings revealed the poor performance of ShULDMO in applying the principle of responsiveness. Therefore, corrective measurements should be taken into account, including the following possible suggestions:

- ✓ There should be room for complaints that comes from society as input.
- ✓ The needs and preferences of the society should be assessed and incorporated into plans, and its implementation should be according to society's demand.
- ✓ There should be a strict controlling and evaluation system for employees.
- ✓ Shashemene City should transform from its heavy dependence on land sale revenue to modern taxation.

Data Availability

The data used to support the findings of this study are included in the article.

Financial Declaration

The College of Social Science and Humanities of Dilla University, Ethiopia, partially provided the financial support for this research work.

Conflict of Interest

The author declares that there is no conflict of interest and is responsible for any conflict of interest that may arise.

References

- Adisalem, M. (2015). The Performance of Good Governance on Land Administration at Local/Woreda Level: The Case of Naeder Adet Woreda, Tigray Region, Ethiopia. *International Journal of Political Science and Development*, 3(9):376-385.
- Alebel Bayrau and Genanew Bekele (2007). "Investors willingness to pay for urban land in Addis Ababa" Conference proceedings of the Fourth International Conference on Ethiopian Development Studies (4th ICEDS) on The Challenges and Opportunities For Peace & Development In Ethiopia & The Horn Of Africa, August 2-4, 2007, 2000 Schneider Hall, Haworth College of Business, Western Michigan University, Kalamazoo, USA.
- Arko, A. (2011). *Adapting Land Administration to the Institutional Framework of Customary Tenure: The Case of Peri-Urban Ghana*. Doctoral dissertation, University of Twente, Enschede, Netherlands.

Olira K., *Land Administration: Securing Limited Resource with Skyrocketed Demand...*

- Arko, A., Jong, J., Zevenbergen, J. and Tuladhar, A. (2010). Customary Tenure Institutions and Good Governance. Peer-reviewed conference paper, FIG Working Week, April 11-16. Sydney, Australia.
- Belachew, Y. (2010, April 11-16). *Urban Land Lease Policy of Ethiopia: Case Study on Addis Ababa and Lease Towns of Amhara National Regional State*. Paper presented at FIG Congress 2010 Facing the Challenges – Building the Capacity, Sydney, Australia.
- Bell, K. (2007, May 13-17). *Good Governance in Land Administration. Plenary Session III – Responding to the Global Agenda – Policies and Technical Aspects*. Paper presented at the FIG Working Week, Hong Kong, China.
- Berhanu, A., Zevenbergen, J. and Bennett, R. (2015). Evolving Urban Cadasters in Ethiopia: Impacts to Urban Land Governance. *Land Use Policy*, (42):695–705.
- Burns, T. and Dalrymple, K. (2008, June 14-19). Conceptual Framework for Governance in Land Administration. Paper presented at the FIG Working Week in Stockholm, Sweden.
- Compass AEPED. (2015). A Report on Consultancy Service on Land Inventory. Addis Ababa, Ethiopia.
- Crewett, W., Ayalneh, B. and Korf, B. (2008). *Land Tenure in Ethiopia: Continuity and Change, Shifting Rulers, and the Quest for State Control*. CAPRI Working Paper 91. International Food Policy Research Institute: Washington, DC.
- Daniel, B. (2011). Land Use Legislation in Ethiopia: A Human Rights and Environment Based Analysis. *Jimma University Journal of Law*, 3 (2):1-32.
- Daniel, W. (2013). *Land Rights and Expropriation in Ethiopia*. Doctoral dissertation, Royal Institute of Technology (KTH). Stockholm, Sweden.
- Deininger, K. and Chamorro, C. (2002) Investment and Income Effects of Land: The Case of Nicaragua. World Bank Policy Research Working Paper No. 2752
- Deininger, K., Selod, H. and Burns, A. (2012). *The Land Governance Assessment Framework: Identifying and Monitoring Good Practice in the Land Sector*. Washington DC, USA.
- Enemark, S. and Williamson, I. (2003, May 28-31). Capacity Building in Land Administration – A Conceptual Approach. Paper presented at the FIG Working Week in Paris April 12-17 and at the WPLA/FIG workshop in Athens.
- Denmark, S. (2012, April 23-26). *Sustainable Land Governance: Spatially Enabled, Fit for Purpose and Supporting the Global Agenda*. Paper presented at the annual World Bank Conference on Land and Poverty, Washington DC, USA.
- FAO. (2007). Good governance in Land Tenure and Administration. FAO Land Tenure Series No 9. Rome, Italy.
- FAO. (2009). Towards Improved Land Governance. Land Tenure Working Paper 11, by David Palmer et al. in Collaboration with Clarissa Augustinus, Paul Munro-Faure, Mika-Petteri Törhönen, Anni Aerial, Rome.
- Federal Negatit Gazeta of Region 14 Administration. (1994). "Urban Lands Lease Holding Regulation No.3/1994," Berhanena Selam Printing Press, Addis Ababa.
- 1994. "Rent Holding of Urban Land and the fixing of Rate of Rent Regulations No.4/1994," Berhanena Selam Printing Press, Addis Ababa.
- Federal Democratic Republic of Ethiopia. (1995) Proclamation of the Constitution of the Federal Democratic Republic of Ethiopia, Proclamation No. 1/1995. Addis Ababa Berhan ena Selam Printing press.
- Federal Democratic Republic of Ethiopia. (2002). "Re-enactment of Urban Land Lease Holding

- Proclamation NO. 272/2002". Negarit Gazeta, Berhanena Selam Printing Press. Addis Ababa, Ethiopia.
- Federal Negarit Gazeta. (2004). "Regulation No 14/2004: Regulation to prevent Illegal Expansion and Possession of Lands in Addis Ababa City Government.
- Federal Negarit Gazeta (2011). Proclamation No. 721/2011: A proclamation to Provide for Lease Holding of Urban Land.
- George E. Peterson (2006). Land Leasing and Land Sale as an Infrastructure Financing Option, World Bank Policy Research Working Paper 4043, November 2006
- Gloppen, S., Rakner, L. and Tostensen, A. (2003). Responsiveness to the Concerns of the Poor and Accountability to the Commitment to Poverty Reduction. Chr. Michelsen Institute, Bergen, Norway.
- Hong, Y and Bourassa, S. (2003). Why Public leasehold? Issues and concepts. In: Hong, Yu-Hung /Bourassa, Steven (editors). Leasing Public Land – Policy debates and International Experiences. Page 3 – 38.
- Hussen Jemma (2004). 'The politics of land tenure in Ethiopian history: Experience from the south', XI World Congress of Rural Sociology, Trondheim, Norway, 25–30 July.
- Jeff, W. (2001). How to Determine a Sample Size: Tipsheet #60, University Park, PA: Penn State Cooperative Extension. Retrieved December 2015, from <http://www.extension.psu.edu/evaluation/pdf/TS60.pdf>
- Kaufmann, D. and Kraay, A. (2008). *Governance Indicators: Where Are We, Where Should We Be Going?* The World Bank Research Observer, 23 (1). Oxford University Press.
- Ministry of Urban Development and Housing Construction. (2014). National Report on Housing & Sustainable Urban Development. Addis Ababa, Ethiopia.
- Negarit Gazeta of the Transitional Government of Ethiopia. (1993) urban land lease holding Proclamation No.80/1993, BerhanenaSelam printing press, Addis Ababa
- Olowu, D. (2002). Governance in Developing Countries: The challenge of multi-level governance. In Seventh International Seminar on GIS in Developing Countries. Enschede, The Netherlands: GIS Development.
- Oviasuyi, P., Idada, W. and Isiraojie, L. (2010). Constraints of Local Government Administration in Nigeria. *Journal of Social Science*, 24(2):81-86.
- Palmer, D., Fricska, S. and Wehrmann, B. (2009). Towards Improved Land Governance. Rome, Italy: FAO/ UN-Habitat.
- UNDP. (2006). Governance Indicators: A Users' Guide, United Nations Development Program.
- UN-ECE. (1996): *Land Administration Guidelines*. UNECE, Geneva. Available at: <http://www.unece.org/env/hs/wpla/welcome.html> Accessed 13 January 2016.
- UN-Habitat. (2012). Local Democracy and Decentralization in East and Southern Africa. Experiences from Uganda, Kenya, Botswana, Tanzania, and Ethiopia.
- UN-Habitat. (2013). Revised Compilation for Sustainable Cities & Human Settlements in the Sustainable Development Goals (SDGs) within the Post-2015 Development Agenda. Nairobi, Kenya.
- Urban Land Holding Proclamation No. 818/2014, Negarit Gazette, Year 20, No 25.
- Urban Planning Proclamation No. 574/ 2008, Negarit Gazeta, Year 14, No. 29.
- Williamson, I. (2001). Land Administration "Best Practice" – Providing the Infrastructure for Land Policy Implementation. *Journal of Land Use Policy*, 18 (2):297-307.

Olira K., *Land Administration: Securing Limited Resource with Skyrocketed Demand...*

- World Bank. (2007). Land Administration Reform: Indicators of Success and Future Challenges. Agriculture and Rural Development Discussion Paper 37. Washington, USA.
- World Bank. (2012). *Options for Strengthening Land Administration in Federal Democratic Republic of Ethiopia*, Washington DC, World Bank Report No: 61631-ET.
- Y. Bekele, D. Kjosavik (2016) Decentralized local governance and poverty reduction in post 1991 Ethiopia: A political economy study, journal of Politics and Governance, 2016.
- Zelalem Yirga ADAMU, (2014) 'Critical Analysis of Ethiopian Urban Land Lease Policy Reform Since Early 1990s'
- Zemen, H. (2013, April 8-11). *Towards Improved Transactions of Land Use Rights in Ethiopia*. Paper presented at the "Annual World Bank Conference on Land and Poverty". USA.