

Integrating the layers: an analysis of urban land governance in contemporary Ethiopia

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Abstract

Land is a cross-cutting theme in most contemporary development challenges. Contemporary literature shows that land governance benefits the broader administration and governance of society. Tools enabling evaluation of land governance, however, are often focuses on national or supranational levels. Ethiopia provides a case in point: rapid urbanization and urban poverty are an issue; however, limited studies assess urban land governance from a multi-stakeholder perspective. Citizens and government representatives at different levels are the sources of information. This work reveals that incorporating governance conceptions in urban land policies and laws benefit the land governance and management at the local level.

Keywords: *urban land governance; federal systems; urban land management; policy and actor analysis*

1. Introduction

Land is central to the political, social and economic situation of any country. It is a major attribute for contemporary developmental and poverty alleviation agendas (Deininger 2003, van der Molen 2013). Both urban and rural livelihoods are linked with the availability of land, how it is valued, how it can be used, and who can use it. Land to people relationships, if eventually recognized through a legal right, facilitate investment confidence, economic developments and sustainable land use (Palmer *et al.* 2009).

Land governance benefits the broader public governance (Burns and Dalrymple, 2008) and FAO (2007)) especially in urban areas. This is because contemporary urbanization and associated public governance problems such as provision of housing, utilities, infrastructures and waste management have urban land dimensions and obviously can be dealt with via the notion of urban land governance. Solving these problems improve the lives of the urban poor and consequently supports the realization

of sustainable development in a nation (Williamson *et al.* 2010) and Bennett and Alemie (2014)).

Urban and rural activities have different impacts on land. In contemporary urban contexts, for example, rapid urbanization has both positive and negative impacts (UN-Habitat 2012b). Properly managed urbanization accommodates huge increases in population over relatively small areas. It promotes efficient use of land resources; respects land use plans, facilitates service and infrastructure delivery, and overall contributes positively to land management and development. When poorly managed, it causes informal land acquisition, informal settlements, urban poverty, poor waste management, and ultimately contributes to poor land management and detrimental development. The latter often occurs in developing countries, where urbanization is accompanied by land speculation and indiscriminate conversion of rural land into urban land (UN-Habitat 2010, Boamah 2013). This contributes to informal settlement expansion, especially in the peri-urban areas (UN-Habitat 2012b).

Contemporary discourse argues that sustainable urbanization relies upon well governed urban land, including sound land administration systems: improved governance is seen as key for the realization of prosperous cities (UN-Habitat 2012b) because it facilitates integration between different layers including the central, regional and local activities in the urban development process (Görgens and Denoon-Stevens, 2013). Consequently, the concept of (land) governance drives research and policy agendas (Baumgartner 2012). Contemporary debates focus on comparing the governance approach with government approach (Frahm and Martin, 2009), Howlett *et al.* (2009) and Hysing (2009), and the governance approach with the management approach (Rist *et al.* 2007). These debates ultimately suggest the need to move towards governance supported approaches in achieving sustainable development.

In this paper land governance is used to mean “the rules, processes and structures through which decisions are made about access to land and its use, the manner in which the decisions are implemented and enforced, the way that competing interests in land are managed” (Palmer *et al.* 2009). Governance deals holistically with the roles and responsibilities of different actors including government, civil society, and the local community. These actors are involved in decision making during land policy and law formulation, and implementation. The outcomes of the policy objectives depend on the quality of decision making and the processes involved. For example, if decision making is transparent, participatory, and accountable, it will lead to improved land governance and benefits citizens including the urban poor.

Different international initiatives that focus on improving the assessment and implementation of land governance are increasingly undertaken. These include the Land Governance Assessment Framework (LGAF) (World Bank 2010) to assess land governance in different countries context and the Global Land Tool Network (GLTN) (UN-Habitat 2012a) for developing tools that support processes of decision making, implementation, and

conflict resolution in land. These initiatives whilst quite comprehensive, previous studies using LGAF in Ethiopia (World Bank 2012), appear to exhibit two shortcomings. First, they take the urban and rural settings as a unified system when in practice they are institutionally separated. Thus, urban and rural land governance should really be considered separately. Second, the LGAF assessment is coarse, at least until recently; it only takes into account the national level, whereas, different literature e.g., Reimer and Prokopy (2014) and Gregersen *et al.* (2004) reveal a composite of national, state, and local level programs influencing outputs including land governance. This is even more pronounced in federal countries including Ethiopia: each region can have region specific regulations. Other literature (e.g., Coulson and Ferrario (2007) and Zielke and Waibel (2014)) explain the key roles of the local levels in (urban land) governance and overall development. This includes the presence of institutions and local organizations, and the capacity for policy implementation. These altogether imply that urban land governance should be studied separately across the different levels of government administration.

In Ethiopia, urban land is governed and administered by the urban land leasehold law, which has been subjected to improvement three times since its first application in 1993. The first urban land leasehold law (proclamation 80/1993) was endorsed in 1993 (TGE 1993) and the second urban land leasehold law (proclamation 272/2002) was issued in 2002 (FDRE 2002). These two laws were issued without an underlying urban land policy even though the need for a policy framework was discussed in different works (Rahmato, 2004).

Meanwhile, the third urban land leasehold law (proclamation 721/2011) (FDRE 2011a) was issued following the acceptance of the first urban land management policy (FDRE 2011b). This proclamation and its previous version, together with the regional regulations, are the basis for the analysis in this research. The presence of management in the naming of the 2011 urban land management policy creates a growing concern among policy analysts

and researchers that the policy still maintains a management approach, whilst, contemporary literature supports the shift towards a governance philosophy. A clear conceptual understanding between management and governance should thus be provided before undertaking the empirical analysis.

Overall, the aim of this research is to apply contemporary governance and management theories to urban land and test them through the empirical, and policy and actors analyses at multiple levels including national, regional¹ and several cities in Ethiopia. First, the research methodology is explained. Explanation on theoretical framework on debates regarding governance versus management, and multi-level governance in the context of urban land follows. Results both from the case study evidence, and policy and actors analyses are presented and discussed and lead to the conclusions presented in the final section.

2. Research Method

Two research methods are applied (Figure 1). First, a review of scientific literature interrogates the contemporary debates on governance and management in urban land context. In addition, a review of specific land policies and laws of Ethiopia including proclamations 272/2002 and 721/2011 and their respective regional regulations is considered. Second, an exploratory case study (Yin 2003, Kumar 2005) is conducted to validate the conceptual framework. The case study approach has long been applied in land administration (Ali *et al.* 2014) and governance analyses (Dekker and Kempen 2004, Bunar, 2011 and Bhuiyan, 2010). It enables the creation of a multi-dimensional view of the phenomena being investigated. It should be noted here that a lack of available data can result in biased and unrealistic results. Especially in (urban land) governance, which encompasses different actors, data cannot always be easily acquired from limited research sources (Batterbury and Fernando 2006),

¹ Regions and cities apply the same regional regulations, thus they are considered combined.

and information from different demographic brackets (e.g. citizens and government) are required.

Three case study cities were based upon: (1) the city having a functional municipality; (2) the city implementing the urban land leasehold laws of proclamation 272/2002 (FDRE 2002) and proclamation 721/2011 (FDRE 2011a) (as some towns and cities did not implement proclamation 272/2002), (3) the need to include one federal city with comparable area and population size with other selected cities (the capital Addis Ababa is excluded due to this criterion); and 4) having the cities distributed across the country, and minimized in number. Consequently, the selected cities include Bahir Dar (North West); Dire Dawa (East) and Hawassa (South of the country). It should also be noted that each of these cities also experienced rapid urbanization accompanied by fast economic development.

Case studies in the three cities were conducted in two discrete epochs in order to assess the status of changing urban land leasehold laws. The first data collection took place in 2011 when proclamation 272/2002 was functional, whereas, the second data collection took place in 2013, a year after the issuance and consequent implementation of proclamation 721/2011.

Specific data collection tools included questionnaires, interviews, and group discussions. Specific actors included were decision makers in the Ministry of Urban Development, Housing and Construction (MUDHCo) and their respective decentralized levels in regions and cities, experts working on urban land in these organizations, urban people and brokers involve in urban land transaction.

Different types of questionnaires, interview questions and discussion points were prepared for the multi-level assessment and the different actors. First, for the MUDHCo, the questionnaires aimed to extract clarity regarding the national situation. Second, the questionnaires for the Regional Urban

Land Bureaus (the names vary from region to region) were constructed to illicit the governance situation at regional level. The third questionnaires targeted on improving understanding of governance at the city level. Interview questions regarding brokers were also aimed to understand their roles in urban land transactions.

A total of 78 questionnaires composed of semi-structured and open-ended questions were distributed. Table 1 shows the number of questionnaires distributed to different actors.

Organization	Number of respondents
MUDHCo	15
SNNP ² Regional State Trade, Industry and Urban Development Bureau and Hawassa municipality combined	21
Amhara Regional State Industry and Urban Development Bureau and Bahir Dar municipality combined	21
Dire Dawa city Land Development and Management Bureau	21

Land development and management department heads in the MUDHCo, regions and municipalities were interviewed. Two group discussions composed of six ordinary people each from different *Kebeles*³ were conducted in each case study city. Questions relating to urban land governance problems, the reasons for such problems, and the subsequent impact on the land market were asked. The same questions were used both in 2011 and 2013. The questionnaires are statistically analyzed, whereas, interviews, group discussions and observations are triangulated to reveal common facts.

3. A conceptual debates on urban land management and governance

This section discusses the debates on management versus governance and the concept of multi-level

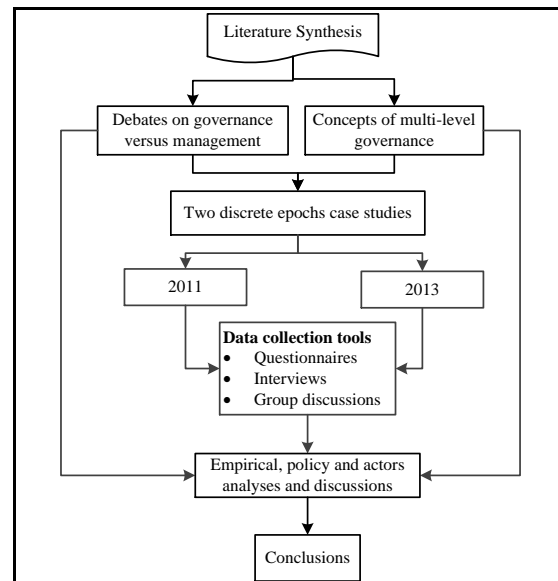
² Southern Nations and Nationalities and People
³ Lowest government administrative structure in Ethiopia

governance all in the context of urban land where sustainable urban development is underpinned.

i. Management versus Governance debate

Management and governance are terms often used both in rural and urban land contexts. Contemporary literature (e.g., Rist *et al.*2007)) argues the need to move from management focused sustainable development to governance focused sustainable development. Despite the popularity of these two concepts in scientific and academic literature, a clear distinction between the two remains blurred (Lockwood 2010). This also creates confusion during practical operation, including for those working on urban land issues in the case study cities. Thus, a clear conceptual distinction should be drawn to better articulate their relationships and roles during land policy implementations.

Figure 1 Research design



Urban land management

The Oxford Dictionary defines management as ‘.....the act or process of managing and controlling’ (Oxford Dictionary 2012). Purdon (2003) describe management as an umbrella concept that involves different processes including defining appropriate regulations, procedures and technologies to attempt achieving certain overarching goals.

When contextualizing this into land management, it is the processes of defining land policies, laws and appropriate technologies and applying them to resources (e.g. urban land) to put them into good effect (Enemark *et al.* 2005). In management connotations, only few individuals are responsible in decision making. For example, in Ethiopia governmental offices (e.g. municipalities) have a management team composed of higher officials that are responsible for decision making in different matters. This implies that management favors a top-down approach to problem solving and decision making. This way of decision making can lack a real understanding of the problems, their causes, and alternative ways to deal with them. The roles of different groups of the society and other actors are generally less considered from a management process, although, not necessarily (Purdon 2003). Due to these reasons the management role alone is not sufficient to address broad societal problems (Berger 2003). The popularity of the concept of governance emerges to fill these shortcomings of management (Durant *et al.* 2004).

Urban land governance

Governance is underpinned on institutions, actors including organizations and the processes involved. In governance, the roles of institutions are significant: they are a guide to the interaction between organizations that execute certain defined goals (e.g. a land management). Thus, theories on governance, and consequently urban land governance, find theoretical grounding in institutional economics (North 1990): institutions and organizations at multiple societal levels play a key role in urban land governance. Institutions include formal rules (e.g., policies, and laws) and informal rules (e.g., customs and traditions) (North, 1990). Organizations are also composed of formal and informal actors that have defined roles and responsibilities both during policy formulation and implementation to properly achieve the desired policy goals (North 1990). A continuous interaction between institutions and organizations, for example those responsible for urban land, always exist and

this interaction influences the qualities of urban land governance to be 'bad' or 'good' (Moore,2010).

'Bad' governance is the situation where policy formulation and implementation fails to achieve its desired goals. Different factors could contribute here. These include weak and fragmented institutional and organizational frameworks being instilled; weak participation of stakeholders being evident; and there existing a lack of qualified and competent experts and officials (Roy (2008). These combined obviously lead to prevailing of tenure insecurity, weak service delivery, and informal urban land markets. Meanwhile, 'good' governance leads to improvements in social, economic and environmental conditions. In this case the deficits that result bad governance are improved and are workable to achieve the desired policy goals including tenure security, equitable access to land, access to information and formal land markets.

One should note here that when governance is good it leads to achieving improved utilization or management of resources and vice versa. Different literature acknowledges this conception. For example, UNEP (2002) in its report on the global environmental outlook emphasizes the pre-requisite roles of effective governance of environment for its effective management; Lockwood *et al.* (2010) reveal that applying governance principles to natural resource management supports better resource management; Enemark *et al.* (2005) also recognize that land governance is a pillar to achieve the land management paradigm goals.

Overall, urban land management can be benefited from governance concepts. In other words, urban land governance sets conditions for successful urban land management.

ii. Multi-level urban land governance

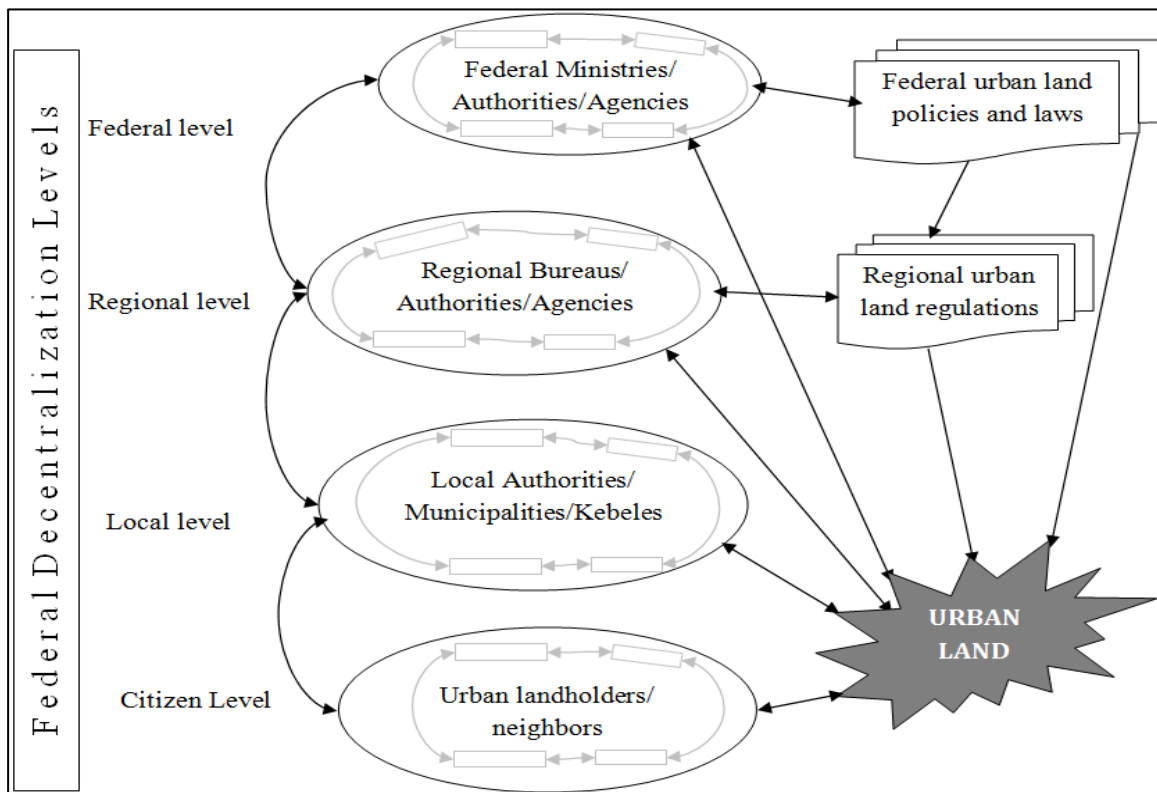
The previous discussion made clear that institutions and organizations are important in governance and management. However, urban land governance occurs through multi-level stakeholders and levels of

governance. This section discusses the concept of multi-level land governance.

Institutions and organizations can be found at different levels of a government structure, especially in a federal political system (e.g., Ethiopia). The roles of each level in a federal government structure has been the focus of contemporary governance debates (Coulson and Ferrario 2007). This is because federal systems exhibit varied, complex and independent both in terms of policy and legal frameworks and actors arrangement and participation (Gregersen *et al.* 2004, Howlett and Newman 2010). In such systems, a multi-level governance is suggested (Stigt *et al.* (2013), Bottazzi and Dao (2013). The notion refers to the process of understanding the continuous and dynamic

interrelationship that exist between different actors across national, regional and local levels during policy and law formulation and implementation (Olowu 2003). In Ethiopia, for example, the national government formulates national policies and laws based on its political vision. The regional governments have the mandate to formulate region specific regulations. Both the national laws and regional regulations are implemented to solve specific urban land problems at the local levels (see Figure 2): local authorities and citizens including landholders are responsible, for example, to resolve land related disputes and land management at grass root level.

Figure 2 A Schematic representation of multi-level urban land governance in federal systems



Interaction between actors and laws across gov't levels with the physical space
 Interaction within actors in a level Interaction between laws in different level and the physical space

Source: extended from Ascliep and Stoll-Kleemann (2013))

Literature on policy implementation analysis focuses mainly on the national and supra-national levels (Björn 2008). In this regard, LGAF is a good an example. However, urban governance and development are greatly influenced by local actors in a given jurisdiction (*c.f.* Stigt *et al.* (2013), Rakodi (2003) and Kihato *et al.* (2013)): they deal directly with local interests including informalities, disputes, land transactions, and land allocations. Arguably, a multi-level urban land governance framework is argued to fill the gap.

Overall, the different theories discussed here are validated through multiple case studies, and policy and actors analysis which is presented next.

4. Results and discussions

This section presents and discusses the empirical results and the results of the policy and actors' analysis that are applied in the case study cities.

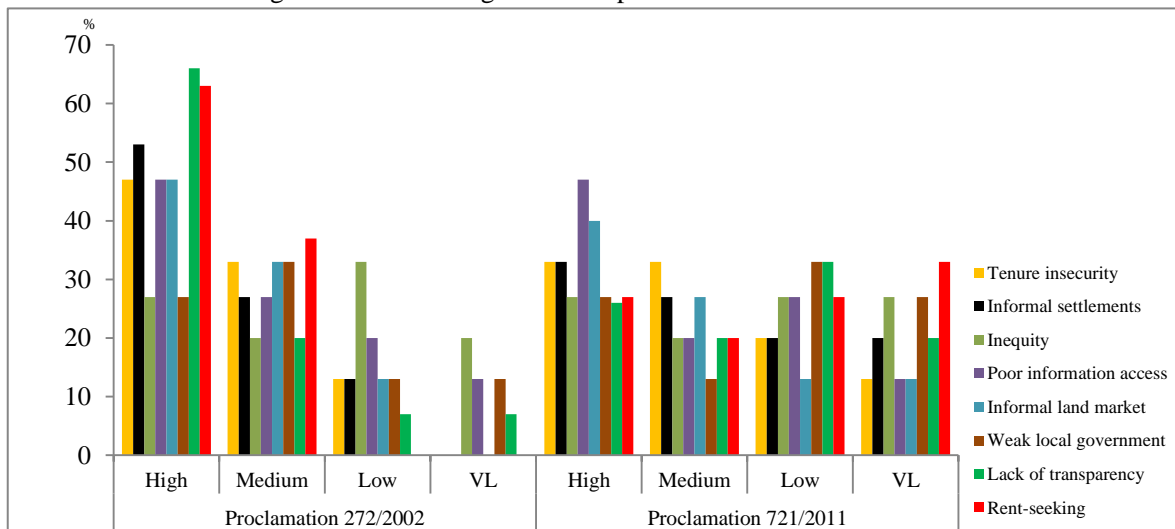
i. Empirical results and discussions

As discussed in the methodology section, the empirical analysis in this research is based on the data collected in three case studies. Section 3 discussed that the federal system of governing in Ethiopia best suited to conduct a multi-level land governance assessment (Figure 2) at different layers of the government structure including the national, regions and cities.

Land governance at the national and case study cities levels

One of the main questions asked to the target respondents in the questionnaires related to the identification of major land governance problems at the national level (for MUDHCo respondents) and city level (for case study region and city respondents) using a Likert scale to assign a value for each problems they identify (Figures 3, 4 and 5).

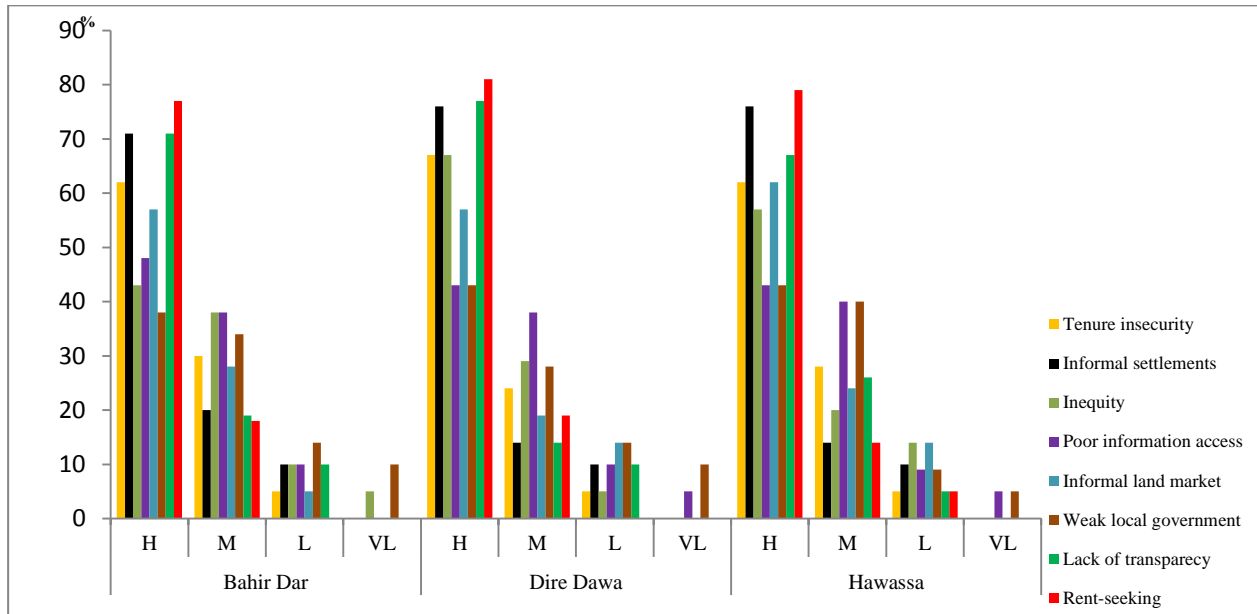
Figure 3 Urban land governance problems at the national level



Notes: No. of questionnaires = 15 for MUDHCo

Source: Author's construction

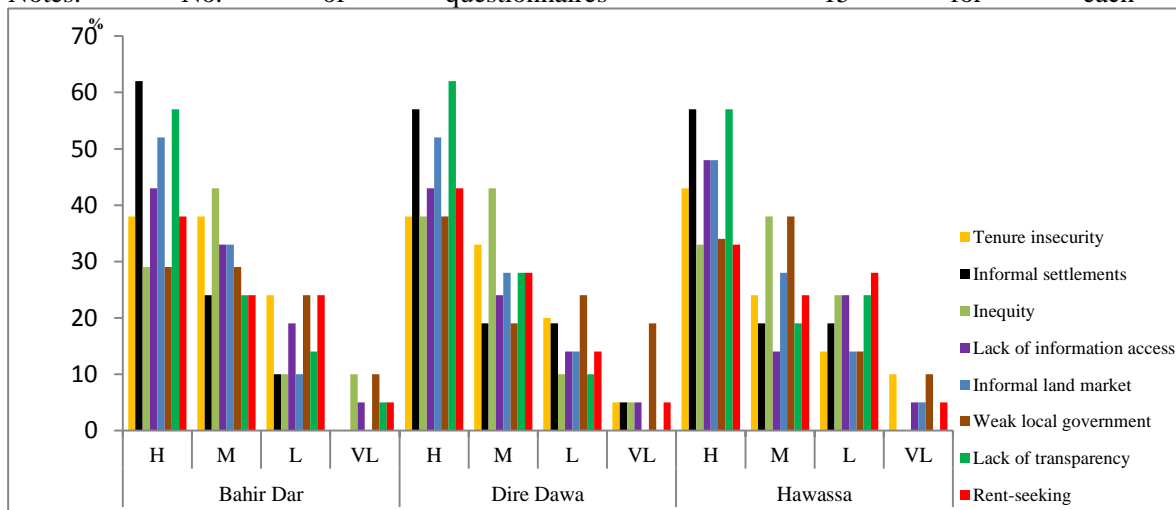
Figure 4 Urban land governance problems at the case study cities during proclamation 272/2002 and respective regional regulations



Notes: No. of questionnaires = 21 for each cities). Where: H=high, M=medium, L=low, VL=very low
Source: Author's construction .

Figure 5 Urban land governance problems in the case study cities during proclamation 721/2011 and respective regional regulations

Notes: No. of questionnaires = 15 for each cities



Source: Author's construction

From the results one can notice that the urban land governance problems both at the national and cities level appear to be similar. These problems include: tenure insecurity, informal settlements, informal

land markets, inequity, lack of information access, weak local government capacity, lack of transparency and rent-seeking. These problems are discussed in section 3 as indicators of 'bad' land

governance. Based on interviews and group discussions each one of these will be further detailed.

Tenure insecurity – tenure insecurity is a problem specifically in the case study cities and in Ethiopia in general from two aspects. First, the slums and informal settlements that populate large areas of the case study cities are clear indications of lack of tenure security. Second, according to the respondents, a legal landholder in the case study cities can be expropriated anytime if the plot is required for government purposes. In this case, a replacement plot, but mostly less in size, is provided in the city outskirts, which are less developed with minimal infrastructure, facilities and transportation: people expropriated from their original place are exposed to additional costs. It also appears the compensation payments do not consider current land values and geographical locations. In this regard, the ease at which land can be expropriated appears to promote the perspective that tenure is not well secured.

Informal settlements – the combined results suggest informal settlements are increasing in the case study cities. For example in Bahir Dar, informal settlement are expanding in all directions of the city periphery i.e. Zenzelima informal settlement to the East, Wuramit informal settlement to the North West and Sebatamit informal settlement to the South East. The respondents mentioned that high rental price of houses, less accessibility of government houses, and market inflation are some of the causes. However, experts from MUDHCo claim informal settlement prevalence is decreasing after the introduction of the 2011 urban land policy. This result is in agreement with different studies in Africa (Brown-Luthango (2010) and Mosha (2013)) that reveal access to urban land for low income people becomes a critical issue in the contemporary urbanization in the region.

Informal land markets – the results demonstrate that informality in urban landholdings support the informal land market. Traditional institutions (e.g.,

*Ikub*⁴, *Idir*⁵ and *Arata abedari*⁶) are a source of both information and finance. They are easily accessible and less bureaucratic – legal documents and formal procedures are not required making them preferable by the urban poor for financial support during informal activity. Apart from this, however, the informal institutions in Bahir Dar city also play a key role in resolving disputes (Adam 2014). Brokers also play a significant role both in the formal and informal land markets. They sometimes act as a bridge between the people and the experts in the government offices, for example, to deal with corrupt activities during bidding and land delivery processes especially before the 2011 urban land management policy.

Inequity – here two types of inequity in urban land are identified: inequity between wealth status and inequity due to special relations. Regarding the first type, land is accessed depending on the wealth or capital status. A case in Bahir Dar city is a good example here. In Bahir Dar city an association formed by urban low income people and a private company called Dashen Bank bid for the same plot in the city center. The auction price proposed by the association was much higher than the bank's proposal. Regardless of bid difference, the plot is awarded to Dashen Bank: the municipality officials argue that the associations established by the urban low income have limited financial capacity to potentially use and invest in the land. The second source of inequity is the officials' special relations with the people. This may include tribal, origin or relative based. For instance, ethnic based inequity is mentioned in Dire Dawa. In this city, the mayor position shifts between people of Oromo and Somali ethnic background every two years. In this case, it appears that when a person from one ethnic is in power, s/he favors their own ethnic group.

⁴ Refers a rotating fund operated by informal saving association of groups, neighbors and peers contributing fixed amount of money periodically

⁵ Refers a minimum social security in times of emergency such as funeral by collecting funds from members

⁶ Refers individuals that borrow money and collect interests in an informal way

Lack of information access – this is evident from two aspects. The first relates to access to land use and cadastral information. Alemie *et al.* (2014) mention that the cadastres are poor and incomplete and land use plans are obsolete in the case study cities. These imply that decision making on different aspects of urban land is not based on appropriate and reliable information. The second problem is the lack of information access during bidding. Important information to bid and fix the auction price, full information of the plot including location, size, lease time, and initial lease prices are essential. However, according to the respondents in the group discussions, it frequently happens that such information may not be equally provided to all who want.

Weak local government capacity – every respondent both at the national and local levels agreed on this problem. As observed during the visit of the case study municipalities, there is shortage of trained human resources and materials (e.g., computers and offices). These altogether hinders the capacity of the municipality, for example, to execute programs aimed at controlling informal settlements. This problem appears a common problem in cities of most developing countries (Nandi and Gamkhar (2013)). Currently, the local governments in the case study cities establish ‘*Afrash gibrehail*⁷’ to control informal settlements. They are responsible for demolishing newly constructed informal houses and controlling further construction. Apparently, demolition becomes a source of disputes as observed during the case study cities visit.

Lack of transparency – transparency is crucial in land governance: other land governance problems such as rent-seeking, societal participation and information access are linked. Literature (e.g., Hordijk and Baud (2006)) shows that improving societal participation especially at the local level leads to improved transparency, which also helps to improve rent-seeking. The results show that transparency in urban land related decision making

is another problem in the case study cities. After the implementation of proclamation 721/2011, however, the problem of transparency is slightly improved.

Rent-seeking – in the urban land management policy, rent-seeking related with urban land is labeled as the major problem in urban areas of Ethiopia (FDRE 2010). In the study cities, rent-seeking activities involve through the strategic chain among the people, government officials and the brokers. The results reveal that there is a slight improvement after the implementation of proclamation 721/2011. This is because transparency is slightly improving, especially in rent-seeking hotspot areas identified by the government including auction and land delivery processes.

Overall, the urban land governance problems both at cities and national levels imply that there is a weak institutional and organizational performance (see also section 3). Different scholars such as Rahmato (2009) argue that the lack of a federal institution at the ministerial level also contributes to the problem. However, the results in Figures 3, 4 and 5 indicate slight improvements of the problems both at the national and cities level after proclamation 721/2011.

For example, the high and medium responses for tenure insecurity problems are slightly decreased, whereas, low and very low responses are increased. Another interesting results appeared in this research is that the similarity of land governance problems among the case study cities. This seems in contradiction with the theoretical discussion provided in section 3 where in a federal country these results are expected to be different. This results here, however, are in agreement with the urban profile study conducted by UN-Habitat in three different urban areas including Addis Ababa, Ambo and Dire Dawa (UN-Habitat (2008a, 2008b, 2008c): almost similar institutional and organizational problems are exhibited in the three urban profiles.

The next section presents policy and actors analysis in the three case study cities. It provides whether the

⁷ Literally means demolishing team comprising of police and municipality staffs

policies and actors in the case study cities play a role in the land governance problems in the case study cities discussed earlier.

ii. Policy and actor analysis

The theoretical framework provided in section 3 shows that policy and legal frameworks and actors are foundational in urban land governance theory and its operation on the ground. Especially, in a federal governing system such as Ethiopia, policy and actors analysis at the different levels is useful to enhance understanding of urban land governance.

Thus, this section presents and discusses two issues: comparison of regional regulations and actors, and proclamation 721/2011 in the lens of urban land governance conception.

Comparison of regional regulations and actors

In this comparison, the currently functioning urban land leasehold and informal settlements formalization regulations in the three case study cities are considered. Table 2 shows the major differences that exist in the regional regulations that are implemented in the case study cities.

Table 1 Comparison of regional regulations contents, actors and processes

Major differences	Case study cities		
	Bahir Dar	Dire Dawa	Hawassa
Actors in urban land	Formal (Industry and Urban Development Bureau, Bahir Dar city municipality, Kebeles), brokers and traditional financial institutions e.g., <i>Ikub, Idir</i> and <i>Arata abedary</i> .	Formal (Land Management and Development Bureau, Dire Daw city municipality, Kebeles), brokers and traditional financial institutions e.g., <i>Ikub, Idir</i> and <i>Arata abedary</i> .	Formal (Trade, Industry and Urban Development Bureau, Hawassa city municipality, Kebeles), brokers and traditional financial institutions e.g., <i>Ikub, Idir</i> and <i>Arata abedary</i> .
Year of informal settlements eligible for formalization	The formalization regulation was not yet endorsed during the study time: thus the eligible year is not known.	Two formalization regulations: in 2007 and 2013. The 2013 regulation mention that informal settlements before 2012 are eligible.	The formalization law is issued in 2012 and informal settlements before 2009 are eligible.
Formalization regulation	The formalization regulation is not included within the issued regional urban land leasehold regulation.	It is proclaimed separately from the city administration urban land leasehold regulation. Detail of it is provided.	Proclaimed together with the regional urban land leasehold regulation. Only described in one article.
The regional urban land leasehold regulations on issues of informal settlements and old possessions	The regulation gives clear distinction between old possessions and informal settlements – they are discussed in separate articles in the regulation.	The regulation does not provide clear distinction between old possessions and informal settlements - informal settlements are described within old possessions article.	The regulation does not provide a clear distinction between old possessions and informal settlements - informal settlements are described within old possessions article.

In the different regions, the names of responsible government organizations for urban land issues are slightly different. For example, in Dire Dawa city, urban land issues are administered by Urban Land Management and Development Bureau. Whereas, in Amhara, where Bahir Dar is the capital, the urban land issue is found within the Industry and Urban Development Bureau, and in SNNP regions, where Hawassa is the capital, urban land issue is merged with the Trade, Industry and Urban Development Bureau. Urban land issues in Amhara and SNNP are found at Core⁸ Process level within the bureau, whereas, in Dire Dawa it is at bureau level. Meanwhile merging land issues with other independent sectors, such as industry and trade, could negatively affect decision making and resource allocation. The respondents were asked to mention the time required to get a decision for a specific activity. The results show that in Dire Dawa, decision making is slightly faster as compared with the other two cities.

The policy and actors analysis summarized results in Table 2 reveal that one major difference in the case study regulations is the difference on the year of informal settlements to be eligible for formalization. In Hawassa city, informal settlements before 2009 are eligible for formalization, whereas, in Dire Dawa the second regulation issued in 2013 considers informal settlements before 2012 to be illegible. This creates differences in governance between the two cities. However, in Bahir Dar city, the formalization regulation was under preparation during the case study and thus the year of eligibility is not known. Another point is that the first formalization regulation in Dire Dawa was issued before proclamation 721/2011; meanwhile, issues of formalization are not given attention in proclamations 272/2002. This indicates that regions can use their constitutional right to issue a regulation when required though not always the case (discussed later).

⁸ A level higher than department and lower than bureau level

Another difference is on the content of the regulations. For example, the urban land lease regulation of SNNP issued in 2012 also includes the issues of informal settlements formalization: there is no separate regulation for formalization. Whereas, in the Amhara region and Dire Dawa city administration, the urban land lease regulation of 2012 does not contain issues of informal settlements formalization, in Dire Dawa city it is proclaimed in a separate regulation. In Amhara it is decided to have a separate regulation which was under preparation during the case study. Merging formalization issue with the broad urban land lease issues in one regulation as presented in SNNP could create a lack of detailed description of important governance issues such as how to deal with old possessions from informal settlements is not explained in the SNNP regulation. This creates a lack of understanding between the two main contemporary governance problems in Hawassa city and will deter meaningful decision making during its implementation.

Overall, the comparison made here reveals the differences among the case study regulations and with the national proclamation are minor and apparently play an inconsequential role to significantly change the urban land governance between the different levels and among the case study cities. Except those related with the formalization and informal settlements, the case study regulations, however, appear to be almost a replica of the national proclamations. This appeared to be the leading reason for the similarity of land governance problems revealed in Figures 3, 4 and 5. This could be due to the fact that there is interference of the national government in different stages of the regional regulations preparation. This was well demonstrated during the issuance of the National Real Property Registration proclamation in 2014, which took more than two years to get accepted by the parliament. This was because this proclamation shifts the power of the regions, provided by the constitution, back to the national government, thus enabling it to decide on types of

cadastres and cadastral standards, amongst other issues.

As discussed in section 1, the 2011 urban land management policy creates a concern due to the fact that management appears in the policy naming. This analysis is undertaken to assess the policy document and its initial implementation in the lens of urban land governance concepts (Table 3).

Proclamation 721/2011 in the lens of urban land governance concepts

Table 2 Proclamation 721/2011 in the lens of urban land governance

Criteria	Proclamation 721/2011
Policy dimension	<ul style="list-style-type: none"> - Ensure rapid, equitable and sustainable urban development through improving the land governance and land information system - Realize common interests and development of the people, - Create a transparent and accountable urban land lease tender and land delivery systems by preventing corrupted practices and abuses, - Make tender to reflect the prevailing value of the land,
Policy instruments	<ul style="list-style-type: none"> - The urban land leasehold proclamation and its regional regulations, - Regional governments informal settlement formalization regulations, - Urban Landholding Registration proclamation and its regional regulations, - The cadastral standard regulation and its regional regulations, - Capacity building through short and long term.
Process	<ul style="list-style-type: none"> - The policy formulation process lacked transparency and participation, there was no awareness creation activity to the public, the public heard its issuance from the media - Public hearings were conducted after its issuance, which did not have any relevance. - Current implementation activities are done in an integrated way among the MUDH, regional bureaus, municipalities, Kebeles, Mapping Agency and Information Security Agency (INSA), it is early to give full comment though. - Roles of each actor are identified, e.g., Mapping Agency is responsible for establishing ground control points, INSA for orthophoto production, and so on.
Actors	<ul style="list-style-type: none"> - Organizational reforms and human resources get attention at the policy level - Efforts especially organizational reforms (Real Property Registration Agency, Integrated Land Information System project office, Land Management and Development Bureau) are being made at the national (MUDHCo) level, but at the local level the organizational reform process are sluggish. - Human, material, and financial resources remain chronic issues both at the national and local levels

The aim of the urban land management policy, as mentioned in the document, is to create a transparent and accountable lease tender and land delivery system to make tenders in accordance with the prevailing land values, and for urban development to

be guided by land use plans (FDRE 2011b). The policy also mentions that these were lacking in the previous proclamation. Overall, improving urban land governance with the support of a land

information system underpins the policy objectives i.e. to achieve improved urban land management.

The preliminary results subsequent to implementation demonstrate that transparency is improving, organizational reforms are given attention, the roles and responsibilities of actors are elicited, and integrated operations are visible for example in the legal cadastre development (see also Alemie *et al.* (2015)). In addition, different platforms for improving urban land governance were observed in the case study cities during the case studies visit in 2011 and 2013. These include: front offices (to provide the necessary information to clients such as what criteria and documents must be fulfilled before further processes), complaint hearing offices (to listen to complaints and dissatisfaction from clients and to deal with the causes of complaints together with the expert in charge), and Ombudsman and Anticorruption commissions (both exist at national and regional levels and are responsible to deal with unnecessarily right violations and corruption respectively). These platforms are good initiatives for creating efficient and transparent service delivery. However, there are still critics going on related to the limited power of these platforms in altering decisions made by higher officials.

Meanwhile, the combined results also show that some shortcomings are visible in the initial implementation of proclamation 721/2011. These are especially linked with due to the fact that the policy came into effect without a pre-prepared implementation strategy: issues of organizational reforms, human resources, and facilities were not dealt with side by side and continued to be still a problem in the case study cities. Arguably, this deters or slows down the execution of planned activities in the urban land policy.

Some plans in the urban land management policy seem very ambitious. For example, proclamation 721/2011 plans to transfer all old possessions and informal settlements into a lease system in four years. At the time of writing, two years have passed since policy implementation and some activities are still only in the preparation stage. For example, the

Amhara region has not issued the formalization regulation to deal issues old possession and informal settlements in the region, which cover large areas in urban areas of the region. Proclamation 721/2011 also aims to create complete harmonization of land development with land use planning. However, the reality shows that the land use plan of most cities in Ethiopia is obsolete (Tekle 2011) and current urban developments, for example in Bahir Dar city, are beyond the capacity of the land use plan (Alemie *et al.* 2014). This raises the question whether the urban development should wait until the land use plan is ready? In both cases it continues to be a land governance problem. Combinations of reactive and proactive measures need to be taken until complete harmonization is possible.

Respondents also mentioned that the policy formulation process lacked transparency and participation: there was no awareness creation activity for the public. It was a surprise for the public when its issuance was announced in the media. It was perceived that following the resistance from the public, public hearings were only conducted to calm the situation, rather than take meaningful input.

Overall, the urban land management policy and its proclamation 721/2011 in their theoretical level encompass parts of the main principles of governance. Despite the term 'management' included in the 2011 policy, the content of the policy and its enforcement proclamation shows a sort of agreement with the theoretical conception of urban land governance discussed in section 3 and are pertinent to achieve urban land management. In addition, some early implementations such as slight improvement of transparency and availability of platforms such as front offices and complaint hearing offices are good to improve service delivery if they are more empowered. The inefficiency of attempting the different ambitious plans, non-transparent and non-participatory nature of the urban land management policy formulation, and the low societal participation, however, may have an impact on the urban land governance, and thereby urban land management in Ethiopia in general.

5. Conclusions

This work brought the governance and management discourses into urban lands through conceptual, empirical, and policy and actors analyses. This shades light on the growing perception that management is blurredly perceived as ill-defined to solve problems as illustrated in the different works that argue on the need to move from 'government to governance' and from 'management to governance'. However, here it is shown that management still play a pivotal role but need to be complemented with governance philosophy to make decision making to also include a bottom-up approach in meeting societal needs especially at the local level where the epicenter of urban development is found.

This work also revealed that an underlying urban land policy framework on governance principles can assist the realization of good governance and management of urban land. This was demonstrated in the combined results presented in section 4 that during proclamation 272/2002 implementation, which was issued without underlying policy objectives, urban land governance were not good and consequently urban land management. Whereas, after the 2011 urban land management policy which anchored governance issues at the center to achieve urban land management, the very early stage of empirical analysis shows improvements in transparency and rent seeking as compared to the result of previous proclamation. The results in this research can be a good lesson for other African countries where in most cases land related laws are proclaimed without an underlying policy frameworks (AUC (2010)).

The case study results revealed that similar land governance problems are evident both at the national and cities levels: the case study regulations are almost a replica of the national laws which is not often the case in federated countries. The date of issuance, and the year of eligibility for informal settlement formalization, appear to be the only real differences between case study city's regulations and may create some governance differences,

especially in the long run. These detail local level policy and actor analysis could not be captured in the so far existing land governance frameworks such as the LGAF, which only considers a unified and national level situations into context.

The policy and actors analysis also revealed that the content of the 2011 urban land management policy encompasses parts of governance principles, and its implementation, at least initially, showed some improvements with regards to transparency and reduced rent-seeking. Further, if future implementation of the policy is supported by a strong participation of citizens and non-state actors, the overarching urban land management policy goals can be practical.

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