

## **ASSESSMENT OF ACCOUNTABILITY AND TRANSPARENCY PRACTICES IN RURAL LAND ADMINISTRATION: THE CASE OF ENEBSIE-SAR-MIDIR DISTRICT IN EAST GOJJAM ZONE, AMHARA REGION, ETHIOPIA**

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### **Abstract**

This study attempted to assess accountability and transparency practices in rural land administration system at Enebsie-sar-midir district of East Gojjam Zone, Amhara region. The purpose of this study is to investigate accountability, transparency in practice and its challenges. Because the application of good governance principles in land administration leads to good land administration system and ultimately accomplishes sustainable land governance in rural society. In order to achieve the research objective both qualitative and quantitative approaches with sequential exploratory design were employed. Besides, the study employed the data which were collected from key informant interview, semi-structured interview, focus group discussion, questionnaire, and document review. In line with this, through purposive sampling and simple random sampling (by using lottery method) 193 household heads were selected as well as thematic and descriptive statistical analyses were undertaken. The study found that weak down ward and upward accountability mechanism, no proper complain handling procedures, poor transparency of information, and low service delivery in the study area. Correspondingly, Corruption, legislation gaps, inadequate institutional capacity, absence of coordination from stakeholders, low incentives, and training were the challenges which impeded the overall practice of good governance principles in the rural land sector. Thus, weak land governance exists in the study area. So as to tackle the aforementioned problem, the researcher recommends that the district land institution needs to improve accountability, transparency, provide effective service delivery, develop means of motivation, collaboration with various stakeholders, and the regional council should revise ambiguous land legislation.

**Key words:** Accountability, Land Administration, Practice, Transparency

### **1. Introduction**

Governance issues have got central role in the development discourses and considered as crucial element to be incorporated in the development strategies. In this regard, democracy and good governance are one of the areas of consensus building and got attention by the world leaders in 2000 in the millennium summit general assembly of the United Nations conference for the declaration of millennium development goals (Abdellatif, 2003). Governance is often considered as a fourth dimension of sustainable development adding to economic, social and environmental dimensions (BurnsandDalrymple, 2008). Effective governance in the public sector encourages better decision-making, efficient uses of resources, accountability, improve public sector performance, and tackle corruption (IFAC, 2013).

Land administration is a public sector institution which requires governance. Good governance is the heart of good land administration. It is central to the delivery of appropriate, effective, and efficient

land administration in both developing and developed countries. The application of good governance in land administration helps to balance social, economic, and environmental issues (Williamson, et al., 2008). On the other hand, good land governance is an essential basis to ensure appropriate land administration system for enabling sustainable development (Samsudin and William, 2014).

Conversely, weak governance of the land sector will be particularly harmful for the poor in developing countries for whom land is a primary means to generate a livelihood, accumulate wealth, etc. (Deininger .*K,n.d*). The land sector is vulnerable to corruption and it is being one of the sectors most affected by bad governance (Weldeabrha, 2017). Good governance is not an option for Ethiopia but a compulsory one critically ensured and the country has put to ensure good governance at different levels and deep down to the grass root level (MOFED, 2013). Nevertheless, there is still a lack of focus on good governance principles at local level (Weldeabrha, 2017). Furthermore, Shimelis (2015) stated that governance performance cannot reach at a reliable stage of development due to a problem of implementation on the ground.

Ethiopia has a federal structure that provides considerable autonomy to the regional states and decentralized decision-making up to the lowest level in political, economic, and social spheres including for administration of land (Imeru, 2010). In line with this, Amhara regional rural land administration proclamation No.133/2006 explicitly stated this delegation process to the local administrative units (ANRS, 2006). However, the mandates related to the administration of land to lower level of government organs are neither supported by sufficient policy implementation guidelines nor laws and frameworks that give adequate authority (Deininger et al., 2012).

The main rationale of the study was bone of contention on the rural land due to the major socio-economic activity of the rural society but the size of farm lands diminishing over time as a result of high population growth so that it needs good governance practices. However, the local institutions lack capacity for implementing good governance principles and thus good governance principles becomes a bottleneck in practice on the one hand. The process of fostering good governance practices at the lower tiers of government is still facing different bottlenecks (Abraha, 2016).

This study aims at assessing accountability and transparency practices in rural land administration in Enebsie-sar-midir district of East Gojjam Zone in Amhara regional state of Ethiopia. Since the issue of good governance principles in rural land administration is sensitive and challenging in-depth investigation and analysis at lower tiers of government is essential. The researcher is thus motivated by this problem context and the pressing need for policy information by fill the gap.

## **2. Research Design and Methodology**

### **2.1. Description of the Study Area**

Enebsie-Sar-Midir district is located in Amhara regional state and geographically; the district is bordered in the south Enarge- enawuga district, in the north south Gonder, in the east Abay River and south wollo Zone, and the west Goncha-siso-enesie district.

## 2.2 Research Approach and Strategy

The study had employed mixed method approach through sequential exploratory Strategy in order to initially explore a phenomenon from the views of the participants.

## 2.3. Data Sources, and methods of data gathering instruments

The study employed both primary and secondary source of data. Key informant interview, semi-structured interview, focus group discussion, document review, and questionnaire survey data collection instruments were undertaken for the study.

## 2.4. Sampling Techniques, Procedures and Sample Size Determination

The study carried out purposive sampling and simple random sampling techniques through lottery method. Sample size determination for quantitative study is **determined by take in to account different factors and Yamane (1967) formula is used with 93% confidence level and 0.07 level of precision. Thus, the formula to calculate sample size:**

$$n = \frac{N}{1 + N(e)}$$

$$n = \frac{3425}{1 + 3425(.072)} = 193$$

The required sample size thus is 193

Table: 1.1 sample size in proportion from each kebeles

kebeles	Kebeles household size	Sample size in proportion
03(Debre Birhan)	1450	82
05(Finote Birhan)	1270	71
07(Felege Selam)	705	40
<b>Total</b>	<b>3425</b>	<b>193</b>

Source: own compilation based on the above formula

## 2.5 .Data Processing and Analysis

The data that were collected from qualitative data collection instrument were analyzed by qualitative data analysis via thematic analysis. The quantitative data that were gathered by questionnaire was analyzed based on descriptive statistical analysis techniques.

## 3. Result and Discussion of the Data

### 3.1. Analysis of Accountability and Transparency Practices

#### 3.1.1. Analysis of Accountability practice

The majority of the respondents (52.32 %) were disagreed about local land administrative bodies held accountable for their specific actions to the public. Correspondingly, Woldeabrha (2017) finding which affirmed that the existence of imbalance of upward and down ward accountability mechanism

at the ground level. In line with this, the majority of the respondents (55.95%) were disagreed regarding the availability of mechanisms of reporting activity was done by the land administration system to the public. Also, the above scholar finding's revealed that accountability mechanism in practiced through report was less conducted at the grass root land administration office. Moreover, the majority of the respondents (69.99%) result indicated that land administration bodies were not devoted enough to justify for any failure of their action to the public. Likewise, the interview finding indicated that land administration bodies at the bottom level were not answerable for the failure of their responsibility to the public and their accountability system became poor.

47.67% of the respondents result indicated that there was less availability of complain and grievance handling mechanism in land administration in the study area. Based on the overall data the finding showed that complain handling mechanism procedure in land administration system existed but it was not carried out in proper manner. At the same time, Samira (2014) research findings confirmed that the absence of well-developed complaint mechanism in the rural land administration institution.

68.39% of the majority respondents were disagreed about the availability of mechanism that enabled the public to question and control of land administration bodies. Hence, the finding indicated that the public was unable to question and control land administration bodies due to the absence of enabling environment. On the contrary, the result of a research in Tigray conducted by Mhrtay (2014) revealed that people have full confidence to question their land administration workers.

### **3.2. Analysis of Transparency practice**

The majority of respondents (64.82%) revealed that there was less communication about newly enacted laws, policies and regulation to the public. The finding revealed that land administration bodies did not carry out communication of land legislation and rules and regulation to the public. and at the same time they have the problem of awareness concerning to land proclamation. Correspondingly, 58.55 % of the respondents result showed that there was little transparency in the election or dismissal of local land administrative officials. Focus group discussion participants of household confirmed that there was no transparency in election of kebele land administration bodies and rural households have little information on the appointment or dismissal of these bodies. Therefore, the study revealed that transparency was not practiced in the election or dismissal of kebele land administrative officials.

Moreover, 61.14% of the respondents showed that the existence of less clarity of private and communal land and its boundaries in terms of record in land administration system. Focus group discussion participants agreed that there was poor clarity in land administration system. Hence, lack of clarity in private and communal land registration and certification is existed in the district and such kind of activity which influenced land tenure and good governance practice. Similarly, 78.76 % of the majority respondents indicated that transparent activity was not undertaken by local land administration bodies in the land administration system. Semi-structured interview participants at some kebele council agreed that kebele and district land administration bodies were hide transparency deliberately in land administration legislation. Similarly, Tilahun (2014) stated that district and kebele level administrative units are challenged by absence of transparency in the operation of local governments.

The majority of respondents (60.61%) data implied that openness of land dispute resolution mechanism was less carried out. One of key informant interview participants from kebele said that *'high conflict over the land is prevailed in rural household because kebele land administration*

committee *makes transparency blurred*'. All participants confirmed that there is high social crisis in the family, conflict over the land and bloodshed due to ambiguity or less clarity of rural land legislation implementation especially land bequeath in provision of 'A' and 'B'. The finding indicated that there was no open land conflict resolution mechanism in the district due to malpractice of transparency and less clarity of land legislation.

79.79% of the majority respondents were disagreed on the easy and clear accessible mechanism of land laws, rules and regulations to the public from land administration bodies. Key informant interview participants at kebele and district level agreed that land legislation or proclamation in kebele land administration office is not only less accessible but also totally absent in most kebeles. Moreover, kebele land administration committee said that *'unavailability of land legislation in kebele and they work their job customarily'*. Accordingly, 83.42 % of majority data showed that there was little availability of open decision making process to the public on the land office. Focus group discussion participants at household agreed that no open decision making process in kebele and district land administration bodies in the case of land registration from one person to another person, land allocation, etc. The finding revealed that absence of open decision making process in land administration system is carried out in the study area. Thus, it has detrimental effect on good land governance.

Furthermore, 76.68 % of the majority respondents' result revealed that low service delivery is prevailed in the land administration office of Enebsie-sar-midir district. In line with this, one of key informant interview participants at district level said that the *land administration office has been the problem of open service delivery in the study area*. So, the clarity of service delivery process is crucial in land administration institution (Takele et al., 2014).

### **3.3. Analysis of the factors of Applying Good Governance principles in Land Administration System**

#### **3.3.1. Inadequate Institutional Capacity**

##### **3.3.1.1. Inadequate Financial Resource**

Key informant interview participants confirmed that *'low financial allocation is prevailed in land administration institution vis-a-vis other public sector in the study area'*. Most countries in Sub-Saharan Africa formulate land policy and law but limited resource is constrained its implementation (Burn, 2007).

##### **3.3.1.2. Inadequate Professional Human Resource**

Semi-structured interview from the district civil service official participant said that *'land administration office in their district has little professionals and unrelated graduate expert of human resource in the office is accessible'*. Land administration is challenged by lack of skilled professionals even though some of the professionals are Bsc. and diploma holders existed they were moved to the urban areas (Medendrop, 2015).

### **3.3.3. Lack of Education and Training**

Focus group discussion participants at kebele level agreed that there was absence of training for land committees, experts, and kebele management bodies regarding land legislation and good governance practices. Besides, key informant interview participants affirmed that:

*‘Limited short term training and education opportunity in the land administration institution vis-a-vis other public sector in the district and the office is used as alternative of the worker until they will get another job’.*

### **3.3.4. Legislation and Implementation Gaps**

All interview participants agreed that rural land implementation legislation particularly land inheritance “A” and “B” has high gap in terms of ambiguity and led to the social problem, conflict over the land, and rampant bloodshed activity in the study area. Semi-structured interview participants also stated that low implementation of land inheritance regulation in chronological order. In this regard, unclear land law leads to undesired implementation of local government (FAO, 2007).

### **3.3.6. Inadequate Motivation and Incentives**

Focus group discussion participants at household level agreed that there was low motivation or commitment in land administration committee for conducting their responsibility. Similarly, focus group discussion at kebele committee participants agreed that no payment and encouragement for kebele land administration committee and there was lack of benefit for land experts. Accordingly, people who work in land agencies are lack motivation and at the same time they are poorly paid and trained (Palmer et al., 2009).

## **4. Conclusion and Recommendation**

### **4.1. Conclusion**

The researcher concluded that accountability and transparency practices and its factors in rural land administration system. Based on the finding of the data, the following major conclusions are made. First, regarding accountability mechanism, there is low level of implementation in local land administration institution. The finding revealed that local land administration bodies did not implement real upward and down ward accountability mechanism; at the same time not committed enough to justify their actions and they were not answerable for failing to accomplish their responsibility. Besides, the public had no good environment to question and control the actions of land administration bodies at the ground level. Moreover, complain and grievance handling mechanisms in the institution were not properly undertaken in written form for the customer in the study area. Second, concerning transparency, the study discovered that rural communities had insufficient information about land legislation and rules and regulation due to the absence of better communication of rural land proclamation and implementing regulation with the public, knowledge gap existed among the kebele land administration bodies.

Moreover, kebele and district land administration bodies were not implementing transparent activity. Also, they lack open service delivery. There was no well-developed private and communal land registration and certification in the study area because of unclear decision-making process is less carried out in the first land registration and it is being an obstacle for upcoming cadastre preparation and sustainable land management program me in the study area.

Furthermore, the study found that transparency in land institution was imprecise in the study area due to no easy and clear accessible mechanism of land laws and land information to the general public.

Last but not the least, inadequate institutional capacity, low accessibility of education and training, ambiguous land legislation and its implementation regulation, absence of incentives, and weak coordination were the fundamental factors which hindered accountability and transparency practices in the study area.

#### 4.2. Recommendation

The following recommendations and policy implications were forwarded by the researcher for Enebsie-Sar-midir district , Amhara regional land administration office, and potential researchers in the area.

- The result indicated that upward and downward accountability mechanisms were minimally practiced in land administration institution. So, zone and district land administration office should prepare standard checklist and extend it to kebele land institution and implement supervision mechanism as far as going to sub-kebele level. Local land administration bodies need to develop periodical real report on the implementation of land administration.
- Besides, local government should develop accountability mechanism through *gimgema* in public forum, suggestion box, and opinion satisfaction survey. Complain and grievance handling mechanism should be set up through giving feedback to the complainant in written form.
- Amhara regional land administration office should disseminate periodical land information through mass media to the public awareness and provide short term training for local land experts. District land administration institution should create easy accessible mechanism of land related legislation for kebele land committees, and conduct clear communication with the public.
- Amhara region should develop better modern land information like cadastre map and sustainable land management programme for sustainable land governance.
- Amhara rural land administration office should update land bequeath or inheritance in land proclamation to reduce its ambiguity.
- The district civil service office should employ professional human resource in land administration system.
- The regional land administration office should establish mechanism to provide incentives and motivation for non-paid land administration bodies.
- Last, the researcher instigated other potential and interested researchers in the area of good rural land governance practice in order to complete the study regarding the significance of applying good governance principles in land administration.

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