

Developing an integrated conceptual model to understand land governance continuum

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Presentation outline

- Background
- Research objective
- Research methods
- Conceptual model
- Conclusions

Background

- Governance is argued as both a cause and a solution for contemporary challenges.
- Many of the challenges are the result of weak governance, at the same time, they can also be addressed through establishing a governance platform.
- Land governance refers to “the policies, processes, actors and institutions by which land, property and natural resources are managed through decisions on access to land, land rights, land use, and land development” (FIG/World Bank 2009).
- Governing land is about dealing with the *people-to-land* relationships.
- Information on the people-to-land relationships or the so-called cadastre is crucial in this regard.

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- Cadastre is defined as “an official record of information about land parcels, including details of their bounds, tenure, use and value” (Williamson *et al.* 2010).
- Previous works affirm the central support cadastral information can play in:
 - sustainable development (*c.f.* Bennett *et al.*(2012); Zevenbergen *et al.* (2013)),
 - economic development (*c.f.* de Soto (2000)),
 - environmental protection (*c.f.*Guo*et al.*(2013))
 - land governance(UN-FIG 1999).
- However, Barry and Fourie (2002) argue that cadastre can also impede development.
- Undesired outcomes of cadastral implementation are common especially in developing countries (Obeng-Odoom (2012)).

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- Most conceptual models that attempt to link cadastres with land governance have one of the three limitations.
 - First, they tend to focus on either a positive or negative viewpoint: the range of potential outcomes is not displayed - the 'Land Management Paradigm' (Enemark 2005) is a good example [here](#).
 - Second, many models do not represent the importance of spatial component in terms of land governance inputs, processes, and outcomes: the physical context plays a significant influence in all these elements.
 - Third, they tend to be linear in nature: they do not provide for understandings of land rights and tenure security as a continuum: land governance, where the issues of land rights and tenure security are embedded, can also be viewed as a continuum.

Research objective

- This research aims to develop a conceptual model that is: 1) more neutral on positive and negative linkages between cadastres and land governance, 2) more inclusive of the spatial component; and 3) demonstrates the types of land governance across a continuum by integrating the inputs, processes, cadastral influences, and spatial outputs of land governance.

Research methods

- Literature review
- Exemplary cases from previous works
- System approach

Land governance as a continuum

- Land governance continuum refers to the forms of land governance that can exist during people-to-land relationships.
- Land governance can be understood as residing on a continuum as good, good-enough, and bad governance, and perhaps even more refined categories.
- In Grindle's (2011) views, good governance is the type of governance that could tackle all the problems at once.
- However, this is perhaps more a vision than a reality: achieving good governance in 'one hit' is difficult, if not impossible.

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- The good-enough land governance considers an intermediate set of options, based on societal needs: it is flexible to future upgrading.
- The good-enough land governance is similar to the description of 'intermediate tenure options' (Payne 2005) or 'fit-for-purpose' land administration (Enemark 2013).
- Bad governance is neither of these.

Exemplary

- Cases from the north (the Netherlands) and the south (Ethiopia) are considered.

The cases of the Netherlands

- The Dutch cadastre efficiently supports the land market, spatial planning and land development activities (Williamson *et al.* (2010)).
- Zevenbergen (2002) describes the Dutch cadastre as legally simple and organizationally sound.
- The governance index report by the World Bank indicates that the Netherlands scores high value on all governance indicators.
- The Netherlands experienced successful practice on harmonizing the spatial planning with land development (van Rij and Altes (2010)),
- Land is accessible in good time, for the proper function, with a reasonable price (Needham 1992),
- The policy and laws making in the Netherlands allows the participation of diverse actors (Needham 1997, Buitelaar 2010).

The cases of Ethiopia

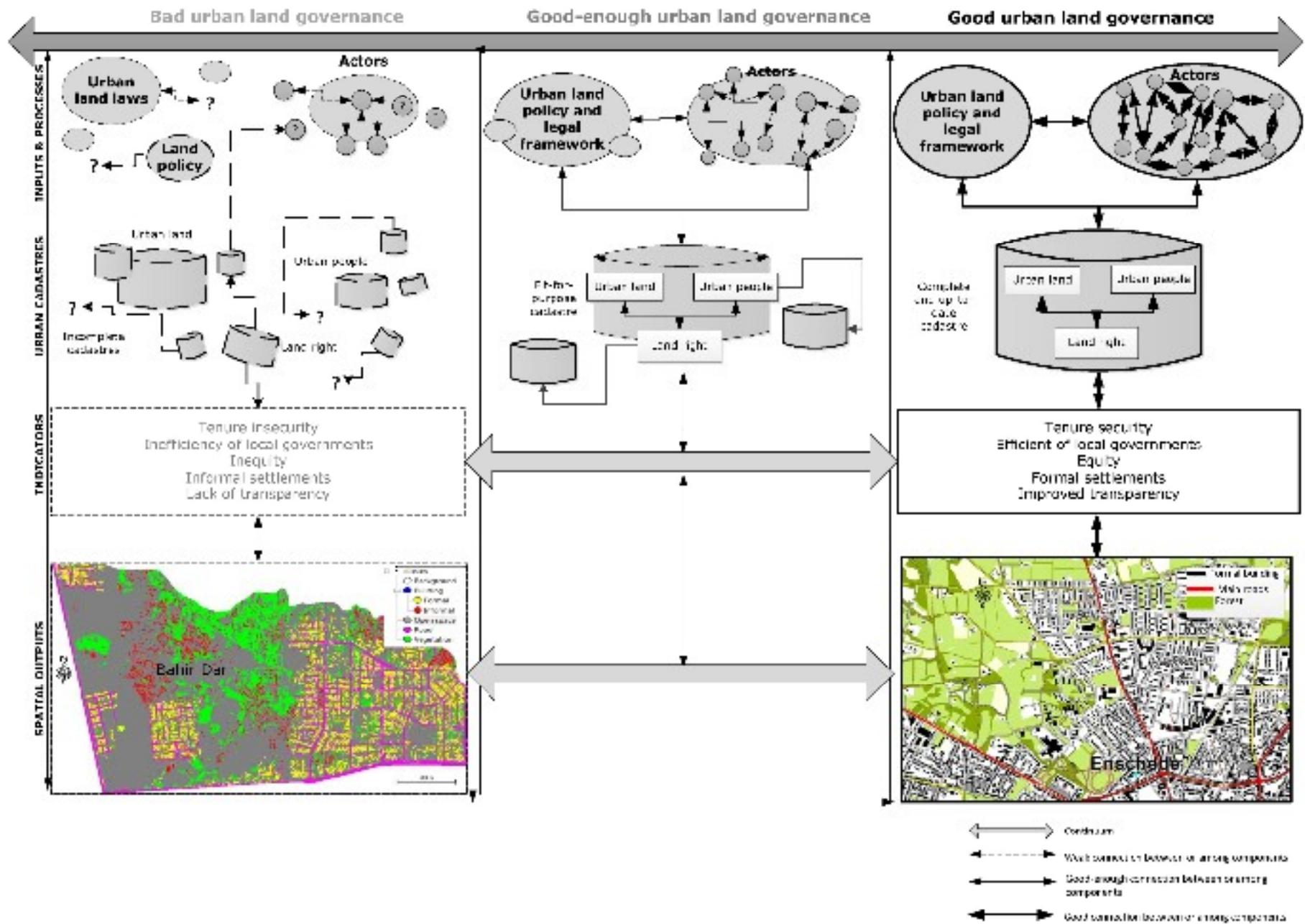
- Considered as the contemporary situation (after 2011) and earlier situation (before 2011).
- Studies in Ethiopian cities reveal that informal settlements amongst others were the major problems in urban land governance.
- There was no an underlying policy for urban land before 2011.
- Law making and implementation lacked transparency and participation of diverse actors.
- The local governments were weak in terms of human capacity, decision making, and finance, and this lead to growth in the number of informal land-to-people relationships.
- The urban cadastres in almost all cities were inefficiency. The issues of cost recovery and supporting urban land governance remained a distant goal.
- In technical terms, they are also technically heterogeneous in terms of the spatial frameworks, software, and surveying instruments used.

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- However, after the implementation of the 2011 urban land management policy, there is a tendency of improvement in transparency and consequent reduction of informal settlements.
- Contemporarily, a legal cadastre is considered to be a fit-for-purpose cadastre for the current socio-economy situation of the country.

System approach

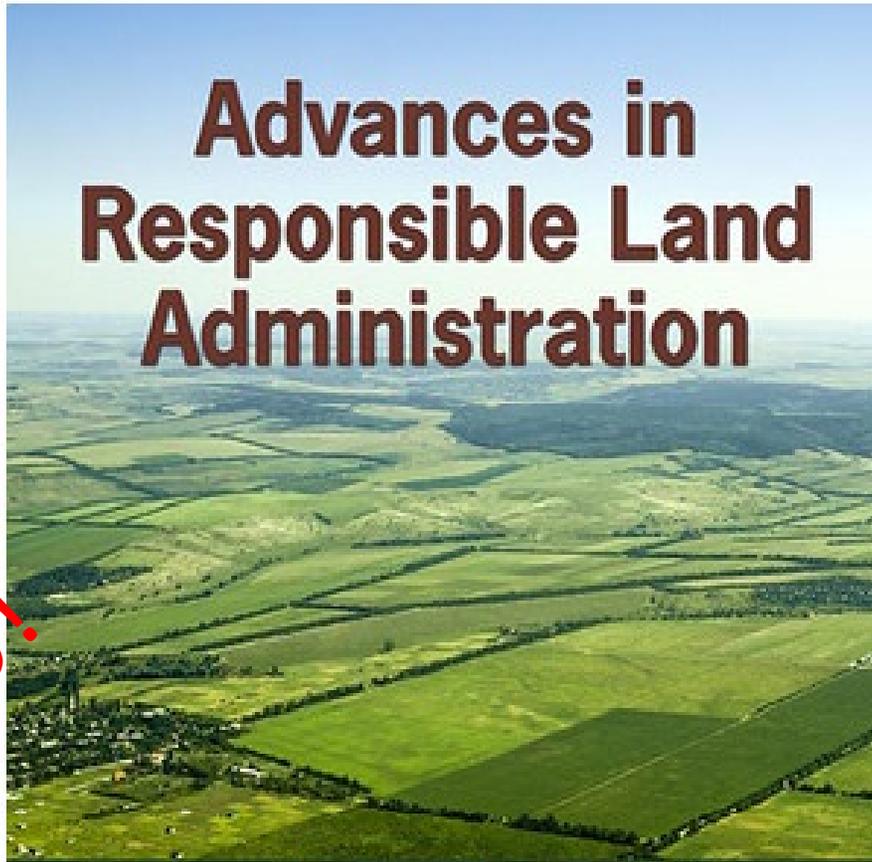
- Types of land governance are the factor of:
 - the nature of land policies and laws
 - diverse actors,
 - cadastres of different quality,
 - the resultant output indicators, such as informal settlements.



Conclusions

- Improvement of the inputs and processes needs to be the first step towards improving the cadastre and land governance.
- The conceptual model shows that the urban land governance situation of any country can fall in any of the three types of urban land governance in the continuum.
- A focus on good-enough land governance appears a more workable option in the context of developing countries.
- In line with the contemporary socio-economic development in Ethiopia, a legal cadastre is found to be fit-for-purpose and relevant to support the marketization of urban land.
- The tendency in Ethiopia towards a fit-for-purpose cadastre and good-enough land governance can be a lesson for other countries.

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