MEKELLE UNIVERSITY

COLLEGE OF BUSINESS AND ECONOMICS

DEPARTMENT OF MANAGEMENT

Local Governance in Rural Land Conflict Management:

The case of Ganta Afeshum wereda, Eastern Zone of Tigray

A Thesis Submitted to the Department of Management, in Partial Fulfillment of the Requirements for the Degree of Master of Arts in Development Studies (Governance, Democracy and Development Specialization)

By: Ashenafi Gebremedhin Nerea

Principal Advisor: Tesfay Aregawi (Assistant Professor)

Co-Advisor: Habtamu Worku (MA)

June, 2013

Mekelle, Ethiopia

Declaration

The thesis entitled "Local Governance in Rural Land Conflict Management" is my original work and has not been presented for a degree, diploma or fellowship to any other university and that all the sources of materials used for the thesis have been dully acknowledged.

Ashenafi Gebremedhin Nerea

Signature: _____

Date: _____

Certification

This is to certify that this thesis entitled **"Local Governance in Rural Land Conflict Management"** Submitted in partial fulfillment of the requirement for the award of the degree of MA, in Development studies of the college of Business and Economics, Mekelle University, through the Department of Management, done by Mr. Ashenafi Gebremedhin ID, No, CBE/PE 032/03 is carried out by him under our guidance..

Principal Advisor:

Tesfay Aregawi (Assistant Professor)

Signature: _____

Date: _____

Co-advisor:

Habtamu Worku (MA)

Signature: _____

Date: _____

ACKNOWLEDGEMENT

Acronyms and Abbreviations

CSA	Central Statistics Agency
CSO	Civil Society Organizations
DFID	Department for International Development
ECA	Economic Commission for Africa
EPA	Environmental protection Authority
EPRDF	Ethiopian People's Revolutionary and Democratic Front
FAO	Organization for Food and Agriculture
FDRE	Federal Democratic Republic of Ethiopia
GDP	Gross Domestic Product
GTP	Growth and Transformation Plan
GTZ	German technical cooperation
ICG	International crisis group
IIED	International institute for environment and Development
IFAD	International Fund for Agricultural Development
LAC	Land Administration Committee
MDG	Millennium Development Goals
MOARD	Ministry of Agriculture and Rural Development
NGO	Non-Governmental Organization
OECD	Organization for Economic Co-operation and Development
UN	United Nations
UNDP	United Nations Development Program
UN-ESCAP	Economic and Social Commission for Asia and the Pacific
UNEP	United Nations Environmental Program
UNCHS	United Nations Center for Human Development
USAID	United States Agency for International Development
WB	World Bank

Title	Page

Appendix

Structured Questionnaires

Semi structured Questionnaire

Interview Guide

List of Tables

Title   **Page**

List of Figures

Definition of Terms and concepts

Kebele: - neighborhood associations, which are the smallest unit of local government in Ethiopia.

Wereda: - It is the lowest level of official administration in Ethiopia next to kebele. It is approximately equivalent to a district in other countries.

Farmer: - the small scale land owner who resides in the rural area and leads his life by Agricultural activities like producing crops, plant trees, or maintain livestock in his/her plot.

Conflict: - is the disagreement or dispute between/among individuals resulting in disruption of production.

Rural land: - is the agricultural and non-agricultural land that is important to the livelihood of the land holder in the area he/she is residing. The land is used to produce crop or suitable to maintain livestock. Rural land includes a large scale land provided for investors and small scale land provided for peasants. But, rural land in this paper means small scale lands preserved to the farmers residing in the area to plough and produce crops, plant trees, build houses or maintain livestock. It is both the agricultural and non-agricultural land that is important to the livelihood of the farmer in the area he/she is residing.

Abstract

The study has attempted to assess the role of Local Governance in Rural Land Conflict Management in relation to Transparency and Accountability. The general objective of this study is to assess and understand the role and contribution of the local land governance structures and institutions to the management of the diverse rural land conflicts. Both qualitative and quantitative approaches were used for the study by making one supplementing the other. The study assessed the role of local governance in rural land conflict management by using 136 households who had experienced conflicts in the last two years. Four Kebeles with high prevalence of rural land conflicts were purposively selected from the total of 20 Kebeles of Ganta Afeshum wereda. Moreover, focus group discussion and interview were also employed to collect the qualitative data. It was found that most of the land cases are managed formally even though the preference of the litigants was the informal or the customary one as it reduces time and money, maintains the relationship of litigants, and it is believed by the rural community that the customary one is a win-win to both litigants. It is also an important means of consensus building approach. The study also showed that unclear land provision scheme is the main sources of conflicts. Boundary conflict is found as the main type which is occurred frequently. Transparency and accountability are used to measure the local land governance as indicators, and it was found that both indicators are at their minimal level. Land Governance structures and institutions at local level are not supportive enough to the rural community in terms of reaching the poor and the marginalized group. The governance structure was found weak, non-participative, biased to the rich and not inclusive as the individuals working with in the structure are incapable, inexperienced and corrupted ones. Gap in enforcement of land laws, unclear land provision schemes by the government, unclear land entitlement procedures, and low coverage of the land governance structures and institutions are the major challenges of the local land governance that possibly could result in rural land conflicts. Hence, to minimize problems related to land governance the structures and institutions should increase their coverage besides to equipping it with educated, capable, experienced and motivated manpower through providing trainings and other motivating factors like allowances, salary increments, recognition etc. This might enhance the transparency and accountability of these institutions. Customary way of conflict management should be considered in the legal conflict management systems to easily manage conflicts before cases are filed in the legal system. This reduces time, money and other resource to the community with a significant level. Hence, the livelihood of the rural community will be enhanced to a better level.

Key words: Transparency, Accountability, Local Governance, Land, Conflict, Conflict Management

Chapter one: Introduction

1.1. Background of the Study

Globalization and the information revolution are motivating a large and growing number of countries around the globe to reexamine the roles of various levels of government and their partnership with the private sector and civil society. These reforms typically involve shifting responsibilities to local governments and beyond government providers, with the objective of strengthening local governance. This movement has generated a large interest in learning from the history of nations as well as from current practices across countries on local governance (Shah, 2006).

Governance is the exercise of political, economic and administrative authority in the management of a country's affairs at all levels (World Bank, 2007), and is a neutral concept comprising the complex mechanisms, processes and institutions through which citizens and groups articulate their interests, exercise their legal rights and obligations, and mediate their differences (Palmer et al, 2009).

UNDP (2007) has defined the broader concept of local governance as the formulation and execution of collective action at the local level. Thus, it encompasses the direct and indirect roles of formal institutions of local government and government hierarchies, as well as the roles of informal norms, networks, community organizations, and neighborhood associations in pursuing collective action by defining the framework for citizen-citizen and citizen-state interactions, collective decision making, and delivery of local public services. Thus, Local governance is beyond the local government (FAO, 2007).

Local governance, therefore, includes the diverse objectives of vibrant, living, working, and environmentally preserved self-governing communities (World Bank, 2008).

The very concept of 'good governance' at local levels denotes quality, effectiveness and efficiency of local administration and public service delivery; the quality of local public policy and decision-making procedures, their inclusiveness, their transparency, and their accountability in land governance; and the manner in which power and authority are exercised at the local level

as Anwar shah, (2006) noted in his literature that explains the exercise of local governance in Developing countries.

Land is an asset that has different definitions as to its unique property. According to USAID, land is "a unique, valuable, and immovable resource of limited quantity and is a central element in the varied and complex social relations of production and reproduction that requires proper and sustainable governance….." (USAID, 2009:34).

Land is at the center of social, economic and political life in most of African countries (USAID, 2009) and, it is also seen as an important economic asset and source of livelihoods that is closely linked to community identity, history and culture as noted in Zwan, (2010). Holding of land in most societies is an indication for the wealth status of a society and governments of a specific country (Zwan, 2010). From the power it gives to owners in terms of economic wealth (Zwan, 2010) and its ability to grant access to land, Rural Communities can readily mobilize around land issues, making land as their central agenda (UNDP, 2008). Moreover, Land issues readily lend themselves to conflict.

Moreover, holding of Land is not such an easy task in a populous society. It requires a power to own it. This power to own the land may lead to conflicts between the societies (USAID, 2009).

Some empirical literatures also reveal that land scarcity or abundance affects territorial disputes at the micro level (World Bank, 2004). There are two thoughts justifying land scarcity has two way of implication. One line of thought goes back to Thomas Malthus and neo-Malthusians that see population growth leads to land scarcity and hence land degradation as potential sources of violent conflicts (ibid). Another view states that land scarcity leads to intensification, technical and institutional innovation, including ways to resolve conflicts in a better way (FAO, 2007).

According to the United Nations Environmental program, wider processes of political exclusion, social discrimination, and economic marginalization across a society could also be factors that exacerbate land conflicts (UNEP, 2007).

Thus, conflict is an attendant feature of human interaction and cannot be eliminated; however, its proper management and transformation are essential for peace and progress in human society

(Posen, 1993). That is why conflict resolution is one of the serious challenges of governance and as a result, legitimacy of conflict management and resolution mechanisms is critical.

Adequate approaches of land conflict management are required for peaceful political, social, and economic use of land. However, of the commonly used conventional technical approaches-Negotiation, Arbitration, Conciliation and Mediation- are not adequate to address these issues (UN-habitat, 2007). Part of the reason is that existing land administration tools are not able to cope with even current challenges (ibid). Many excellent land policies, laws and technical reforms have been developed, yet, in many cases, implementation has slipped, stalled, or has even been reversed (Palmer, D. et.al, 2009).

Therefore, sound land governance is fundamental in achieving sustainable development and poverty reduction by managing rural land conflicts by establishing sound land governance (UNDP, 2007).

Sound land Governance requires operational processes to implement land policies in comprehensive and sustainable ways. Many countries, however, tend to separate land tenure rights from land use opportunities, undermining their capacity to link planning and land use controls with land values and the operation of the land market. These problems are often compounded by poor administrative and management procedures that fail to deliver required services (FAO, 2007).

Land related conflicts need critical scrutiny of the problem and implementing measures related to good land governance which is of a technical, procedural and political nature (Kironde, 2009). This is because rights over land cannot be separated from civil, political and human rights, and are dependent on political, administrative and professional readiness to ensure fair treatment and equal opportunities (World Bank, 2008).

Weak land governance to the reverse is a cause of many land-related problems, and attempts to address land related problems are affected by the quality of land governance (Palmer et al, 2009). However, in the other way, improving land related systems, such as land tenure arrangements could often improve land governance by minimizing the land conflicts to be emerged (UN habitat, 2007).

1.2. Statement of the Problem

In the era of globalization and population pressure, land scarcity is the notorious element in Africa for the increasing number of land conflicts. Besides, the current land systems in Africa may not be well-equipped to resolve such conflicts (Cotula, et. al, 2004; van Donge, 1999). Hence, whether it is at the heart of a conflict or gets dragged into it, land requires a careful approach by policy makers because it is a central element in the evolution of societies (Pons-Vignon, 2004).

Thus, Good Governance at local level has been an important topic of research because of the ever existing unresolved land conflicts, and good governance is seen as one entry point for conflict management (Bigdon, 2003).

Most of the discussions on good governance are customarily focused on the macro level (Bigdon, 2003) and there is still a lack of focus on good governance at local level especially in conflict prone-rural areas of sub-Saharan Africa (World Bank, 2004).

Though, the government of Ethiopia has made a clear distribution of power between the Wereda and Regional administrations as part of its good governance reform (Tigray region five years regional growth and transformation plan from 2010/11 - 2014/15 (2011) and implemented ADLI in all regional states to enhance rural development through good governance at local level, it relatively lacks effectiveness and efficiency (Ethiopia's agricultural sector policy and investment framework 2010-2020, 2010).

Thus, there are major knowledge gaps regarding the question of what makes rural governance structures and institutions work effectively for small-scale, resource-poor farmers, women-headed households, and other vulnerable social groups in Ethiopia (Spielman et al, 2008). The same is true for Tigray as it could not be unique from the Ethiopian context.

Tigray is one of the regional states with scarcity and degradation of arable land in which the settlement of the population and its topography exacerbates the need for more arable land as 80.5% of the population is rural dweller (The five years regional growth and transformation plan 2010/11 - 2014/15, 2010).

Ganta-Afeshum is the most densely populated Wereda having residents of 361.4 people per single square kilometer, and 96% of the people are living in rural areas with a total population of 190,066 in an area of 525.93 square kilometers. The size of land per house hold is 0.5 hectare which is less than the national and regional averages that are 1.01 and 0.51 hectares respectively (CSA 2008). As a result, land related court cases are higher when compared to other court cases from regional up to the local level. It is about 35.67%, 65% and 80% at regional, wereda and kebele level respectively in the year 2010/11 as noted in Gizachew, (2011).

Furthermore, according to the three consecutive years annual wereda aggregate report of Ganta Afeshum land Administration and use desk with in the office of Agriculture and Rural Development, the number of land related conflicts are soaring from 83 in 2009/10 to 217 and 222 in 2010/11 and 2011/12 respectively at kebele level and from 138 in 2010/11 to 176 in 2011/12 at wereda level without including the conflicts that are solved customarily.

Therefore, this study mainly aims at diagnostically assessing and understanding the roles and structures (institutions and procedures) of local governance in rural land conflict Management in relation to Transparency and Accountability, and the content of the rural land conflicts in Tigray and specifically in Ganta Afeshum wereda.

1.3. Research Questions

This study has tried to answer the following research questions:

➢ How are rural land conflicts managed at local level?
➢ What are the main causes of rural land conflicts
➢ What are the main and frequently emerging rural land conflict types?
➢ What is the status and trend of rural land governance in terms of Transparency and Accountability?
➢ How do local governance structures and institutions affect rural land conflict management?
➢ What are the challenges of rural land governance at local level?

1.4. Objective of the Study

The objective of the research is to assess and understand the role and contribution of the local land governance structures and institutions to the management of the diverse rural land conflicts in relation to Transparency and Accountability. So, it mainly focuses on:

- ➢ Diagnostically assessing how rural land conflicts are managed at local level
- ➢ Identifying the main causes of rural land conflicts
- ➢ Identifying the main and frequently emerging rural land conflict types
- ➢ Assessing the status and trends of rural land governance in terms of Transparency and Accountability
- ➢ Assessing how do local governance structures and institutions affect rural land conflict management, and
- ➢ Identifying the main challenges of rural land governance at local level

1.5. Scope and Limitation of the Study

This study mainly focuses on how rural land is governed and the role of local land governance in rural land conflict management at local level. Geographically, the study covers Ganta Afeshum wereda of Eastern zone in the national regional state of Tigray, and findings and conclusions drawn from this research may not represent or correspond to other weredas of the region, and may not give the picture of the whole region.

Transparency and Accountability are the only two dimensions used to measure local land governance at local level with regard to the government land appropriation schemes, land entitlement procedures, procedures for inheritances, availability of land information, access to land information, standardized procedures for determination, and recording and dissemination of information on land related issues and responsiveness of land governance structures and institutions when demand arises, availability of mechanisms for questioning and explaining the ongoing land activities in the community, the involvement of the community in every land related issues and have a say on it and participation of the community on electing and firing when necessary the kebele land administrators and land judges. So that, it enables the researcher

to easily assess the role of local land governance in rural land conflict management. Other local governance dimensions are beyond the scope of this paper.

The study is only limited to assess and understand the contents of the local governance structures and institutions and their role in the rural land conflict management. It does not show the cause and effect of rural land conflicts on the community.

1.6. Significance of the Study

This study may contribute to the recent discourse on how rural land governance is going, and the role of rural land governance in conflict management at local level. Besides, it could offer the necessary information to better understand structures (procedures and institutions) of the local governance system in Ganta Afeshum wereda, and it may also provide interested researchers the necessary background and inspire them to conduct further studies on such related issues. Moreover, it could render additional information to interested bodies and policy makers on their way to deal with it.

Chapter two: Literature Review

2.1. Local Governance

Local governance comprises a set of institutions, mechanisms and processes through which citizens and their groups can articulate their interests and needs at the local level (UNDP, 2004). Good governance enables to enhance and maintain the social, cultural, political, and economic elements of a community. The building blocks of good local governance are citizen participation, partnerships among key actors at the local level, capacity of local actors across all sectors, multiple flows of information, institutions of accountability, and a pro-poor orientation (ibid).

Of the various hierarchical administrations of one country's political system, Local governance is considered as one part which is administered by the authorities who are subordinate to the state authority (Humphries R. (1998). Nevertheless, the subordinates are elected independently of control by the state authority by qualified persons resident, or having property in certain localities, which localities have been formed by communities having common interests and common history (ibid).

When we see Local governance from the legal point of view

> *".....Local government may be said to involve the conception of a territorial, non-sovereign community possessing the legal right and the necessary organization to regulate its own affairs. This in turn, presupposes the existence of local authority with power to act independent of external control as well as the participation of the local community in the administration of its own affairs" (B. Havenga (2002) in Robson (1937).*

Irrespective of the above definitions, Local governance emphasizes the need to look beyond the narrow perspective of legal frameworks and local government entities. It seeks to include the multiplicity of formal and informal relationships between different actors in development (Olsen, 2007) that shape and influence the output and effectiveness of political and administrative systems at a sub-national level.

According to UNDP (2004), Good local governance is not just about providing a range of local services but also about preserving the life and liberty of residents, creating space for democratic participation and civic dialogue, supporting market-led and environmentally sustainable local development, and facilitating outcomes that enrich the quality of life of resident.

These days, governance does not only indicate a central state in the development discourse but it is perceived as an important element to be included in development strategies (Zimmermann, 2006). The discourse of governance and its emphasis is generally affected by the policy objectives and the context within which it is being applied. According to FAO (2007), governance is seen from how officials and public agencies acquire and exercise power and authority to determine public policy and provide public goods and services, for those who see the view of governments restricted to how the state serves its citizens on one hand. On the other hand, for those who see authority and power in society vested in many institutions, governance reflects the role of the private sector and civil society in decision making alongside that of the government. Simply put "governance" means the process of decision-making and the process by which decisions are implemented (UN-ESCAP, 2009).

In the civil society, governance reflects cooperation between civil and political societies and between the state and its citizens (Roy, 2008). Hydén and Mease (2004) further elaborate on governance as "the formation and stewardship of the formal and informal rules that regulate the public realm, the arena in which the state as well as economic and societal actors interact to take decisions". In this paper, the researcher used FAO (2007) governance definition since it has all the components of transparency and accountability of governance that the research is also interested with. Thus, Governance is the process of governing:

"It is the way in which society is managed and how the competing priorities of interests of different groups are reconciled. It includes the formal institutions of government but also informal arrangements for achieving these ends. Governance is concerned with the process by which citizens participate in decision-making, how government is accountable and transparent to its citizens, how society obliges its members to observe its rules and laws".

Good governance therefore is related to the way important decisions are made by the society, organizations or groups of persons and it encompasses the choice of persons to participate in

such decision-making as well as who and how to render accounts of the entire process and stewardship. "*Good governance is perhaps, the single most important factor for eradicating poverty and promoting development*" according to the former UN Secretary General Mr. Kofi Annan as cited in (UNDP, 2004). Since land is one of the four basic factors of production (i.e. land, labor, capital and entrepreneurship) and characteristically fixed in supply, it requires maximum attention through prudent governance practices as it is at the center of eradicating or alleviating of poverty and promoting development (UN-Habitat, 2007).

2.2. Land and Governance

In most developing countries where agriculture is the main economic activity, land is considered as the only means of existence of a given society. This is due to the fact that Land is not only the most basic aspect of subsistence for many people around the world; it can also contain valuable structures and natural resources on it (USAID, 2005). Land is therefore, a very strategic socio economic asset particularly in poor societies where wealth and survival are measured by control and access to land (ibid). Moreover, Land is a central element in the varied and complex social relations of production and reproduction in human life of most of the developing countries, especially in the Sub Saharan region (OECD 2004).

Furthermore, Land is the single greatest resource in most countries. People require land and related resources such as forests and water for the production of food and to sustain basic livelihoods (FAO, 2007). Besides, Land provides a place for housing and cities, and is a basic factor of economic production as well as a basis for social, cultural and religious values and practices (UN-Habitat, 2007). Access to land and other natural resources and the associated security of tenure have significant implications for development as World Bank (2004) noted. The land rights of the poor and vulnerable are increasingly affected by climate change, violent conflicts and natural disasters, population growth and urbanization, and demands for new energy sources such as bio-fuels. Besides, Seventy-five percent of the world's poor live in rural areas and most are involved in agriculture. In the 21st century, agriculture remains fundamental to economic growth, poverty alleviation, and environmental sustainability. Therefore, land governance remains at the center of all the issues (Deininger et.al. 2012).

World Bank, (2004) explained land governance concerns and manners as "Land governance … concerns the rules, processes and structures through which decisions are made about the use of and control over land, the manner in which the decisions are implemented and enforced, and the way that competing interests in land are managed" (FAO ,2007)**.**

Land governance, by extension, encompasses statutory, customary and religious institutions, as well as informal institutions (FAO, 2007). It includes state structures such as land agencies, courts, ministries, and municipalities responsible for land (UN habitat, 2007) as they are the stakeholders in land related administrations regardless of the location. It also includes informal land developers and traditional bodies. It covers the legal and policy framework for land, as well as traditional practices governing land transactions, inheritance and dispute resolution. In short, it includes all relevant organizations from the political bodies, civil society and private sectors (Asia land forum, 2012).

2.3. Land Conflict Management

Within any jurisdiction, whether it is a community or a country, there are multiple development objectives and multiple stakeholders who have interests that range from basic survival to personal enrichment to societal well-being (Palmer, D. et.al, 2009). As these all objectives rely directly or indirectly on land ownership, land is a decisive asset which needs a critical scrutiny and governance.

Since land resources are finite within a jurisdiction, control over land rights is a means of accumulating and dispensing political and economic power and privilege through patronage, nepotism and corruption in Sub-Saharan Africa (Yamano, 2005). As a result, it is increasingly becoming a source of conflicts as there is often competition between stakeholders over access to and use of the resources. Neighbors dispute the position of their boundary, with both claiming the land. Farmers and pastoralists compete to use the same land (Palmer, D. et.al, 2009). Consequently, competition over access and use of land may breed a conflict across individuals and groups of a community. Alongside this, when symbolically or emotionally important land or property is at issue, chances of conflict and violence increase significantly (USAID, 2005). Thus, addressing land conflict issues are critical to improving governance at the specific area (Kironde, 2009).

Basically as it is not easy to distinguish a conflict on rural land from disputes over rural land, trying to differentiate the two every now and then is a matter of indifferent to some land literatures (Babette, 2008).

Various authors have suggested different definitions regarding conflict and disputes of rural land. For example, Mulatu in M.Abdo (2009:117) defined as Land Conflict, scope wise can be extended from disagreement to armed confrontations where competing interests and claims have caused or threatened a breakdown in ordinary or even peaceful coexistence whereas disputes are associated with distinct justifiable issues which require a solution, can be managed.

Babette (2008:87) has also defined rural land conflicts as a social fact, in which at least two parties are involved, the roots of which is difference in interest over the property right to land. On top of this, the right to use the land, to manage the land, to generate an income from the land, to exclude others from the land, to transfer it and the right to compensation for it are sources of rural land conflict (D. Todorovski, 2011).

Thus, Conflict is an inevitable and pervasive aspect of human life. It occurs between two individuals, groups, organizations, communities and nations and even two regions in the form of disagreement, grievances, problems and tensions (Khanal, 2002). So, resolving conflict is a prime concern of the present-day social, economic and political complexity. By extension, this poses a question of when and how the conflict is resolved since a delay in addressing conflicts may lead to severe instabilities in the community and henceforth the political system of a given society. As Khanal addressed, a normal course of conflict turns violent if no action is taken to transform or manage it through a natural course of action. The existence of these conflicts and the failure of political machines to address them in time have created more gaps in the society, which ultimately has hindered the political development of the country, thus, it requires an effective conflict management mechanisms (ibid).

The term conflict management has come into frequent use in connection with the local governance. The local government institutions and the people living at this level face varieties of conflicts in their day to day affairs. The identification, classification and resolution of these

conflicts are very important at this stage if political development along with other kind of development is to take place (D. Todorovski, 2011). Thus proper local land governance is critical for identifying the main sources of these conflicts in order to have an effective and efficient rural land conflict management (Khanal, 2002).

Land conflict management had been given less focus even though there are increasing incidences of land conflicts at local level (FAO, 2007). Previous studies on this topic have also been limited to some specific occurrences that are related to large-scale civil strife or politically motivated conflicts (Deininger and Castagnini, 2005). A recent study in Ethiopia, however, shows that rural households experience small-scale land conflicts with relatives, neighbors, landlords, or local governments, and that such small-scale conflicts may have significant impacts on their agricultural productivity (Yamano, 2005). Besides, Gizachew (2011) noted that rural land conflicts at local (wereda and kebele) level are 65% and 80% respectively in Tigray regional state. And, this shows that how much effective and efficient land conflict management is critical in the region. According to FAO, (2007), there are two types of land conflict management methods: the formal/legal and the informal/customary methods, and the researcher took these methods from the FAO (2007) hand book as the main benchmarks to assess the land conflict management in the area.

2.3.1. The Formal Conflict Settlement Methods and its Limitations

Under the constitutions in force in many African countries, courts and tribunals are the institutions responsible for the settlement of land conflicts. The judge has the legal power to give land related decisions to the litigants as put in their existing land laws (FAO, 2007). In theory, the settlement of land conflicts through legal procedures has many advantages— impartial procedures, enforcement of a clearly and previously established rule of law and a clearly defined penalty, professionalism of judges (ibid).

However, the judiciary is blamed for the enforcement of rules that are uniform and thus seldom adapted to the diverse local conditions. A legal procedure necessarily results in the recognition of a "loser" and a "winner", which is not easily accepted among rural communities in the countries (UNDP, 2007). This is true in many of the African countries. The impartiality of the procedure is

sometimes called into question, in view of frequent accusations related to corrupt practices within the judiciary (ibid).

Furthermore, courts and tribunals are overcrowded with land conflict cases, a situation that reflects the limited effectiveness of the judicial system. Besides, justice is not accessible for the poor, due to the costliness of procedures, bureaucratic red tape and limited coverage of the national territory by the judiciary. Even when parties seeking redress at the courts succeed in overcoming these procedural and cost obstacles, the judge's decisions may not be sometimes properly understood or meet the expectations of litigants, and this makes litigants to stay away or remain silent and rely on the customary way of conflict management (UN Habitat, 2009).

Such findings and the need to better secure rural stakeholders' land titles in general are the factors that motivated the increasing interest in alternative land tenure conflict management mechanisms (ibid).

2.3.2. Alternative Conflict Management Methods

According to FAO, (2007), alternative conflict management methods are consensus-building processes for conflict settlement. These methods were designed to make up for the previously identified weaknesses of the judicial system. Indeed, they are meant to manage the conflict on the basis of common interests and through the identification of convergence points. They are easily accessible and cheaper, and thus affordable by rural populations. Such alternative conflict management approaches are particularly suitable for rural contexts, where the most important thing is less the determination of who is right than the preservation of the public interest and local solidarity, while keeping everybody's honor safe (ibid).

Key Alternative Conflict Management Methods

Various methods are adopted as alternative ways of managing conflicts. The major ones according to FAO, (2007) are:

- *Negotiation*: The basic principle of consensual negotiations is that the parties are the main actors; they identify their own needs and interests, and agree on mutually advantageous solutions. Negotiation demands much collaboration and is based on the assumption that the parties have the goodwill needed to communicate during the entire process. It allows

for solutions that may be more satisfactory and easily applicable, as the parties in conflict develop these solutions themselves.

- *Mediation*: In the process of mediation, the parties also play a role, but they are supported by the facilitation services of a third party called mediator. Mediation is a process of voluntary consultation between conflicting parties that is managed by one independent third party or more who facilitate communication and try to help the parties' find a solution themselves. For such a method to be successful, the parties must adhere to a set of common values, which makes it reasonable to expect the parties' compliance with the agreement. The settlement of the conflict should ensure the restoration of interpersonal relations and preserve the "good reputation", or the image, of the parties. Indeed, the need to avoid "losing face" is crucial for the conflicting parties, as shown by several studies.

- *Conciliation*: Here as well, a third party is involved, i.e. the conciliator. The key within this alternative conflict management method consists of the conciliator's function in reconciling the initially diverging positions of the conflicting parties. The main difference with mediation is that the conciliator makes proposals to help find a solution to the problem, which may then be recorded in writing.

Limitations of Alternative Conflict Management Methods

There are some similarities between the methods described above and the customary conflict management approach as implemented so far by communities and their leaders. These traditional options have proved effective as people deemed them "fit for them" and, above all, because traditional authorities were able to enforce decisions. However, the local administrative and institutional framework in most of the African countries has changed significantly, especially under the influence of decentralization and with the emergence of new types of stakeholders who have weakened traditional authorities (UNDP, 2004).

It seems more relevant to institutionalize customary regulations in the national legal procedure as a prerequisite for the parties in conflict, before appealing to the judge as this are very important to minimize time and other resource wastages (Transparency international, 2007). This has been the case in Niger and to a lesser extent in Burkina Faso (ibid). Such an option involves controlling customary institutions concerned in order to prevent the often reported cases of abuse. Alternative conflict management is often blamed for failure to settle all types of land

conflict, especially those involving parties whose power and influence differ radically (UNDP, 2004). This is also true of the structural inequalities and glaring injustices against disadvantaged groups which can be resolved only through more far-reaching political or legislative reforms. Finally, the non-binding nature of alternative conflict management methods can make solutions unsustainable in the long run (FAO, 2007).

2.4. Types and Sources of Land Conflict

Conflict over land may vary based on different circumstances according to the nature of land use (Ubik, 2008). Catula et al., (2004) raised different factors of land conflict in Africa, and explained it as follows

"A major factor underlying land disputes in Africa is linked to the large flows of people seeking land where they can settle and farm. Relations between incomers and the indigenous inhabitants are often tense. With few common social and cultural values shared. Uncertainties regarding the rights of different groups are aggravated by the plurality of laws and systems of regulation for control of land. When land starts to become scarce and hence valuable and marketable, such uncertainties generate fears and suspicion between neighbors and even within families. Government interventions and establishment of agricultural projects and commercial farm enterprises add further elements of instability to land relations. While high demographic pressure and land shortage are important dimensions of land conflicts, they are not sufficient to explain how and why completion for land flares in to violent clashes".

Thus, various scholars provide different causes and types of land conflict, especially rural land conflicts. The possible causes of rural land conflicts are: weak and ineffective enforcement of institutions, scarce land resource, poverty, inheritance, boundary, Government land appropriation schemes, some one's intention over political difference, and unfair land distribution (Ubik, 2008). The types of the land conflicts are emanated from the sources, such as; Land Scarcity and Degradation, Unfair land distribution, weak and ineffective enforcement of institutions, Poverty and population growth, Boundaries, Inheritances are some of the common types that needs a sustainable land conflict management mechanisms as noted in Yoder et al., (2003).

2.5. Dimensions of Land Governance

As noted in OECD, (2008), good governance could be assessed using the following Good Governance for Local Development dimensions. Such as; Representation, Participation, Accountability, Transparency, Effectiveness, Security, Equity (OECD, June 2008).

For the purpose of this study Transparency and Accountability dimensions are used to assess the land governance at local level as these are the two decisive dimensions mostly used by many scholars and organizations to assess local governance of all agendas (Asia land forum, 2012).

2.5.1. Transparency in Land Governance

Land remains a highly complex and contentious issue, involving economic, social, political, cultural and often religious systems demanding a transparent land administration (FAO, 2007). Transparency is a critical component of a well-functioning land administration, in particular in view of the scarcity of clear and credible information on land availability and transactions, and the poor dissemination of public information on land rights and policies. The risk of corruption and inequalities are very real in land allocation and management if there is no transparent governance (Transparency international, 2004). So that, the consequences to the poor often take the form of difficult access to land assets, unawareness of land policies and legal frameworks, ignorance about land transactions and prices, misallocation of land rights, land grabbing and abuse. When in place, transparency can encourage civic engagement and stakeholders' accountability by rendering the public decision making arena more accessible. This in turn strengthens confidence in government and public agencies, and has a positive economic impact, also on GDP. Many of the general governance principles related to transparency thus appear highly relevant to the land administration field (UN habitat, 2008).

Transparency in local land governance can be described in the form of the availability of Land information, open access to information about ownership, value and use of land, standardized procedures for determination, recording and dissemination of information, supervision and possibility of appeal (Van der Molen, 2007). The availability of information on land administration can reduce the possible occurrence of corruption and promotion of transparency on the other end. Besides, since Bribery, fraud and nepotism occur in an environment of secrecy,

information availability minimizes the occurrence of these hindrances from effective land governance (Transparency international, 2004). Transparency is also best served when the public at large has the constitutional right to access the information at any time and without restrictions regarding the object of interest. Land information being open for public inspection, provides effective opportunities to monitor illegal land sales and land grabbing (ibid).

Standardized Procedures for Determination, Recording and Dissemination of Information are also useful for the reason that it is impossible to change land registers and holdings in a hidden and legally unrecognized way where transparency is indicated by. Furthermore, Openness not only prevents corruption (Mwanza, 2004) but also a system of public and corporate audits will reveal illegal manipulation of the registers (ibid).

2.5.2. Accountability in Land Governance

As FAO, (2007), defined, Accountability means demonstration of stewardship and is cited as important for reducing bribery and corruption. Accountability combines with transparency in the discourse of good governance as they both emphasize the necessity for institutions to make their activities open to their clients (Schultz, 2008). Included in these dimensions are all the factors that make customary tenure institutions accountable of their stewardship to community members, reporting on what they have been entrusted to do, responding to questions, explaining actions and providing evidence of their performance (FAO, 2007). Factors like the frequency of interaction with community members, feedbacks, and record keeping are important to measure accountability in customary tenure institutions. On the other hand, customary authorities must report regularly on what they have been delegated to do by responding to questioning, explaining actions and providing evidence of their functions (Transparency international, 2007).

The responsiveness of the land governance structures and institutions as demand arises from the community, the availability of mechanisms for questioning and explaining the ongoing land activities in the community, The community's involvement in every land related issues and have a say on it, and the participation of the community in electing and firing of the kebele land administrators and land judges at kebele level are the points used to assess the level of accountability of local land governance and its role in rural land conflict management as these

factors are used to measure the level of accountability in many of the governance issues at local level (UN habitat, (2008).

2.6. Challenges of Land Governance

The need for good governance in Land Administration is undeniable as is influenced by increasing incidences of tenure insecurity and land conflicts (Bell, 2007).

Similarly, Zimmermann (2006) reported that millions of women around the world suffer abuses of their equal rights to own, inherit, manage and dispose of land. According to Zimmermann, efforts to recognize women's rights in land have been met with formidable resistance because of patriarchal control in land tenure. Furthermore, Bell (2007) noted that illegal grabbing of land has also become a common practice in most of the developing countries. The land of vulnerable ethnic minorities is grabbed to enable illegal or government-sanctioned concessions to proceed. The rich and powerful people in society claim land of others, thereby causing land disputes and conflicts (Mathieu, 2006). These challenges have been attributed to weak governance in the various institutions in charge of administering land in a given community or locality (Magel and Wehrmann, 2001; Zakout et al., 2007). Particularly, nowadays, Land governance activities have been associated with bribery and corruption, especially in the developing world and specifically in the sub Saharan Africa (Van der Molen and Tuladhar, 2007).

Poor remuneration of civil servants (Bell, 2007), is the main contributing factors to bribery and corruption besides to lack of rule of law (Zimmermann, 2006). Bribery and corruption tend to benefit power holders - political elites and government officials more than the poor and vulnerable groups as the poor is always damaged when there is corruption and bribery (Bell, 2007; Van der Molen and Tuladhar, 2007).

Furthermore, weak governance has been linked to lack of comprehensive regulatory framework governing security of tenure, insufficient or incoherent and improperly enforced legal provisions, lack of transparency and access to information, inequity and unfairness, lack of accountability, irresponsiveness of institutions to the demand of land users and inability for citizens to participate in land governance (UNDP, 1997; UN-Habitat, 2004; UNHS and Transparency International, 2004; UNDP, 2006; FAO, 2007; UN-Habitat, 2007).

In many societies, access to land or natural resources is seen as a key element of cultural identity. People are unable to play a full part in society without secure land rights, citizenship is restricted and exclusion grows. The more people are unable to conform to official norms and procedures as sometimes enacted through land and property rights, the more their status is undermined. Excluding large sections of the population from legally secure access to land generates alienation; it also discourages respect for the rule of law, which can surface in various forms of anti-social behavior, with the costs and problems involved like social instability, land conflict (FAO, 2007).

Social problems associated to inequitable distribution of land and associated economic opportunities tend to lead to demands for as it is at the center of every social issue in every given community (Zimmermann, 2006), and Land Governance is more difficult when land and related natural resources are scarce and unmet demand is great. Where these are not met, social conflict or political violence and instability may ensue.

It has become clear that, in conflict situation, socially accepted tenure arrangements and practices seem to prevail over statutory systems. This can be exemplified internal conflicts where historical grievances can lead to large scale internally displaced people (FAO, 2007).

Ubik,(2007) also noted that contested access to land and natural resources has also been a factor underlying armed and violent conflicts and territorial disputes in many African countries. In many fragile States of Sub-Saharan Africa, skewed access and inequitable distribution of natural resources have been used by "rebel groups" for territorial disputes and power challenges. This has been the case in the Delta region of Nigeria with various groups maintaining conflicts on the basis of oil distribution as noted in (ibid).

These cases go to demonstrate that poorly governed natural resources can lead and fuel land conflicts. The inequity amongst various interest groups (including customary land holders) could be used by (opportunistic) interest groups including political elites to perpetuate conflicts. Understanding where and who have the power and control over land and its resources is therefore is critical. Similarly, gaining clarity around various power centers and their motives and engaging various interest parties in the management of land and their resources could reduce the incidence of conflicts (UN-habitat, 2009).

For people living in Sub-Saharan African countries, access to land or natural resources is seen as a crucial element of cultural identity (UN- Habitat, 2008). Secure land rights for all, not only for a few will ensure that each member of the society plays in part in society and use land for the desired purpose. The more people are unable to conform to official or formal norms and procedures, the more their status is undermined.

Excluding large sections of the population from legally secure access to land generates alienation; it also discourages respect for the rule of law, which can surface in various forms of anti-social behavior, with the costs and problems involved. In Africa in particular, social problems linked to inequitable distribution of land and associated economic opportunities tend to lead to demands for land reform. Where these are not met, social conflict or political violence and instability may ensue (UNDP, 2007).

Thus, prudent land governance is very important to address the challenges raised around land in many circumstances after knowing exactly the main ones (UN- Habitat, 2007). Therefore, the following are the main challenges of land governance;

I. Access to land and security of tenure

Tenure insecurity problems in customary land are complex and may stem from many sources. Commonly among them are loss of usufructs rights, forced eviction, divorce, and disenfranchisement as a result of cross cultural marriage between matriarchal and patriarchal families which leaves children without inheritance rights. But, nowadays, land is legally redistributed to citizens, though there is a land scarcity everywhere in the world (Mahama and Dixon, 2006).

Thus, indigenous members of customary areas could access land through the lineage system while non-community members access land through grants of various forms in many of the African countries (Ubink, 2007; Zakout et al., 2007).

II. Access to information and services

Access to land information and services is a very important factor that needs to be addressed in land governance (FAO, 2007). Sometimes it might not be difficult to establish access. However,

the quality of information to be accessed is always questioned. In some occasions, land delivery is oral and in many customary areas, there are no structures for proper documentation, maintaining and recording land information. Even where information is kept, it is distorted and disorganized, mostly in the hands of individuals, thereby making it difficult to obtain comprehensive and up-to-date information on land allocation and dispute resolution (Ubink, 2007).

III. Distribution of community resources

Rights in customary land exist to protect all interest groups in the land owning groups, and are the responsibility of customary leadership to ensure that the proceeds from communal land are equitably distributed among all community members (Ikejiofor, 2006). With land becoming short in supply as a result of urbanization, population pressure, gender and intergenerational equity has become a challenging issue in customary tenure systems (McEwan, 2003). The question is whether the customary systems as they exist today have strategies that protect different groups of today and the generations to come, and therefore, there should be a fair and equitable distribution system of the community resources (ibid).

IV. Abuse of power and stewardship by the customary leaders

The object of customary land governance is that land is vested in groups whose leader is entrusted with the responsibility of administering their land for and on behalf of the entire group (Ubink and Quan, 2008). Chiefs and heads of families, clans and tribes are not in any way permitted to take any unilateral decision concerning the acquisition or occupation and use of land or the utilization of resources emanating from the land. This structure of customary systems should make customary tenure institutions accountable to local people because of strong kinship ties (Clement and Amezaga, 2009).

However, several authors suggest that accountability in customary tenure systems diminishes especially where these customary mechanisms for holding chiefs accountable have collapsed (Toulmin, 2009). Under such conditions, customary authorities abuse the power vested in them by exhibiting opinions showing that they no longer hold a fiduciary position (Kasanga and Kotey, 2001). For example, Ubink (2008) reports that in Ghana, some chiefs assume complete

ownership responsibility, and display tendencies to adopt landlord-like positions with regard to customary land. They take unilateral decisions and in many cases the activities concerning the land are executed without the knowledge of the community members (Ubink and Quan, 2008). Some chiefs and headmen abuse their responsibilities by allocating large tracks of land to themselves or their associates, especially individuals who provide them with money, beasts, alcohol and material goods and services (Mugyenyi, 1988). In such areas, chiefs' administrative roles in land right transactions enable them to appropriate community members' interests for purely economic motives.

V. Land conflicts

Although there is no immediate data available (UN-Habitat, 2007), land conflicts exist in many areas of sub Saharan Africa. The main sources of conflict in these areas are uncertainty of boundaries or allocation of the same piece of land to more than one person. Uncertainty of boundaries occurs when the land marks by which the real boundaries are defined no longer exist. These conflicts can be linked to many factors like improper documentations, weakening customary tenure institutions, transparency, and their structures for accountability and stewardship, manipulation of customary laws, land grabbing and tenure insecurity (WB, 2008).

2.7. Context and Nature of Rural Land Conflicts and its Management: International Experience
2.7.1. Rural Land Conflicts and Its Management in East Timor

Rural Land Conflicts

The recent political transitions and governance practices gave rise to the layered land claims that traditional leaders and the local government confront today. The types of conflicts which traditional authorities and local government address, in various capacities, can be characterized as follows according to Yoder et al., (2003).

Inheritance conflicts

Many rural land disputes among individuals arise from conflicts over inheritance and division of parental land. Cases involving natural and adopted children are usually resolved by traditional

leaders at the family or village level in accordance with local customs of inheritance that vary widely among regions. Customary decisions in inheritance disputes frequently divide the land between the parties or require both parties to divide harvest or products of the land, as sharing the land is viewed as one means of preserving a harmonious family relationship. In most instances, adopted children cannot inherit land, unless the parents have made clear provision for this. In most but not all cases involving disputes between brothers and sisters, traditional settlements favored the male descendant, in accordance with norms of land inheritance and ownership. In the absence of parental division of land among children, daughters were usually awarded land when they were still unmarried at the time of settlement. Some land inheritance cases that traditional authorities could not resolve included disputes between the adopted children and the siblings of a deceased family member, when both sides claimed rights to the land and the customary mechanism for inheritance was unclear.

Intra-lineage conflicts

Conflicts over use of agricultural or residential land among members of a lineage group are variable in frequency, but their resolution by traditional means is relatively unproblematic.

Within the rural Timorese social structure as yoder et al., (2003) explained, a unified identity among members of a lineage and the authority of elders within a family remain strong. Disputants and traditional authorities considered cases in this category to be common, minor problems, and most are solved quickly and finally by family elders without taking them to outside levels for settlement (ibid). Where an individual has planted annual crops on another's field without permission, the settlement frequently requires the parties to divide that year's harvest and not repeat the action. Government authorities find intra-lineage land cases complex to resolve: communally-held land is difficult to settle because of the number of individuals involved, an incomplete understanding of the internal mechanisms of inheritance, and the need for decisions made about ancestral land to be accepted by all members of the lineage.

Customary or ancestral claims versus current-use or improvement claims

Different individuals and groups are often involved in disputes where both parties base their claims on customary mechanisms for establishing land rights through use, but appeal to different time periods: one group claims an inherited right, usually because ancestors farmed that land or modified it with tree-planting, or irrigation, while the other party claims rights based on recent

use and continuing improvements to the land. In this regard, at least one party would not hold a formal land certificate to the land in question. Several on-going conflicts between current land users and those claiming the same sites as ritually important or sacred land are also included here.

While customary leaders recognize the underlying strength of customary landholdings, older ancestral claims do not automatically take precedence in settlement outcomes in these cases.

Yoder et al., (2003) also put that traditional authorities found in favor of those who had more recently used the land, making significant improvements to the property, against a customary claim based on long-ago, and short-term use without leaving permanent evidence. He also added that, as to both traditional and government figures involved, these types of disputes are among the most difficult cases to settle either with interim or final agreements (ibid).

Village or district boundaries

There are many disputes about community or individual boundaries in areas with and without resettlement, but as this matter concerns both customary claims and state governance, traditional leaders are rarely able to reach a binding resolution, and most current cases have been suspended pending national guidelines on structures of local governance as these are an ever existing conflicts (Yoder et al., 2003).

Land conflicts as one manifestation of political differences

Traditional authorities have been managing politicized issues of land since long before the advent of national-level government structures in rural areas of Timor and these traditional authorities are frequently called to assist in these types of cases, and both the government officials and the traditional authorities agreed that politically grounded land conflicts are among the most intractable conflicts they ever face, with some stating that such cases are impossible to solve.

Abandoned, vacated, and absentee ownership of land

Vacating significant tracts of land that has been classified as abandoned as to Yoder et al., (2003) are significantly exposed to ownership conflicts as land is nowadays a scarce resource

Several locations reported that most of the people currently using vacated land are young families from among the local residents who did not have their own land in East Timor (Yoder et. al., 2003).

Conflict Management Methods by Traditional and Local Government Authorities

When rural land conflicts arise, it is the responsibility of conflicting parties to seek assistance from traditional leaders; traditional authorities in all regions agreed that they did not first approach conflicting parties when they heard of a conflict. Local authorities set a time and place for conflict resolution, call witnesses, and sometimes make site visits to contested land (UNDP, 2007). If the case is unresolved, a wider circle of witnesses may be called. Besides oral testimony of conflicting parties and witnesses, other essential forms of evidence to land claims include trees, terraces, irrigation, fences, rock markers, paths and earthen divisions between rice fields (ibid).

Local leaders usually called disputants together within 1-2 weeks of the request to assist in settlement, and most cases were settled within one month (FAO, 2007). Sometimes they hear a case from morning until night. Small cases can often be settled by the local leaders within the space of several hours (Yoder et. al., 2003). Thus, elements of settlement processes that could be termed mediation, conciliation, and arbitration varied widely among traditional authorities (FAO, 2007). A few insisted that an arbitrated decision was the sole responsibility of the traditional authority, and that disputants had no choice but to accept and obey the decision, but most indicated that disputants played more active roles in reaching agreements, proposing solutions, and setting compensation (ibid).

As noted in Yoder et al., (2003), some traditional leaders described their role as that of mediator, moderating a discussion between the disputing parties, who optimally come to their own solution to the conflict. He also explained that government supports the local leaders use arbitration when the fault or answer is clear, but mediate when a solution requires negotiation or both parties have committed wrongs according to their custom (FAO, 2007). Frequently, decisions made by disputants, traditional leaders, and local government representatives are additionally strengthened through formal recognition by a local ritual authority (Yoder, et. al., 2003).

Compensation and land division in dispute settlements

Regarding compensation, negotiation is used for numbers and types of animals that would be paid; the local leaders decide fines by considering the animals owned by the person to pay the fine, tailoring to the individual's ability to pay (UNDP, 2007).

Following the procedure of settling land disputes with minimal government involvement, some traditional leaders' first attempt to mediate cases, only resorting to arbitration when initial efforts at conciliation fail. In some cases, disputants themselves reached an agreement, but in the final process of drawing boundaries the traditional facilitator assumed the role of authoritative arbitrator to "legitimize" the parties' decision and thus increase the gravity of the agreement as binding (Yoder et al., 2003).

For disputes within families, the contested land is often divided in to equal halves; the reason given is that sharing the land will allow for good relationships among family members as both sides benefit from the settlement. The local leaders visit the contested land and publicly divided it, usually placing or confirming visible boundaries, disputes rarely recurred (Yoder et. al., 2003).

Reconciliation or continuation of a case

A common feature of all rural land conflict settlements is a reconciliation ceremony that signifies and seals the end of the dispute. Even cases that have been settled with government mediation or court decisions must return to this traditional practice to be finally resolved and restore the relationships (UNDP, 2007).

When conflicting parties cannot reach resolution or do not accept the arbitrated decision of traditional authorities, sometimes the dispute settlement is suspended until the parties are willing to attempt another agreement (FAO, 2007). When a conflict is unresolved and needs to advance to a higher level, both traditional and government authorities frequently place restrictions on farming or harvesting tree crops from the disputed land until a decision is reached (Yoder et. al., 2003).

2.7.2. Transparency and Accountability of Local Land Governance in Macedonia

The involvement of all relevant stakeholders with responsibility and/or power for tackling corruption has a key role to play while designing a transparent system. This involvement of relevant stakeholders was instrumental in securing their ownership of the assessment process and of the data to be generated, and in ensuring uptake of results in local policy-making (Manila, 2003).

Users of public services, including citizens and CSOs, and other relevant stakeholders should also be consulted in the process of designing the instrument, to identify corruption "hot spots" based on their experience and perceptions of corruption and Macedonia did the same while developing its system as explained in Nahem, (2008). Such inputs by citizens in the design phase allows for the instrument to have a focus on poverty and gender, through the identification of corruption hot spots of particular relevance to the poor, women and vulnerable groups. Citizens' participation also enhances the potential for the assessment to serve as an effective accountability mechanism between local governments and their constituencies (ibid).

Although there is not a universally agreed definition of corruption, UN habitat defines corruption as 'the misuse of office for private gain' (UN Habitat, 2004).Corruption can be expressed in terms of Bribery, fraud, Favoritism, Nepotism, and Clientalism, and is used as a measure to transparency of the local land governance in Macedonia.
It is obvious that Corruption has a negative effect on the gear of a development of any given nation, but, it has the most devastating effect in developing countries because it hinders any advancement in economic growth and democracy (UNDP, 2004). However, it is possible to minimize the magnitude of corruption if there is properly established transparent and accountable land governance in the local administration of a given community.

2.7.3. Land Conflicts and Resolution Mechanisms in Cambodia

Cambodia, with over 80% of its population still working in the agricultural sector, a majority being subsistence farmers, is a good example for a country where the handling of land as a source of rapid income, a means of speculation and a sign of gratitude for those loyal to the

government, have clearly gotten out of control (Wehrmann, 2006). With about 80% of the country's population working in the agricultural sector, land in Cambodia is one of the most valuable natural resources and forms the basis for most of the Cambodian people's livelihood. In fact most people in Cambodia declare that land is the foundation of society and life of the country (ibid).

Land ownership and access to land are today the most frequent source of conflict in the rural as well as the urban parts of Cambodia. At the source of the current struggles is the country's conflict- ridden past as well as its current political situation (Land Grabbing & Poverty in Cambodia, 2009): While the "democratic system of checks and balances - among state, political society and civil society institutions - exists on paper only." The extremely hierarchical systems of power, together with high levels of corruption, have given rise to an arbitrary system of land acquisition and speculation by those in power. In addition, the "absence of an independent uncorrupted judicial system has meant that effective legal remedies for victims of forced evictions are unattainable" (Land and Housing Working Group, 2009).

Increasing land value, ineffectiveness of law enforcement, lack of community's knowledge in legal and policy matters, and unclear roles and responsibilities of key responsible authorities are in part the driving forces leading to land conflicts in Cambodia (FAO, 2007). Statistically as reported in the NGO Forum (2009), in total an estimate of the year 2005 stated that 1 in 15 families in Cambodia were involved in a land conflicts (Wehrmann, 2006). An NGO report on land disputes that arose during the year 2008 counted 173 officially filed disputes, each involving between 5 and 4000 families. The claimed land was either residential, farm or paddy land and those accused by the claimants of having tried to grab it were government authorities in 23.4 percent of the cases, the military in 20.6, and companies in 29.9 percent of the cases (NGO Forum, 2009).

Thus, the Government is not only failing in its obligations to protect against forced evictions, but Government authorities are often actively involved in illegal land-grabbing" (NGO Forum, 2009). As a result, villagers will generally attempt to have a powerful administrative decision maker intervene on their behalf, following the existing decision making framework in which the more powerful figure within the administration can "override a decision of a subordinate**."** According to WB, (2006)**,** usual help is sought from several authorities at different levels, though

in the majority (87%) of the cases arising in 2008, the complaint was submitted first to immediate local authorities (at the village, communal or district level). In about 49% of the cases, the complaint was referred to the Provincial governor and in nearly one third of the cases the complaint was sent directly to the Prime Minister's cabinet. While provincial courts also received around one third of the complaints, there were strikingly few cases where complaints were submitted to the actual institutions in charge of land dispute settlement: the district, provincial or national cadastral offices or the National Authority for Land Dispute Resolution (NGO Forum, 2008).

This is explained by several factors, the first being an apparent lack of clarity on the responsibility of the institutions mentioned. Theoretically the Cadastral Commission has jurisdiction over land disputes involving untitled land; the courts are responsible for those where land titles exist. The second influencing factor is the fact that the formal institutions are not trusted among villagers, on the contrary, they are generally perceived as "costly, time consuming and biased toward the rich" (Wehrmann, 2006).

In fact, a World Bank, (2008) study from the year 2006 showed that in 22% of the studied cases presented to the Cadastral Commission, bribes or other informal fees had been paid. In those cases dealt with by the court the figure rose to 68-100**%.**

The high costs are one reason why many land disputes never reach the courts; most villagers simply lack the resources to pay for an official complaint. As a result, human rights- as well as development NGOs have increasingly begun to actively get involved in land dispute resolution processes on behalf of the poor and marginalized. Almost no cases are reported, in which NGOs did not play a prominent role as watchdogs, advocates, legal consultants or even by submitting complaints on behalf of the victims (NGO Forum, 2008).

Equally unsatisfactory as earlier numbers, are the figures relating to the resolution of land disputes. From the cases studied for the year 2008, only about 12, 5 % were solved within that year, while other studies have shown that the process of dispute settlement can take up to ten years (Schwedersky, 2010).

Table 2.1: Status of Land Conflict Settlement in Cambodia in 2008

Status	percentage
Partly resolved	5.20%
Fully resolved	12.72%
Not resolved yet…	82.08%

Source: Cambodia NGO forum 2009

2.7.4. Land Conflict Management in Burundi

Land is a contested issue in Burundi. Since 1972, conflicts about land have exponentially multiplied, and nowadays about 80% of conflicts appearing in court are about land (ICG 2003). Inequitable access to land, spoliation by the authorities, and a confused land tenure system are further compounded by a high population density and degradation of the land (FAO, 2007).

In the communities, a huge variety of conflicts around land exists, ranging from disputes within families about the division of the inheritance, or the limitations of plots, to those resulting from the occupation of land by displaced people, or about land-use between cultivators and pastoralists (UNDP, 2004).

The level and scale of the conflicts around land pose huge challenges to conflict resolution institutions as noted in the UNDP, (2007). As a result, Legislation on land is inadequate, difficulties arise between the customary and 'official' system to administer land conflicts, and the judicial system is not equipped to deal with the task placed upon it (FAO, 2007).

Therefore, the need to strengthen conflict resolution mechanisms to deal with land disputes is apparent. The Bashingantahe (locally notable leaders), or other institutions within the communities (such as the Commissions Justice & Paix of the Catholic Church) have started their own structures to minimize the chronic land conflicts in Burundi (Transparency international, 2007).

Conflict Management at Community Level

To solve their disputes around land, people in the communities in Burundi may address two systems for conflict resolution: the customary system of the Bashingantahe, and the juridical system of the state. While the former relies in the first place on conventions and customary regulations, the latter bases itself on the legislation of the state (UNDP, 2004). Apart from those systems, people may approach representatives of local authorities, or structures established by NGOs or churches, to amicably arrive at a resolution of their disputes, or to acquire consultation on how to proceed in the conflict management system (ICG 2003). The level of involvement, the reliability and the capacities of these several institutions vary from location to location (ibid).

Informal Mechanisms

The Bashingantahe

Customarily, disputes around land tenure in Burundi were being mediated by the Bashingantahe (Council of Notables). It is composed of most respected community members (ICG, 2003). Its traditional roles is to settle local disputes, to reconcile individual persons and families, to authenticate all sorts of contracts (such as marriage, inheritance, sales, and gifts), and to represent the local population at higher level. The Bashingantahe also had to oversee the maintenance of truth and justice, to ensure the security of life and property, and to provide guidance and balance to politicians in the exercise of their mandates (FAO, 2007).

As Yoder et al., (2003) noted the council's institutional strength is getting weakened and eroded by the Political practices under the period from 1987-1992. Despite its weaknesses, however, many Burundians, local and international organizations consider its revitalization as very important (ibid).

The Juridical System

For a civil case to appear before the Tribunal of the locality, the litigant first needs to pass to the Bashingantahe at his/her community. If one of the conflicting parties does not agree with the solution proposed by the Bashingantahe, he can submit it to the Tribunal of the locality, after receiving a note from the Bashingantahe, including their conclusions on the case. The Tribunal of the locality does not necessarily need to take notice of the decision by the Bashingantahe.

Nonetheless, the Bashingantahe may be asked to testify or provide further explanations on the case. In case the Tribunal of the locality makes a field visit to identify the particularities of a disputed land property, the Bashingantahe are asked to be present as witnesses. If parties cannot come to agreement before the Tribunal of the locality, their case may be transferred to the Court of Appeal at province level (Dexter 2005).

The Relationship between the State and Customary Systems

While in their judgments the Bashingantahe rely in the first place on conventions and customary regulations, the juridical system of the state bases itself on the legislation of the state. All land conflicts should first pass before the Bashingantahe. Only in case those are unable to find a resolution, conflicts are passed on to the state legal system. This is advantageous in that the Bashingantahe are more familiar with the local context of a conflict and might thus decide in a more fair and win-win way (FAO, 2007).

Women and Land Rights in Burundi

Until today, customary law prevails for inheritance issues. Under customary law of Burundi, married women are excluded from inheriting land from their father, as long as there are any other male descendants (van Leeuwen, 2005). Women are supposed to have access to land through marriage: a woman will get use rights to the land belonging to her husband. This implies no ownership, and the land remains the property of her family in law (Kamungi et al. 2004). If a woman is not married and still stays in the paternal home at the time of her parents' death, after settling her brothers, she may use for her subsistence a portion of land for as long as she is alive. If she gets any children, they will inherit property only in the line of irregular successors or they will inherit nothing at all (ibid).

2.8. Local Land Governance in Rural Land Conflict Management in Ethiopia and Tigray

There is unprecedented interest in decentralized systems of governance in many African and other developing states. A number of them have established constitutionally entrenched system of local governance (WB, 2004).

Ethiopia, like other developing states, is in a process of implementing a decentralization program. The decentralization process began in 1991 when the Ethiopian Peoples' Revolutionary Front (EPRDF) came to power as Ayele, (2008) noted. In 1995 a new Constitution was promulgated which formally established the country on a federal basis with a federal government at the center and nine ethnically defined regional state at the periphery. The 1995 Constitution, in addition, laid the foundation for further decentralization by requiring the regional states to establish and adequately empower local government (FDRE Constitution, 1995).

The objectives that underpin the creation and empowerment of local government, as envisaged in the Constitution are, to enhance public participation, ensure the provision of efficient service delivery and accommodation of ethnic minorities (FDRE Constitution, 1995). The regional states of the country, therefore, have a constitutional obligation to create adequately empowered local government (Z. Ayele, 2008).

Historic events have influenced land policy in Ethiopia. Following the overthrow of the imperial regime of Haile Selassie by the Derg in 1974, the major programs of land reform and nationalizing were introduced. The Derg also prohibited the renting out of land, and other transactions (sales, mortgages, sharecropping) were severely restricted. Nationalization was followed by redistribution of land through Peasant Associations within communities, and also resettlement from the highlands. After the fall of the Derg in 1991, the new federal government drafted a constitution (Deininger et al., 2008).

The constitution assigned legislative power over land to the federal level of government and reserved implementation of federal land laws to the States, which was reinforced by a Federal proclamation in 1997 (updated in 2005). Land remains public property, and the prohibition of sales and exchanges was also continued or restricted, but renting out of land was now allowed. The last massive land distribution took place in the mid-1990s, but this practice ended with the introduction of land certification programs.

This decision However, the hope for landless people to access land in their home areas remained unanswered. Resettlement programs are still in place but now voluntary and mostly within the State towards the lowlands or forest land (Z.Ayele, 2008).

2.8.1. Land Tenure Forms and Tenure Security

The nationalization of land in 1975 led to the extinguishing of previously existing (customary) rights to land in the highlands, but not in the lowlands. Elements of customary tenure are still in use for allocating and managing grazing and forest lands.

Institutional land governance framework

The Ministry of Agriculture and rural development –MOARD- is responsible for coordinating land issues. Each Regional State has its own institutional arrangement for land administration. For example, in Amhara Regional State, the Bureau of Environmental Protection Land Administration and Use is responsible for land administration; regional Environmental Protection Land Administration and Use Authority in Tigray; Bureau of Land and Environmental Protection in Oromia, and Bureau of Agriculture and Rural Development in Southern Nations, Nationalities and Peoples. Ethiopia is discussing a revision of the institutional structure for land administration systems (Z. Ayele, 2008).

In rural areas, land administration and the daily management of land issues is delegated to local governments (wereda and kebele level). The kebele administrators had previously registered community members holding land, noting names and area in terms of local measures, as the basis for taxation. The wereda is also in charge of the issuance of certificates. The register in which the certificates are noted is kept at the wereda level (WB, 2008).

2.8.2. Land Registration

Ethiopia has developed an innovative approach to securing land rights, which is massive in scale, pace and cost effectiveness. Land registration and certification started in 1995 in Tigray and now covers the states of Amhara, and Southern Nations, Nationalities and peoples. The other states such as, Benshanguel Gumuz, Gambella, Somalia, Harari and Afar are not yet included in the scheme. Over 15 million households have received a certificate and the registration is by household and not by plot (Z.Ayele, 2008).

The registration of farmland is systematic and takes place at the lowest levels of local government (wereda and kebele). The registration of user rights and confirmation of the field

boundaries is done in public and neighbors are to be present. The work is done by the so called land administration committee. The members of a land administration are from the community and work as volunteers. They are selected in consultation with the community and women are to be included, according to the instructions. The land administration committees are trained by wereda officials of the office of agricultural and rural development. According to the regional land proclamations, the land administration committee is a permanent organization that will continue to play a role in land conflict mediation, formalization of land rental markets, implementing land use planning and monitoring and enhancing more sustainable land use. The downside of the approach used is that it is limited to administrative records which lack basic spatial framework and registry maps. The updating of the register and issuing of new certificates (following divorce, inheritance etc.) is relatively time taking. Various pilots are ongoing to develop operational and affordable solutions for spatial referenced data capturing and maintenance (WB, 2008).

Research by the World Bank and others has shown that the registration of land has increased the willingness to invest in corps and soils, which is important for improving food security (Deininger et al., 2008).

2.8.3. Gender and Governance in Rural Land Conflict Management

The constitution of 1995 provides for equal access to land for unmarried women. This was implemented during the land redistribution that still took place in the 1990s and improved women's access to land. Women's user rights were subsequently confirmed by the land registration process. To farm the land, women may have to enter into sharecropping agreements with those who own oxen (Z.Ayele, 2008).

In addition, the land registration process now include special measures to protect and strengthen women's' rights (plot, boundaries). The weredas have been instructed that women should be included in the land administration committee, which is important to protect rights. In practice, female representation was weak in many committees. Another intervention is that certificates now include both the name and picture of both husband and wife (IIED -2005).

2.8.4. Land Conflicts in Tigray

According to the preliminary survey conducted by Mamo, (2005), almost 10 years after the down fall of the derg regime produced a picture that shows the wide spread of rural land conflicts since 1991. He found that out of the sixty households interviewed, about 52% have experienced a conflict in relation to rural land. This clearly shows us that conflict management is at the center of tenure management which is a pivotal and sensitive political issue in contemporary history of Ethiopia as Mamo, (2005) explained.

According to Bogale et al., (2006), rural land is the main source of conflict in Ethiopia, especially in highlands of Tigray with less arable land. Unclear land entitlements and rural land scarcity are the main causes of conflicts especially in areas having smaller land plots.

2.9. Conceptual Framework

Fig.2.1. Transparency and Accountability in Rural Land Governance

Weak ⇨ | Transparency and Accountability of Local Governance structures and Institutions | ⇦ Strong

| Weak Land Governance | | Strong Land Governance |

• High number of rural land conflicts	• Minimal land conflicts
• Expensive and lengthy access to justice and courts	• Easy access to justice and courts
• Slow land conflict management	• Faster conflict management process
• Unclear land conflict management mechanisms	• Clear conflict management mechanisms
• Biased decision making process	• Transparent and accountable decision making process

Unstable community livelihood

Enhanced Community Livelihood

Violent Conflicts

Secured Stability

Weak ⇧⇨ | Land Conflict Management Mechanisms | ⇦ Strong

Source: Own Design, 2013

Local Governance is a shorthand for land and natural resource governance and refers to the process by which decisions are made regarding the access to and use of land and natural resources, the manner in which those decisions are implemented and the way that conflicting interests are reconciled(Netherlands Ministry of Foreign Affairs, 2011). Thus, Strengthening land governance is very important for poverty reduction and sustainable growth.

Land Governance Strength could be assessed through the Governance Indicators that are used for measuring the level of its implementation. Therefore, Transparency and Accountability are used to assess the strength of the local Land Governance in the rural community.

As it can be seen from the figure above, if the transparency and Accountability level of Land Governance in the local structures and institutions is weak, definitely the local Land Governance is weak. This weakness could result in to; higher number of land conflicts, slow land conflict management, expensive and lengthy access to justice and courts, unclear conflict management mechanisms, and biased decision making process. These weaknesses further affect the rural community's livelihood adversely. And, then a violent conflict could possibly be occurred, unless otherwise there is a strong land conflict management mechanisms are in place. If not, the violent conflict could bring social instability and unrest which in return could result in reduction of production, unsustainable growth, and finally poverty is exacerbated.

Whereas, if there is a strong Transparency and Accountability in the local land governance structures and institutions, there will be a strong local land governance in place, and it means that; Land conflicts will be at a minimum level, land conflict management will be fast and easy, access to justice and courts will be easy, there will also be a clear conflict management mechanisms and transparent decision making process. In structures and institutions with transparent and accountable local land governance, the land conflict management is strong. If there are some conflicts occurred, it will be easily solved as long as there is transparency and accountability. As a result, stability is secured and there will be a peaceful environment, and the rural community livelihood will also be enhanced in a better way.

Chapter Three: Methodology of the Study

The aim of this chapter is to present the research method that is used in the study in order to give answers to the research questions as well as describe the process of data collection and analysis.

3.1. Site Selection and Description of the Study Area

The study was conducted in Ganta Afeshum wereda of Eastern zone of Tigray in four Kebeles, i.e, May Mesanu, Bikot, Golea Genahti, and Sasun Bete Hawariat. Tigray was selected as it is the region having an average of less than 0.51 Ha of land size per house hold that is smaller than the national average of 1.01 Ha per household (CSA, 2008). Ganta Afeshum wereda was selected as it is the densely populated area with large number of rural land conflicts (Ethiopia's agricultural sector policy and investment framework 2010-2020, 2010). Besides, Ganta Afeshum is one of the regional weredas of Tigray having the smallest land holding per house hold that is less than the national and regional average (CSA, 2008). With regard to the selection of the sample kebeles, four kebeles, May Mesanu, Bikot, Golea Genahiti, and Sasun Bete Hawariat are selected purposefully. Land conflict prevalence was considered as the main one in selecting the sample Kebeles; Besides, Kebeles nearer to urban districts are likely to have more conflicts than those far away from the district (wereda) centers due to high population pressure with regard to urban expansion (Deininger 2011). Document analysis in the wereda court, list of households who faced conflict obtained from the Land administration and use desk, and key informants opinion were used to select the sample kebeles.

Map of Tigray Region by Woreda

Map of Ethiopia by Region

Ganta Afeshum District by tabias

The sellected study areas

Legend

- Buket nihib
- Golea genahti
- Sasun ete hariyat
- Bati may mesanu
- International boundery

Scale 1:180,289

0   1.5   3   6 Kilometers

Map source Bureau of Planinnig & Finance 2013
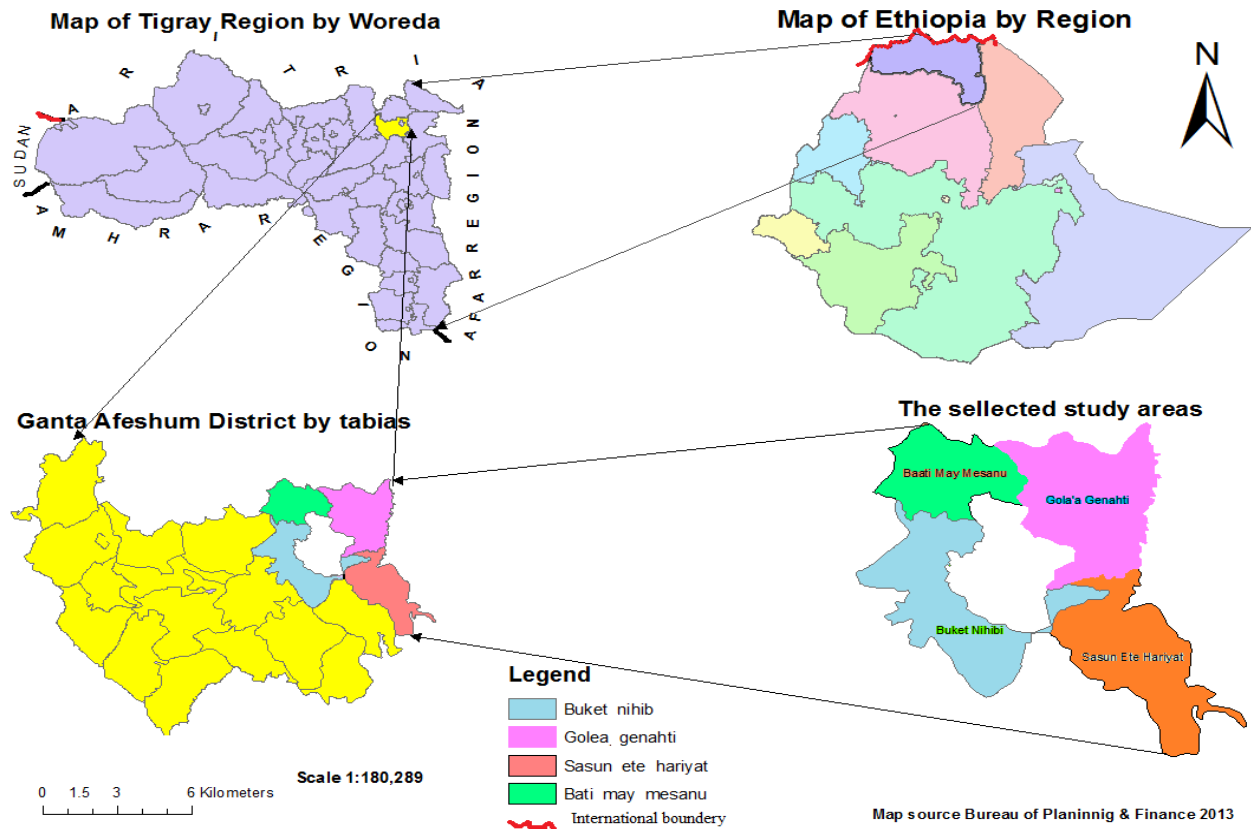
The wereda is located in the eastern part of Tigray region, sharing boundaries with Hawzen in the South, Ahferom to the West, Gulomekeda in the North, and Saesie Tsaedaemba in the East. Administratively the woreda is divided in to 20 "kebeles" and 73 "Kushets". Each Kebele is divided in to Kushets. It has a total population of 190,066 of which 96% are rural dwellers. Population density of Ganta Afeshum is 361.4 persons per square kilometer, with an average of 4.59 persons to a household. Ganta Afeshum lies between latitude 14° 20′ north and longitude 39° 15′ east with a total area of 525.93 kilometers (CSA 2008).

3.2. Research Strategy and Design

Qualitative research was typically used to answer questions about the complex nature of a phenomenon, often with a purpose of describing and understanding the phenomenon from the participant's point of view (Oksana, 2008). Hence, the researcher used a qualitative approach to better describe and assess the role of local governance in rural land conflict management. Besides, qualitative and quantitative approaches should not be viewed as polar opposites or dichotomies (Creswell, 2009) and therefore, the researcher also used quantitative approach to

complement the qualitative one and to better describe results through descriptive statistics while comparing the sources and types of conflicts.

In view of making generalization about the target population based on a sample, the researcher employed a survey study by developing a structured questionnaire, semi structured interview, and focus group discussions.

3.3   Data Type and Source

Qualitative and Quantitative type of data were used by making the one supporting the other. The available source of data was grouped in to two categories-primary and secondary.

Primary source or firsthand data were collected from the households who had been experienced a conflict that were found listed in the wereda land administration and use desk with in the Office of Agriculture and Rural Development. Besides, the firsthand information was also collected from the land administrators and land judges at kebele level and judges from wereda courts, Agriculture and Natural Resource Experts, and Land Administration and Use Desk Coordinator at wereda level. The secondary data was collected from wereda annual reports and kebele land administration files.

3.4.   Target Population and Sampling

The numbers of Households of the Wereda under study were 21,361, of which 4080 goes to the four selected kebeles. The researcher predominantly used purposive sampling, a non-probabilistic sampling to select the households who had experienced conflicts in the last two years. Besides, Land Administration and Use Desk Coordinator, Agriculture and Natural Resource Expert and court judges at wereda level, and land judges and land administrators at kebele level were purposively selected as they are directly and indirectly engaged in local land governance and rural land conflict management in their day to day activities. Ganta Afeshum wereda was purposively selected. Because the wereda is more convenient for the researcher since the researcher is familiar with the place. Besides the wereda is a conflict prone area as it is a dry highland area with less arable land (Ethiopia's agricultural sector policy and investment framework 2010-2020, 2010). Furthermore, the land size per house hold in the wereda is less than the national and regional average that is 0.5 Ha (CSA, 2008).

Four kebeles were selected purposively by their prevalence to rural land conflict. And households were randomly selected from the total population who had experienced conflicts.

The data was collected from respondents of different geographical locations (kebeles). Therefore, Households from different geographical areas were entertained to a questionnaire, interview and focus group discussion to give their response regarding the challenges, roles, processes and contents of good governance in rural land conflict settlements in the wereda. Simultaneously, it also tried to explore inherent characteristics in relation to challenges of the good governance while settling rural land conflicts or it provided a deeper understanding of the subject under study.

A sample size of 150 were employed for this study as G. Kiros., (2012) with a title "*challenges of Good Governance in Local Government: the case of Saesie tsaeda amba woreda, Tigray Region, Ethiopia*", H.Tesfay, (2011) with a title "*Rural Land Dispute Settlement Mechanisms in Tigray*", Yang and Paul,(2005) with a title " *E-government application at local level: issues and Challenges*" had used the same number of samples in their researches that are similar to the title of the researcher. The researcher also believed that this sample size is representative in a qualitative research type. In selecting respondents from each kebele, the researcher used similar proportion. The list in the Land Administration and Use Desk with in the Office of the wereda Agriculture and Rural Development is the main source used to select the sample households. The households with in the list who visited the kebele administration on March 12-13/2013 and on March 19-20/ 2013 for a meeting were given the questionnaires. Accordingly, 105 households have filled the questionnaires on those days. The other 31 households with in the list are selected by their proximity to the kebele administration office with the help of the four kebele administrators. Thus, the enumerator visited the nearby 31 households and provided them the questionnaire to fill.

3.5. Instruments of Data Collection and Field Work

A well-structured Questionnaire was used to collect data from the households who experienced conflicts in the last two years in order to make data comparison on the results found from different respondents. A face to face interview was also made with the wereda land administration and use desk Coordinator to get information on how land was governed at local

level in relation to transparency and accountability and about the main challenges of land governance, as this office is in charge of governing the rural land at local level. Wereda court judges were also interviewed in order to know how they were dealing with land related issues when compared to other court cases, with kebele land administrators in order to get the information on how they were dealing with the land administration process in the rural areas, on the skills they had and what their feeling were towards transparency and accountability in land administration; and with land judges in order to get information on the sources and types of conflict that are occurred frequently, how they are dealing with them, the skills and experiences they had, their feeling on the litigation process at kebele level. The researcher used semi structured questions during the interview in order to give the researcher a chance to raise questions that were important but not clear and to raise additional questions out of the list to support the study with better and reliable information.

A focus group discussion was also used while collecting data. The size of the focus group discussants were six in number. Two focus group discussion sessions had been conducted during the data collection process. The members of the focus group discussion in each session were: one wereda land administration and use desk coordinator, one kebele land administrator and one kebele land judge and three farmers who faced conflicts more than two times. The facilitator of the session was the wereda land administration and use desk Coordinator. These six individuals were selected, as they are the real rural land governance practitioners, and they have a better knowledge on land governance practices and its challenges, the sources and types of conflicts on rural lands. Besides, they all have an ample experience on managing conflicts.

3.6. Data Processing and Analysis

The quantitative data was first tallied and processed through Microsoft excel and is analyzed with the help of descriptive statistics-frequency distribution and percentages. It was presented in terms of charts, graphs and tables. Besides, the qualitative data was presented in a descriptive way.

Chapter Four – Results and Discussions

This chapter deals with data presentation and analysis. Following the methodology, the data is presented and analyzed with the help of descriptive statistics. Hence, to come up with findings and possible recommendations appropriate methodology was used. Primary data was gathered through instruments of structured questionnaire, semi structured interview, and focus group discussion. However, of the total 150 sample respondents expected to fill the questionnaire, 14 respondents were found defected. Therefore, findings were drawn based on the evidence obtained from the 136 households and respondents of the focus group discussion and the interviewees.

4.1. Background of Respondents

The first hand data, since it is collected from farmer households, the socio demographic factors are expected to explain them well. The age range is adopted from Ganta Afeshum wereda annual land use report of 2011/2012 budget year.

Table 4.1: Age and Gender of Respondents

			Frequency of conflict			Total
			Once	Twice	Three times	
Age	<25	Freq.	12	0	1	13
		%	12.4%	0.0%	25.0%	9.6%
	25-50	Freq.	67	0	0	67
		%	69.1%	0.0%	0.0%	49.3%
	51-75	Freq.	18	35	3	56
		%	18.6%	100.0%	75.0%	41.2%
Total		Freq.	97	35	4	136
		%	100.0%	100.0%	100.0%	100.0%
Gender	Female	Freq.	56	0	0	56
		%	57.7%	0.0%	0.0%	41.2%
	Male	Freq.	41	35	4	80
		%	42.3%	100.0%	100.0%	58.8%
Total		Freq.	97	35	4	136
		%	100.0%	100.0%	100.0%	100.0%

Source: Own Computation from Survey Data, 2013

The finding from table 4.1 shows that, of the total respondents about 49 percent are within the age range of 26 to 50, whereas about 41 percent of them are in the range of 51-75. It is highly expected that, in the environment that youngsters (<25 years) have less access to arable land to lead their life via agriculture, there will be high urban migration. Thus, the youngsters were less prone to rural land conflicts. It may be stemmed from the low availability of farm land in the wereda (Ethiopia's agricultural sector policy and investment framework 2010-2020, 2010). With regard to the gender of respondents, 80(58.82%) were found male households that revealed majority of the households were headed by male.

In the other way, it is important to know the marital status of respondents to clearly understand which group is more prone to conflicts.

Table 4.2: Marital status of Respondents

Marital status	Frequency	Percentage
single	0	0
married	90	66.18
Divorced	36	26.47
widowed	10	7.35
Total	136	100

Source: Own Computation from Survey Data, 2013

Thus, the data revealed that 90 respondents were found married and 36(26.47%) were found divorced. The other 7.35% of the respondents were the widowed one. Therefore, we could say that, most of the rural land conflicts were raised by the married ones, as the family sizes of the married are larger than those of divorced and widowed.

Land size and annual income of respondents are also the factors used to triangulate their inter relations with the rural land conflicts.

Table 4.3: Land Size and Annual income of Households

| | | | Frequency of conflict | | | Total |
			Once	Twice	Three times	
Land size	<0.5	Freq.	37	00	00	37
		%	38.1%	0.0%	0.0%	27.2%
	0.5-1.0	Freq.	60	35	2	97
		%	61.9%	100.0%	50.0%	71.3%
	1.01-1.5	Freq.	00	00	2	2
		%	0.0%	0.0%	50.0%	1.5%
Total		Freq.	97	35	4	136
		%	100.0%	100.0%	100.0%	100.0%
Annual income	≤5000	Freq.	88	00	00	88
		%	90.7%	0.0%	0.0%	64.7%
	5001-10000	Freq.	9	29	00	38
		%	9.3%	82.9%	0.0%	27.9%
	10001-15000	Freq.	00	6	4	10
		%	.0%	17.1%	100.0%	7.4%
Total		Freq.	97	35	4	136
		%	100.0%	100.0%	100.0%	100.0%

Source: Own Computation from Survey Data, 2013

Accordingly, based on the cross tabulation (Table 4.3), it was found that of the 97 respondents faced a conflict only once, 88(90.7%) of them had an annual income of less than 5000 Birr. But 29 respondents of the 35 who faced a conflict twice were getting an annual income of 5001 to 10000 birr. However, none of the respondents at the lower level of income have faced a conflict twice. It can be inferred that the frequency of conflict occurrences may increase as household's income increase. This could be associated with the lack of interest and capacity of the poor to afford conflict litigations more than once as courts are considered as costly and biased towards the rich (FAO, 2007).

It was also revealed that as land size of the house hold had increased, the frequency of the conflict occurrence also raised. Table 4.3 indicates that all the households who faced conflict twice were in the land size range of 0.5 up to 1.0 ha. In addition, none of the respondents with a land size of less than 0.5 ha had faced a conflict twice or more. This may be emanated from the belief of the households to win the litigation process by deceiving the poor as they had a relatively better annual income to afford win the litigation.

Table 4.4: Source of Household Livelihood

Main source of livelihood	Frequency	Percentage
Farming	134	98.53
Livestock	1	0.74
Irrigation	1	0.74
Total	136	100

Source: Own Computation from Survey Data, 2013

Considering the family size, the per capita income may be low as expected from households whose main stay is only agriculture and having a size of about 0.5 to 1 hectare. This may possibly motivate them to search for other resources of income that are either found in nearby or migrate to other places for better jobs. Nevertheless, the level of livelihood diversification through irrigation and/or livestock is minimal. According to table 4.4, of the total respondents about 98 percent had found that farming is their main source of livelihood.

Table 4.5: Household Type, Educational Level, and Household Size of Respondents

Descriptions			Frequency of conflict			Total
			Once	Twice	Three times	
Household Type	female Headed	Freq.	46	0	0	46
		%	47.4%	0.0%	0.0%	33.8%
	Male Headed	Freq.	51	35	4	90
		%	52.6%	100.0%	100.0%	66.2%
Total		Freq.	97	35	4	136
		%	100.0%	100.0%	100.0%	100.0%
household Education level	Illiterate	Freq.	44	0	0	44
		%	45.4%	0.0%	0.0%	32.4%
	Read and Write	Freq.	52	0	0	52
		%	53.6%	0.0%	0.0%	38.2%
	Primary Education	Freq.	1	27	0	28
		%	1.0%	77.1%	0.0%	20.6%
	Secondary Education	Freq.	0	8	4	12
		%	0.0%	22.9%	100.0%	8.8%
Total		Freq.	97	35	4	136
		%	100.0%	100.0%	100.0%	100.0%

			12	0	0	12
Household size	≤3	Freq.	12	0	0	12
		%	12.4%	0.0%	0.0%	8.8%
	4-6	Freq.	78	0	0	78
		%	80.4%	0.0%	0.0%	57.4%
	7-10	Freq.	7	35	4	46
		%	7.2%	100.0%	100.0%	33.8%
Total		Freq.	97	35	4	136
		%	100.0%	100.0%	100.0%	100.0%

Source: Own Computation from Survey Data, 2013

According to table 4.5, it was also found that households having large family size may have frequent occurrence of conflicts (the base of classification for the household size is by the researchers own assumption that, a household could be the husband and wife only or with one child at minimum, and husband and wife with 8 children and above at maximum). Thus, of the total respondents who faced conflicts twice or three times, majority have large family size of about 7-10. To be specific, of the 35 respondents faced twice, all of them have a family size of 7-10. Besides, all of those who faced three times were also in this family size range. This might be due to the reason that the large family could try to expand land holding so as to increase the rising demand for more income to sustain their subsistence life. Furthermore, large family size intertwined with low level of income might lead to conflicts.

On the other hand, large numbers of conflicts were occurred with respondents having low level of education. In terms of frequency of occurrence, it was found that as the educational level of households increased, the frequency also raised (table 4.5). This could be attributed to the personal belief of the household that they have a better educational knowledge and had a better position in winning the conflicts. That is why, the major households who faced conflicts twice or three times are in primary and secondary educational level. Of the total respondents faced a conflict twice, the household is found headed by male. Whereas, female headed type of household faced a conflict only once. This might be because of the culture prevailed in the society that acknowledged supremacy of male as a head of household and it undermined the capacity and leadership skill of women as indicated in Ubik, (2008).

4.2. Local Land Governance

4.2.1. Land Entitlements Status

The shortage of rural land mixed with large family size and low level of annual income may burst out rural land conflicts during an effort to meet household livelihood requirements. Unless the rural land is backed by clear rural land entitlement, conflict may be difficult to manage.

Table 4.6: Frequency Distribution of Land Entitlements and Settlement of Land Conflicts

Land entitlement status			Number of land conflicts faced for the last two years			Settlement status of the conflict		
	Frequency	Percent		Frequency	Percent		Frequency	Percent
Not yet	0	0	1	97	71.32	Not yet	68	50
Already received	136	100	2	35	25.74	partially settled	24	17.65
			3	4	2.94	Fully settled	44	32.35
			≥ 4		0			
Total	136	100		136	100		136	136

Source: Own Computation from Survey Data, 2013

A survey on rural land entitlement revealed that all of them were entitled, but 97 of them have faced a conflict related to land for one time during the last two years. But the numbers of respondents who face land conflict twice during last two years were also about 35 respondents that were around 25.73% (Table 4.6).

But in contrary to the importance of entitlement, the status of conflict settlements showed that 68 (50%) of respondents have not yet settled their land conflicts, and 32(47.06%) of the unresolved conflicts were appealed to the regional courts. Only 44(32.35%) of the respondents were found that their conflict was fully settled. The other 17.65% of the conflicts were partially settled. This may be due to the level of seriousness of the conflict and the weakness of the system of conflict management system prevailed in the locality. It was also found that there was an overlapping offer of land certificate ownerships to the farmers in the community.

Fig: 4.1: Rural Land Conflict Settlemet Status

fully settled
32.35%

fully unsettled
50%

partially settled
17.65%
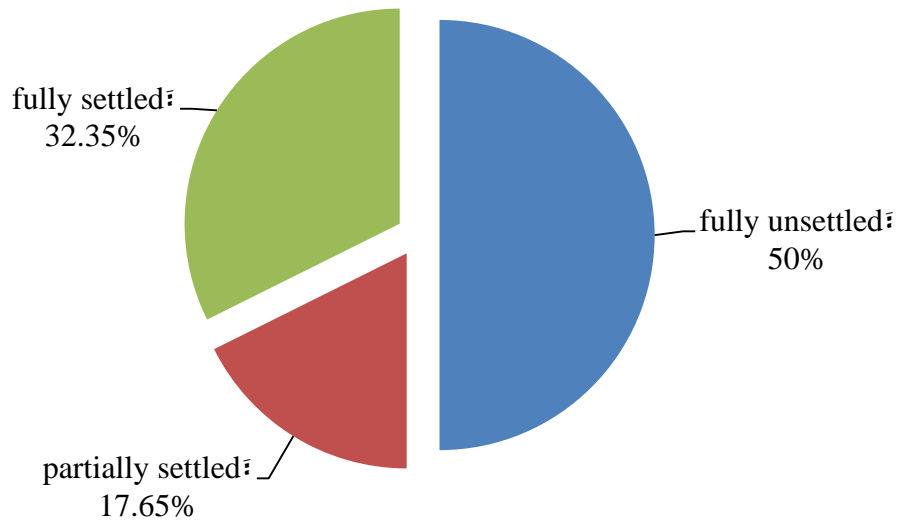
Source: from survey data, 2013

The tradition available showed that unless otherwise the respondent was divorced or unmarried, it is unlikely the household to be headed by female. From this point of view, it may be expected that the level of impact could vary sex wise.

Fig. 4.2: Female Headed and Male Headed Households Affection by Land Conflicts

Number of Respondents

64

72

yes

no

Repsonse
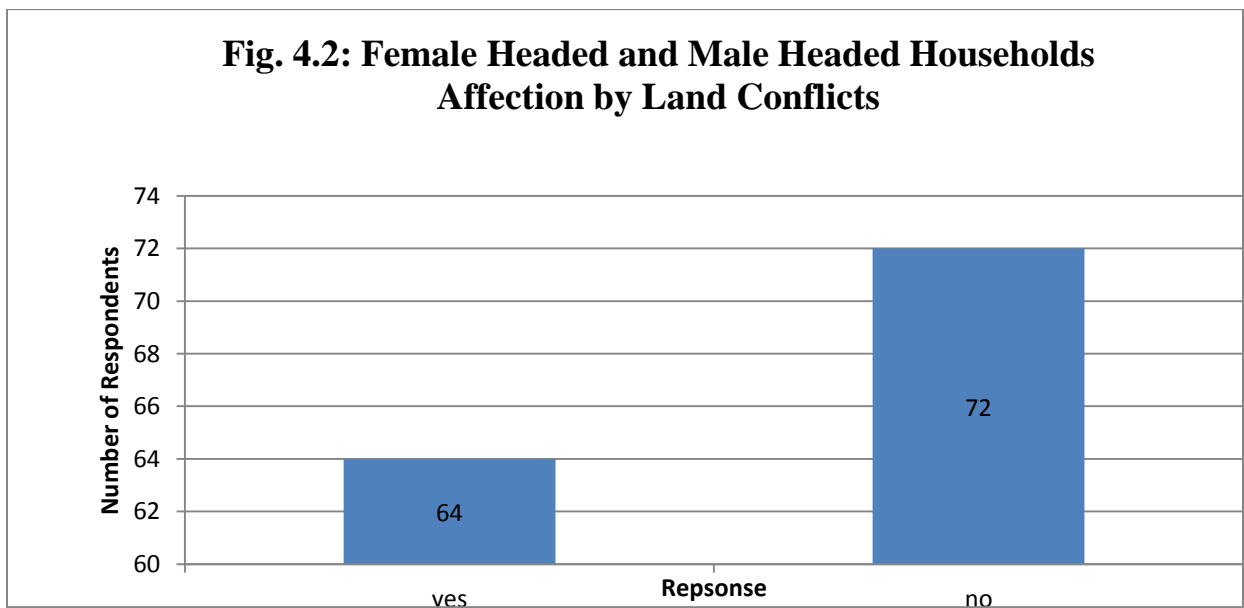
Source: own computation from survey data, 2013

Evidence revealed that, out of the total respondents, 72(52.94%) of them had shown that land conflict had unequal effect between male and female because of the cultural or customary discrimination imposed up on them. In contrary, 64 respondents showed that land conflict was affecting both male and female equally (Fig.4.2). This number is significant in relation to the tradition of the society where females were highly discriminated whereas the constitution grants women equal right as of their fellow men. This clearly indicates that there is a gap in laws and its implementation in the ground. Ineffective law enforcement could be the main reason for the discrimination of women in the land related issues in the specific study area. The efforts prevailed on woman empowerment may have been resulted in little improvements only as the women's discrimination on rural land related issues are still in place.

4.3. Rural Land Conflict Management

Conflict by its nature is considered most of the time as negative, devastating in terms of economic resources and also could possibly lead to the extent of sacrificing life (Spielman et al, 2008).

Fig 4.3: With Whom Conflict is Occurred Frequently (in percent)
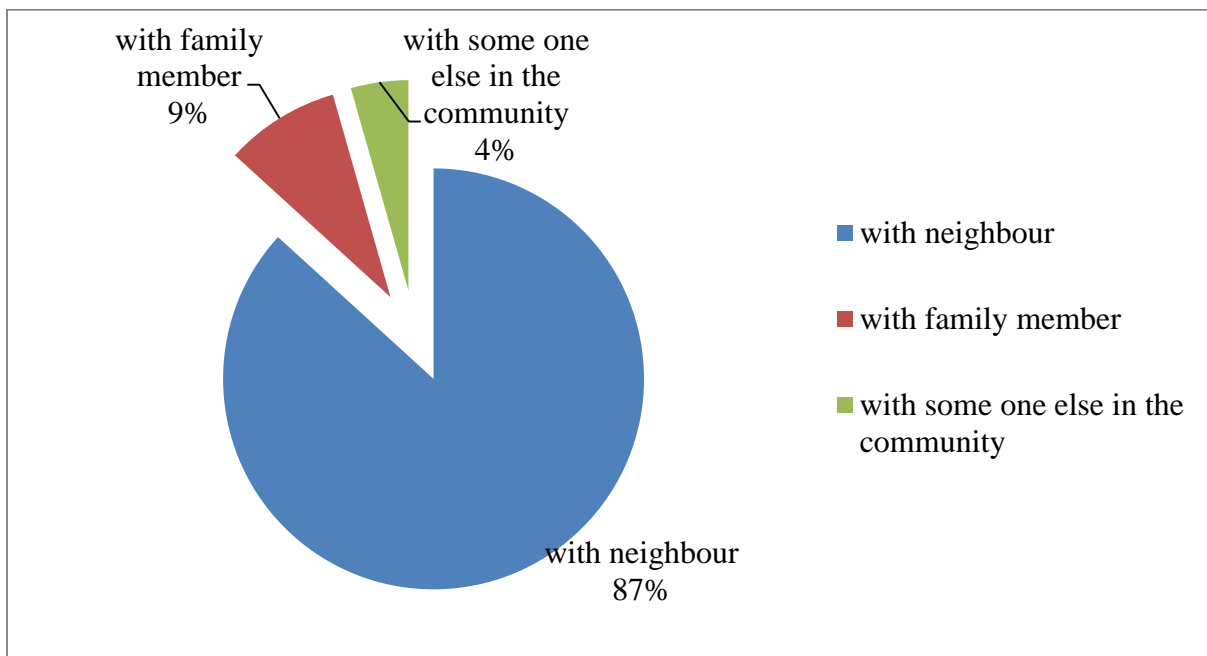
Source: own computation from survey data, 2013

In conformity with this, about 91 percent of the respondents noticed that it is always negative in nature, conflict may happen either with neighbors, or across family members, or with someone in the community. It is found that about 87 percent of the respondents faced a conflict with neighbors (Fig 4.3). This is in conformity with the result that the type of conflict mostly occurred was boundary conflict where neighbors could share. On the other hand, conflict among family members also occurred but it is insignificant. Only about 12(8.82%) respondents responded that they faced a conflict within their family member.

However, what matters in most conflicts as to their effect is whether it is solved easily through effective land conflict management mechanisms or not. If it takes long time to solve because of having complications, the outcome may hamper households' life that may result to the extent of loss of life. From the experience of the respondents, there are different mechanisms of solving disputes or conflicts depending on the seriousness of the conflict. The mechanisms can be seen as formal and informal ways where the formal one may have clear and visible rules to resolve conflicts. It may also compose legally assigned individuals to handle such and other related issues. However, there is also informal way of settlement of conflicts such as customary or traditional conflict managements.

Table 4.7: Frequency Distribution of Choice of Conflict Management

Type of conflict management	No. of respondents agreed	Percentages
Informal	123	90.44
Formal	13	9.56
Total	136	100

Source: own computation from survey data, 2013

According to table 4.7, the informal way was the commonly chosen means of conflict management practices. During ancient times, where there was not well established formal way of conflict management, the traditional or customary way is the only and preferred one. The legal system was very poor in terms of reaching the community and its structural and institutional incapability besides to the inexistence of land policies, laws and regulations if it exists otherwise there was no such a formally established system. Moreover, since formal education has introduced to Ethiopia during late 19th century, there was no skilled manpower that can either

judge based on legal documents or prepare legal documents and act accordingly. This may lead to habituate and recognize the informal way of management as their priori.

Regarding the way of conflict resolution and preference of the local community, it was found that the customary way of conflict management was primarily chosen by the community because of the fact that the resolution is based on the win- win policy- that benefits both sides. Hence, the legal land conflict management would consider supporting the informal one on the assumption that it supports government on doing such routine works. It could also reduce the cost that the government could incur to manage rural land conflicts. On top of this, it is important to give recognition as much as the mechanism leads to sustainable conflict management. The evidence from the survey also revealed that 100 percent of the respondents did agree that the formal way of conflict resolution should consider the customary one as it is based on win-win and acceptable approach that lead to sustainable conflict management and establishing of strong relationship with the community.

Fig 4.4: Formal or Informal Settlement of Rural Land Conflicts

informal: 18.38%

formal: 81.62%
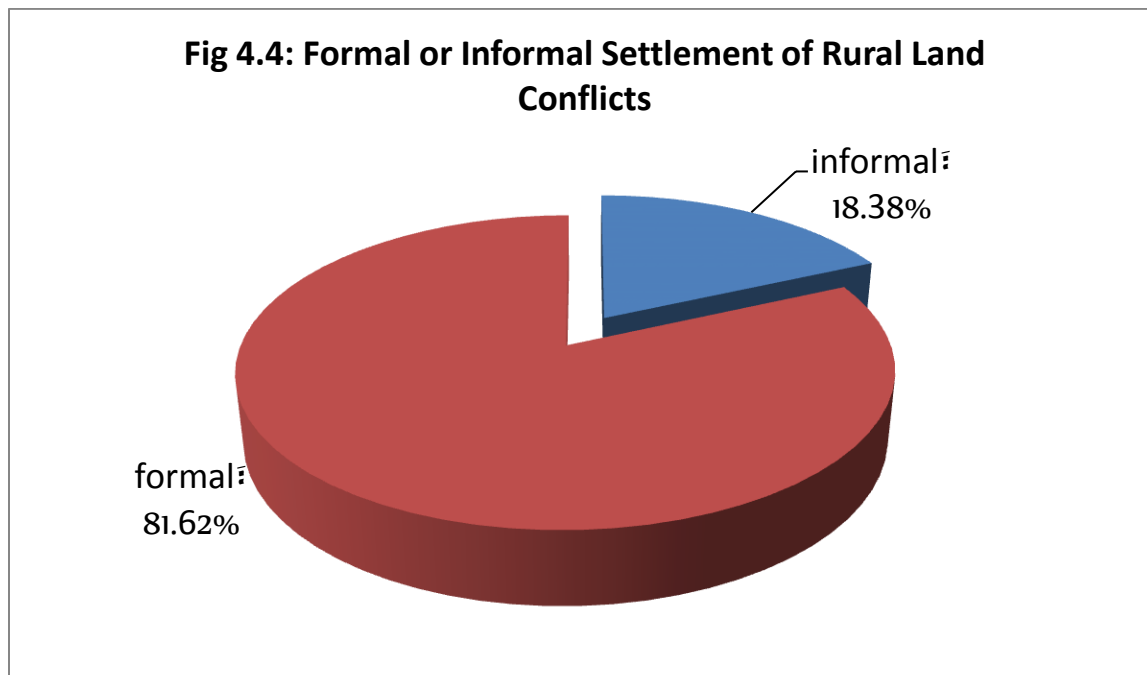
Source: own computation from survey data, 2013

Nevertheless, evidence showed that the formal was chosen as secondary. Though this was according to the prior interest of the litigants, most of the cases that were raised at local level were filed at the legal governmental institutions and this needs further research. Only 25 out of

the total respondents had managed their conflicts informally and the other 111(81.62%) were using the legal or formal way, though they first attempted to address it informally through the traditional ways. This clearly shows us that now days the informal ways are very weak and cannot handle the issue of litigants at local level as they are getting weaker from time to time because of the decentralization and local government systems (UN Habitat, 2007).

Table 4.8: Factors for Choosing the Formal Means

Criteria	Frequencies				
	Strongly disagree	Disagree	Neither agree nor disagree	Agree	Strongly agree
Enhancement of a clearly and previously established rule of law	12	80	30	14	0
Clearly defined penalties	10	92	19	13	0
professionalism of judges	16	89	21	10	0
Impartial procedures	34	81	20	0	0
No interest by the community to manage conflicts customarily	92	32	12	0	0
standardized procedures for determination, recording, and dissemination of information	17	92	27	0	0

Source: own computation from survey data, 2013

On top of this, respondents also strongly disagreed that formal means of conflict management could be chosen based on its unique features such as the availability of previously established rule of law, having clearly defined penalties, professionalism of judges, impartial procedures, community not interested to manage conflicts with the customary way, and availability of standardized procedures for determination, recording, and dissemination of information (UNDP, 2007) as also indicated in Table 4.8. Rather, they exceed the informal one above the formal. But,

as the informal one was weak, they do not have a choice other than submitting it to the formal one.

According to table 4.8, 92(67.65%) the respondents did not agree on the point that the formal one is better because of lack of interest by the community to manage conflicts customarily. Rather, they have had more interest to manage customarily. On top of this 34 respondents had also asserted that the presence of impartial procedures could not outweigh their choice towards informal one. This could reveal us that they might had doubt over the procedures towards fairness and hence impartiality. The presence of standardized procedures for determination, recording, and dissemination of information, availability of professional judges, and clearly defined penalties could not still bias them towards formal. All in all, the formal way was not chosen rather the available customary law had got much focus by the community as it saves time and other resource (Transparency international, 2007).

The dominance of informal may be predominantly by the fact that it does not lead to the recognition of loser and gainer in which the community highly disliked it and is based on consensus that benefited both parties. Communities would like to have a win- win type of conflict management.

Table 4.9: Factors for Choosing the Informal Means

Criteria	Frequencies				
	Strongly disagree	Dis agree	Neither agree nor disagree	Agree	Strongly agree
Judges lack knowledge about the rural land			15	89	32
Judges are practically unfit to the diverse local conditions			4	27	105
Legal procedures necessarily results in the recognition of "Loser" and "Winner", which is not easily acceptable by the rural community and it invites for further revenge and conflict			0	0	136

Sometimes, the impartiality of courts is also questionable, in view of frequent accusations related to corruption practices with in the judiciary			40	89	5
Courts and tribunals are overcrowded with land conflicts, a situation that reflects the limited effectiveness of the judicial system			2	12	122
Justice is not accessible to the poor and marginalized due to costliness of courts, informal fees, long procedures, many bureaucratic red tapes and the coverage of courts			12	42	82
Formal courts are not trusted by the villagers especially the poor and marginalized as courts are time consuming, biased to the rich, and judges need bribes		12	38	82	4
Judges decisions are not properly understood by the illiterate rural community, as a result they are not confident on the court to manage the conflict up to their expectations		46	36	39	15
Customary management of conflicts better secure rural stakeholders' land entitlements	48	38	40	10	0
Customary conflict management is a consensus building way that benefits both parties	0	0	0	0	136

Source: own computation from survey data, 2013

Thus, of the factors that made respondents to choose informal means, the way it is based on consensus and does not lead to recognition of a gainer and a loser has strongly agreed by all the respondents. Moreover, the ineffectiveness of courts and tribunals and the mismatch of judges to

diverse local conditions also strongly agreed as factors of choice for an informal means of conflict management (UNDP, 2007) as also indicated in Table 4.9.

Though the informal one was the dominant means of managing conflicts, it may also have adverse effects on timely management of conflicts and other possible material loses.

Table 4.10: Frequency Distribution of Delay Time to Manage Conflict

Delay time to manage conflict	Formal or legal	Percent	Informal	percent
Less than a year	64	47.06	121	88.97
1-2 years	25	18.38	15	11.03
2 to 3 years	11	8.09	0	0
More than 3 years	36	26.47	0	0
	136	100	136	100

Source: own computation from survey data, 2013

Accordingly, the customary method could take up to 2 years to the extreme to manage conflicts. However, the formal or legal means of management could take to manage more than 3 years may be up to 8 years with some rare cases according to the survey. Evidence from table 4.8 showed that respondents who faced a delay (all of them have faced) of managing a rural land conflict through the customary way for about less than a year were about 121. But the number of respondents who faced a delay for about less than a year with the formal way was about 64. This seems that the formal means is superior in managing conflicts within a short period of time. Nevertheless, looking in to the number of respondents whose delay was between one to two years, the numbers of respondents in the formal and informal were found 25 and 15 respectively. Thus, the level of delay in the legal way of managing land conflict outweighed the informal one.

Moreover, it was found that, conflicts stay more at kebele level when managed legally than at wereda or district level. It is expected that the efficiency of wereda level courts could outweigh that of kebele land judges. The wereda court judges are more professional than their kebele counterparts. On top of this, conflicts go to wereda only if the kebele fails to manage it. And this makes the burden of resolving the land conflict lay at kebele level and it had worsened the delay on conflict management. The kebele land judges were not also motivated because there was no

any system for payment, training, and other incentive mechanisms. The land judges only held land conflict litigations once per week, which is on Saturday. Sometimes this day may be a holiday where the litigation process could delay for another weeks. However, the reason for delay at wereda level was mainly the bureaucratic nature of the structure. There were lots of bureaucracies, red tapes, corruptions, and biasedness and the inaccessibility of the justice and courts by the poor and marginalized groups (UN Habitat, 2009) as to many of the respondents.

Irrespective of saying this, respondents could also face different challenges during legal management of conflict. This was especially enlarged when the rural communities try to manage their cases through the wereda courts. Accordingly, time, money, property, relationship, and labor were found the serious challenges households face when they tried to manage the conflicts legally or formally at wereda level. As long as they go long distances and stay long hours coupled with delay of litigations in the courts, the time they waste is too large. Had they been devoting their time in a wage earning activities, plus the wastage of money during their stay at the court or land judgments, they definitely benefit more on their day to day lives.

In contrast to this, the challenge from customary means of managing rural land conflict was the difficulty to bring the middle men all together at a time. Difficulty on who to select for customary resolution among alternatives available since most of them are not interested was also found a challenge.

4.3.1. Stakeholders of Local Governance in Land Conflict Management

According to the findings of the focus group discussion, there were many stakeholders involved in land governance at local level. At kebele level, there were kebele land administrators and land judges in charge of the formal administrative structure. There were also elected community members to oversee land related issue before the cases were submitted to the formal one. But, most of the time they were not willing to hear land related cases. They did not have an interest to negotiate the conflicting parties. They considered it as it is not their own business as they did not get any incentives from the local government and the community. The people were also not interested to go to these elected community members. Rather, if they need to manage the land issue informally, most of the time they call elders, religious leaders, and sometimes neighbors.

At wereda level, if the issue was on land use, it was managed by the wereda land administration and use desk, whereas if it was out of the issue of land use, the litigants directly submit the issue to the wereda court in the form of appeal.

There may be various stakeholders in the governance of rural land conflict management among which government including its staffs could be one.

Table 4.11: Land Administration Staffs at Wereda and Kebele Level

Response	Capacity	Experience	Corruption	
Yes	12	8	corrupted	81
No	124	128	Not corrupted	13
			Not sure	42
Total	136	136		136

Source: own computation from survey data, 2013

Furthermore, the capacity of land administration staffs at kebele level according to the survey, were found that they were not capable enough to manage rural land conflicts. About 124(91.18%) of the total respondents had evaluated the kebele staffs as incapable of handling land issues. This may lead to low reliance of the community on kebele government structure. This incapability of the rural land conflict management may be sourced from the low experience, and corruptness of the staffs as indicated in table 4.11. And as a result, Corruption has a negative effect on the gear of a development, hinders any advancement in economic growth and democracy (UNDP, 2004).

Besides, the customary way of conflict management was represented by a group of individuals selected on their potential to do so, experience of conflict management, reputation and willingness they have. It was composed of elders, neighbors, elected community members, religious leaders, and parents. But the composition disregarded the poor and marginalized groups (table 4.12).

Table 4.12: Involvement of Various Groups in Rural Land Conflict Management

Response	Poor and marginalized groups		Civic organizations	
	Frequency	Percent	Frequency	Percent
Yes	56	41.18	0	0
No	80	58.82	136	100
Total	136	100	136	100

Source: own computation from survey data, 2013

The low involvement of those poor and marginalized was because of the low acceptance they had in the community But. Neglecting of those groups may make the conflict management process unsustainable and unacceptable.

In governance, the stakeholders (Government, civic society organizations and the private sector) are expected to be engaged actively (Shah, 2006), though their role could vary, and among which government is expected to have key roles.

Fig. 4.5: Role of Government in Local Land Governance
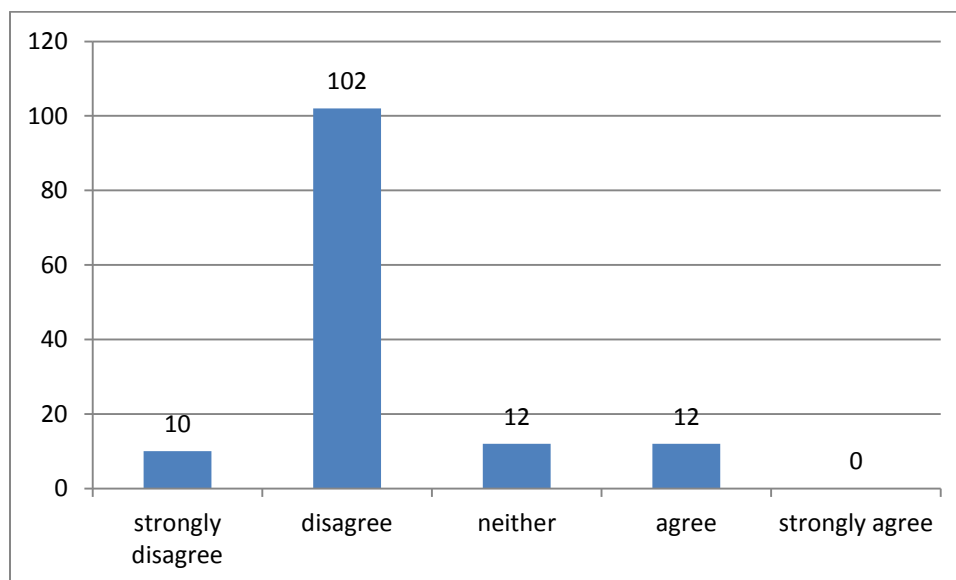
Source: own computation from survey data, 2013

Based on the survey, however, it was found that the role of government seems insignificant. Of the total respondents, about 112 disagreed on the idea that government had a key role in local land governance rather; only 12 of them have agreed.

Besides, the lack of a system which encouraged participation of the poor and marginalized individuals at local level worsened the low participation of these groups. The society may also undermine the marginalized groups. This is in conformity with GTZ's, (2008) explanations about women exclusion in land governance. Women were denied equal tenure rights with the same degree of security as enjoyed by men, then society as a whole and children in particular, suffer. When women enjoy equal rights, conflicts are reduced, environments are improved and household living conditions are enhanced. Gender discrimination in land rights is culturally engrained (GTZ, 2008).

They were also neglected socially where socialization could create awareness and develop skill to handle such conflicts. The negligence of the government to these groups in land governance also found another important reason why they have low involvement. According to the focus group discussants, it was found that participation of those groups would have been increase had it been government involved highly in local land governance. This is due to the fact that government has the role to sustain equality and should practically support the equality of all groups regardless of religion, ethnicity, gender, etc (UNDP, 2004).

Contrary to the low involvement of government in local land governance, the involvement of civic organization was also null (table 4.12), though involvement of all relevant stakeholders (Manila, 2003) is very important for creating awareness in the community for sustainable and smooth local land governance. It was found that there was no system available at ground that encourages any civic organizations to participate on land related issues. Besides, there was no any previous experience in which rural land conflict had managed with the participation of civic organizations. That may also be originated from the lack of civic organizations participating in the areas.

4.4. Sources and Types of Rural Land Conflicts

The source of rural land conflict may vary depending on the type of issue that could come to an agenda. Evidence showed that there are at least six sources ranked from the most to the least source of conflict in the specific study area (Ganta Afeshum wereda).

Table 4.13: Source of Rural Land Conflicts and Their Rank

Source of Conflict	Rank	
Unclear land entitlement procedures	1	Overlapping of land ownership that is offered by the
government land appropriation schemes	2	local land administration also played a significant role
ineffectiveness of law enforcements	3	in igniting the rural land conflicts in the wereda.
land tenure in security	4	
Rural land scarcity	5	
land holding inequalities	6	

Source: Own Computation from Survey Data, 2013

Accordingly, unclear land entitlement procedure was the first in terms of rank as a source of conflict and land holding inequalities was the least. This unclear procedure may be originated from the lack of clear procedures, guidelines, policies towards rural land, and low implementation capacity of the implementers. It could also be attributed to the biased distribution of land by the individuals who were selected to redistribute the land to the community after the EPRDF government assumes power in 1990s. These individuals were redistributing the land as to their emotional interests. They were providing different sizes of land for a house hold with the same family size. If the households with the same family size but different size of land plots are neighbors, it is most probable that conflict will erupt. Furthermore, There were not any monitoring and evaluation mechanisms made by the wereda and regional land administration staffs and the local government in general as they were not been established very well the time land was redistributed.

Most of the conflicts raised at kebele level are land related cases (Gizachew, 2011). As a result, it was found that most of the respondents in the last two years have faced conflicts once if not twice in relation to rural land. However, the types of conflict vary depending on the nature of the specific issue brought in to agenda. Accordingly, it was found boundary, inheritance, and conflicts on vacated and absentee of ownership of land, and intra linage conflicts were the different types of conflicts experienced in the study area in the level of their rank.

Table 4.14: Types of Rural Land Conflicts and Their Rank

Types of conflict	Ranks
Boundary conflicts	1
inheritance conflicts	2
conflicts on vacated and absentee ownership of land	3
Intra lineage conflicts	4

Source: Own Computation from Survey Data, 2013

Boundary conflict was the most noticed type of conflict followed by inheritance (Table 4.13). This type of conflict – may be seen as economic conflict, was also the first conflict noticed in most poor and marginalized people. As boundary conflicts are also seen as a cover for other reasons of conflict as it is easy to start it up. This also could be attributed to the unclear land entitlement procedures, government land appropriation schemes, in effectiveness of enforcement of law and land scarcity and poverty in the community in general.

Figure 4.6: Types of Conflicts and Their Frequency of Occurrence

- Boundary conflicts(81%)
- Inheritance conflicts(10%)
- conflicts on vacated and absentee ownership of land(4%)
- Intra lineage conflicts(2%)
- Others(3%)
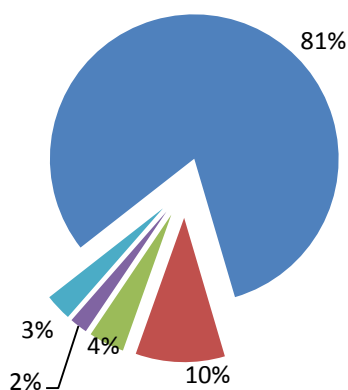
Source: own computation from survey data, 2013

Moreover, the traditional way of demarcating boundaries with short span may burst conflicts on the effort to expand boundaries by settlers. In addition, unclear transfer of inheritances by parents over their children could create conflicts upon entitlement among brothers and sisters. The living tradition of taking inherited land was seen as an important thing for raising the social value of the inherited individual. In Tigray, land is beyond economic value, it is seen as a means of getting social value and dignity (USAID, 2009). Hence, this may create a conflict over getting a dominance of one on the other. These were the mostly recurred types of conflicts but not the only. A conflict over ownership of the same land with public holdings was also another type of conflict experienced in the study area. This may be observed in the ownership of hills and grazing lands for the purpose of livestock rearing.

4.5. Transparency and Accountability of Local Land Governance in Conflict Management

The level of rural land conflict management may also depend on the transparency and accountability of local land governance. Local government may play their key role depending on the social acceptance they have. The transparency of the local land governance was attempted to measure using the criteria of availability and access of information to community about the land ownership, value, and its use, availability of standard procedures, recording, and dissemination of information, supervision by local authorities, and the possibility to appeal as are noted in Van der Molen, (2007). Based on these criteria different degree of agreement was found from respondents.

Table 4.15: Level of Transparency in Local Land Governance

Criteria	Frequencies					Total
	Strongly disagree	Disagree	Neither agree nor disagree	Agree	Strongly agree	
Land information is always available to the community	0	3	48	85	0	136
There is open access to information about ownership, value and use of land	0	42	89	5	0	136

There are standardized procedures for determination, recording and dissemination of information	4	64	58	10	0	136
There is a supervision by the local authorities	136	0	0	0	0	136
There is always a possibility of appeal	0	0	31	105	0	136

Source: own computation from survey data, 2013

Accordingly, about 63 percent of the respondents (Table 4.15) were found that they agreed on the availability of land information. But about 65 percent did not agree with the open access of information about land ownership, value, and use. It can be asserted in the other way that, there is no system for open access that may be due to the lack of professionals that can handle all the land issues with efficiency. About 64 respondents also affirmed that they totally disagree on the availability of standardized procedures for determination, recording, and dissemination of information about rural land that supported for the disagreement by majority of the respondents on the non-existence of open access to information. The other respondents did agree nor disagree on the factors used to evaluate the level of transparency. It was because they were not in need of land information and off course they did not need to access the land information. Besides, they did not face any biases while settling their conflicts.

Given the above transparency problems, if it is not backed by enough supervision of authorities, the transparency problem could be exacerbated. It is expected that with lack of open access to information in addition to the lack of standard procedures of recording and dissemination of information about rural land, the supervision may be low. If it is so, the transparency problem could be seen easily. And, what was found from the survey, supervision was very low. As it can be seen from table 4.15, all of the respondents agreed that there was no supervision from local authorities as a means of rural land governance. Lack of check and balance even may enhance to corruption where it was found that staffs of local administration are corrupted (Table 4.11) and the rural community may develop suspicion about the fair management of a conflict. However, the possibility of appeal may reduce the doubt regarding fairness even though appealing could lead to waste of time, energy, property and other resources which were described by respondents

as the mere challenges of conflict management through legal procedures especially to the poor and the marginalized groups. Regardless of the negative effect of appealing, it may be important in an environment where there is no open information access about land. According to the survey, most of the respondents (about 105 individuals of the total) assured that there was an available system for possible appeals.

Table 4.16: Level of Accountability in Local Land Governance

Criteria	Frequencies					Total
	Strongly disagree	Disagree	Neither agree nor disagree	Agree	Strongly agree	
The land governance institutions are responsive as demand arises from the community	0	36	55	45	0	136
There are mechanisms for questioning and explaining the ongoing land activities in the community.	57	62	17	0	0	136
The community is involved in every land related issues and have a say on it	38	72	24	2	0	136
Kebele land administrators and land judges are elected by the community and could be fired by the community if necessary		28	40	68	0	136

Source: own computation survey data, 2013

According to the factors used to evaluate the accountability of the local land governance, the land governance institutions were found responsive as demand arises from the community, though there were not mechanisms for questioning and explaining the ongoing land activities in the community. Besides, the community was involved in every land related issues and had a say on it. But, Kebele land administrators and land judges were elected by the community and could

be fired by the community if necessary. Thus, it was found that 45(33%) of the respondents agree that the institutions at local level in charge of land governance were responsive when demand raised, but109 (80.15%) disagreed that there were not mechanisms for questioning and explaining the ongoing land activities to the whole community other than the specific litigants. Besides 110(80.88%) also disagreed that the community was not involved in every land related issues and did not have a say on it. This may be attributed to the non-participative nature of the local government as indicated in the transparency part above. But, most of them agreed that they had a say on the electing and firing of the land administrators and land judges at kebele level.

4.6. Local Governance Structures and Institutions

Availability of well-designed governing structures and procedures about rural land conflict management could boost transparency. However, with unclear government structures, the role of government in conflict management and the level of transparency were found very low. According to the survey, the belief of respondents over the supportive role of the government structure towards rural land conflict management was vague though the negative outweighed. About 72(52.94%) respondents did not agree on the supportive nature of the structure and its institutions, even though some of the respondents agreed on the support of the structure and its institutions based on the reason that there are structures and institutions in place for rural land governance, such as land administration and land judges at kebele level and Land Administration and Use Desk at wereda level. It seems to be believed that these structures are created for the purpose of supporting the rural land conflict management, though their service provision is low due to the lack of transparency and accountability as indicated in tables 4.15 and 4.16 respectively. But the majority did not agree on the support provided to the community by the structure and its institutions, due to the fact that the available institutions were not adequately equipped with skilled and experienced personnel. It is true that inefficiency may be the feature of these institutions if they lack the necessary element of skilled and experienced personnel, where it is easy to see their supportive nature as low.

Besides, it was found that local land governance structures and institutions were weak in terms of the coverage, and capability to reach and serve the community. Most of the respondents agreed that the institutions at kebele and wereda level are nonresponsive, weak, biased to the rich and

non-participative in nature. This could be attributed to the incapability of the local land governance and lack of experience of the land governance staffs working in the structure and specifically in the institutions at both kebele and wereda levels. For Example, the individuals who were working as a land judges and land administrators were elected from the community and were not capable enough to manage and judge the land related issues raised in the community as all of them were not beyond grade six. Besides, they lack the experience on how to deal with land issues as it is sometimes very complicated. Land governance needs the land judges and administrators to be familiar with some national and regional land policies, laws and regulations (FAO, 2007), whereas most of them did not had the knowledge, and even interest to know about the policies, laws and regulations. The land judges do not get any knowledge gap filling trainings except participating in an annual workshop which was conducted once in a year, they did not also get any payments for the service they render to the community. As a result, they were not motivated enough to work hard to serve the community. The same is true to the land administrators at kebele level. The community was also doubtful about the skill, knowledge and experience of the land judges and land administrators at kebele level.

With all the limitations in their supporting role of the local government structures, the degree of reaching to poor and marginalized groups is also an important one.

Fig. 4.7: Land Governance Structures and Institutions Degree of Reaching the Poor and Marginalized
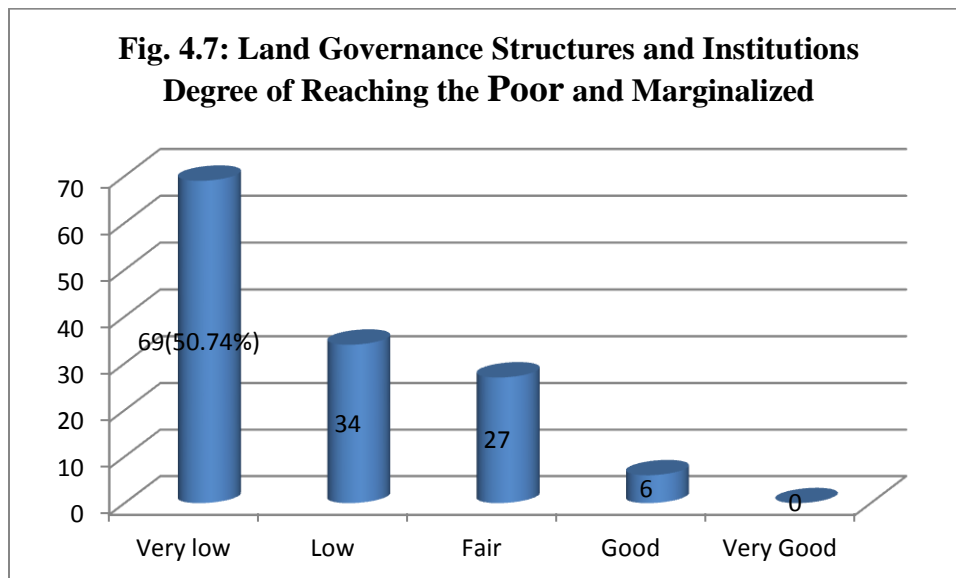
Source: own computation from survey data, 2013

Evidence from the survey showed that, the structures and institutions degree of reaching the poor and marginalized was low. About 69(50.74%) and 34(25%) of respondents attested that the degree of reaching the poor and marginalized groups was very low and low respectively (Fig. 4.7). Overall, it can be asserted that these structures did not have supportive nature to poor and marginalized groups. This may be of the reason that the finding that majorities disagree for the supportive nature of these structures to the poor and marginalized towards rural land conflict management. This may break the relationship of the local land governance structure and its institutions with the community as the poor and the marginalized groups are part of the community though their quantity could be relatively few. However, from the survey, it was found that the number of women headed respondents is about 46, where it is impossible to disregard this quantity. The evidence found from the survey also supports the finding that the relationship between local institutions and the community was low.

Fig. 4.8: Relationship Between Local Institutions and the Community

Good : 4 : 3%
Fair : 36 : 26%
Very weak : 58 : 43%
weak : 38 : 28%
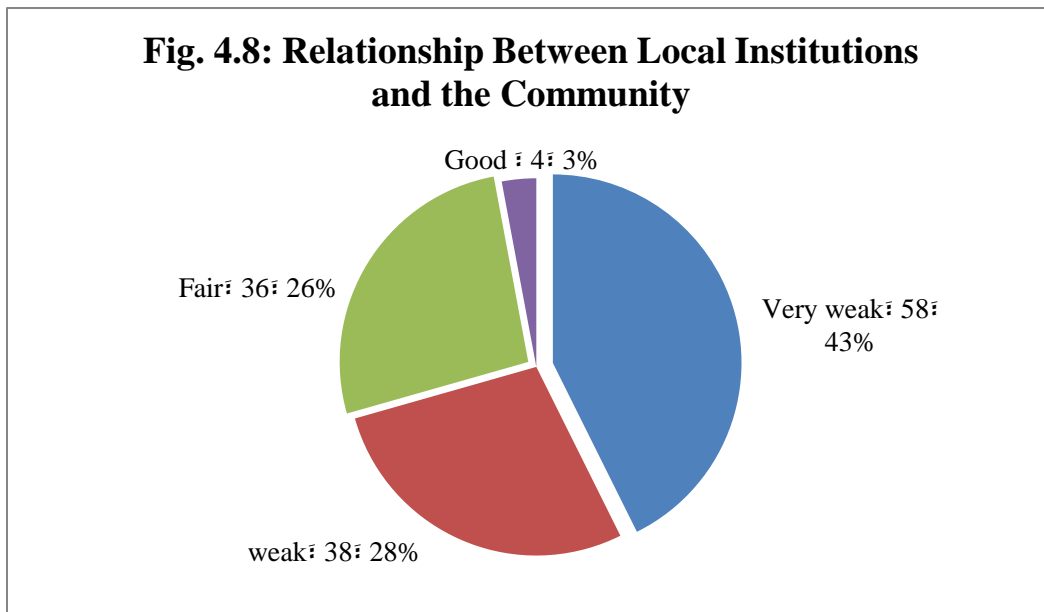
Source: own computation from survey data, 2013

From fig. 4.8, about 43 percent and 28 percent of the respondents revealed that the relationship between the local institutions and the community was very weak and weak respectively. This may be due to the weak structure and institutions equipped with unskilled, inexperienced and less motivated staffs that could not be able to enhance the relationship.

Besides to the relationship of the local governance structures and institutions with the community, knowing the existing status of the structures and institutions is vital on assessing the local land governance at the community level.

Table 4.17: The Status of Local Government Structures and Institutions

Criteria	Frequencies					Total
	Strongly disagree	Disagree	Neither agree nor disagree	Agree	Strongly agree	
Weak	0	7	30	87	12	136
Ineffective	0	3	13	74	46	136
Non responsive	0	14	20	68	34	136
Corrupt	0	5	31	73	27	136
Do not encourage participation	0	9	27	64	36	136
Not transparent	0	15	21	58	42	136
Biased to the rich	0	19	17	61	39	136
Not all inclusive (the poor and marginalized) in terms of representation	0	12	20	76	28	136

 Source: own computation from survey data, 2013

Thus, as can be seen from table 4.17, about 99, 120, 102, 100, 100, 100, 100, and 104 respondents respectively identified that the structure and institutions of the local government in terms of managing rural land conflict were weak, ineffective, non-responsive, corrupt, not encouraging for participation, not transparent, biased towards rich, and highly discriminating the poor and marginalized groups of the community.

The capacity and ethics of arbitrators is decisive besides to the degree of choice of the structures and institutions of local government. Thus, based on criteria of having good arbitration skills, adequacy of experience, having updated themselves, willingness and respect to support conflicting parties, the commitment they have, having a belief to customary solution, and strong

believe in participation and representation of the poor, it was found that the respondents did not have a confidence on arbitrators because they lack the above qualities of arbitration during managing rural land conflicts. Based on the evidence collected, those arbitrators lack skill and were not motivated.

Table 4.18: Attitudes and Skills of Arbitrators in Managing Rural Land Conflict

Criteria	Frequencies					Total
	Strongly disagree	Disagree	Neither agree nor disagree	Agree	Strongly agree	
They have good arbitration skills	0	61	58	17	0	136
They have adequate experience	6	72	48	10	0	136
Update themselves through formal and informal trainings	80	52	4	0	0	136
They are willing and respectful to support the conflicting parties	0	80	42	14	0	136
They have the energy and commitment	46	82	8	0	0	136
Believes in local customary solution than the legal one	0	46	50	40	0	136
Strongly believes in participation and representation of the poor and marginalized	52	84	0	0	0	136

Source: own computation from survey data, 2013

4.7. Challenges of Local Land Governance in Conflict Management

There were many challenges regarding local land governance. As a result, it was found that unclear land entitlement procedures, gap in enforcement of the law, unclear government land provision schemes, Capacity and experience of individuals in the land governance at local level,

and Low coverage of government structures and institutions were the five major challenges of land governance raised by the focus group discussants.

Fig 4.9: The Major Challenges of Land Governance
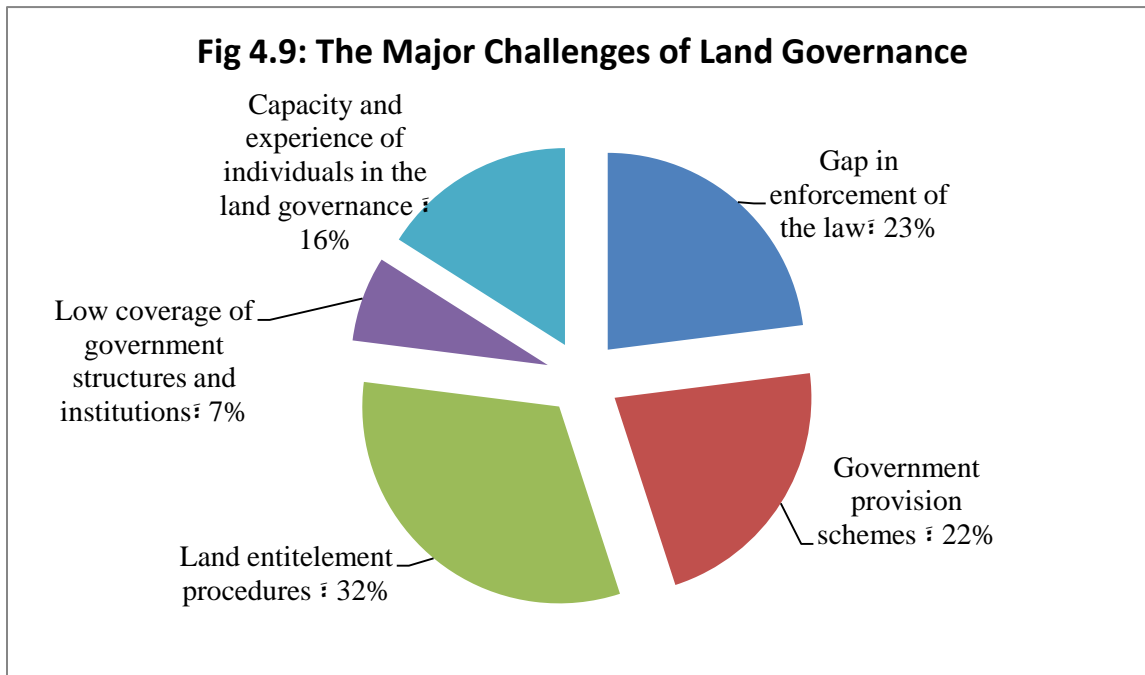
Source: own computation from survey data, 2013

The unclear land entitlement procedure was the challenge ranked first by the discussants. This was because land redistribution on 1990s was based on the emotional attachments and interests of the individuals who were redistributing the land at that time. These days, it is a headache for the land judges to call the then land redistributors as a witness for many of the land cases filed at kebele level. This clearly shows that, there were many unclear land entitlements with regard to the redistribution method of that time. The others challenges of land governance at local level were also listed according to their rank order.

Chapter Five: Summary, Conclusion and Recommendations

5.1. Summary and Conclusion

The study, which dealt with the local governance in rural land conflict management, was used to employ both qualitative and quantitative approaches to come up with key findings. Moreover, this study was based on a sample of four kebeles found in the Ganta Afeshum Wereda of Eastern zone. Purposive sampling was used to select the 136 respondents who had experienced conflicts in the last two years. Accordingly, the following conclusions have been drawn from the findings.

It was found that most of the rural land conflicts raised at local level were managed formally, though the preference of the community was the informal method of conflict management. This may be due to the advantage it had over its counterpart of the formal system in terms of time, money, maintaining relationship of the litigants, and its superiority over creating win-win solutions.

Nevertheless, conflicts stay more at kebele level when managed legally than at wereda or district level. The wereda court judges are more professional than their kebele counterparts. More land cases were first seen at kebele level and it increased the delay time exacerbated by the lack of motivation, capacity, and experience of kebele land administration and land judges. Besides, it was found that there were lots of bureaucracies, red tapes, corruptions, and biasedness in the system.

The study also revealed that unclear land entitlement procedure was the first source of conflict. This unclear procedure may be originated from the lack of clear procedures, guidelines, policies towards rural land, and low implementation capacity of implementers. It could also be attributed to the biased distribution by the individuals who were selected to redistribute the land to the community in 1990s after the EPRDF government assumed power. This may create unclear demarcation of boundaries among neighbors that could lead to conflicts in the meantime. Thus, boundary conflict was found a frequently emerged type, even though the types of land conflict were different.

For effectiveness of the structures and institutions of local land governance, transparency and accountability are key factors. Based on the factors used to measure transparency and

accountability the study revealed that both of them were found at their minimal level. On top of this, the local land governance structures and institutions were found weak in terms of coverage and capability to reach and serve the poor and marginalized group. This might increase the ineffectiveness of those structures and institutions worsening the prevailed land inequality and livelihood instability. The personnel working in the structures and institutions of the local land governance were also found that they lack knowledge, experience, and motivation to know about the policies, laws and regulations of land.

It was expected that the source of rural land conflict could be the challenges of the local land governance. Of the challenges the study had revealed, unclear land entitlement procedures were identified as the most challenging. This was because land redistribution on 1990s was based on the emotional attachments and interests of the individuals who were redistributing the land at that time. Gap in enforcement of the law, unclear government land provision schemes, capacity and experience of individuals in the land governance at local level, and low coverage of government structures and institutions were also other challenges found by the study.

5.2. Recommendations

Based on the findings of this study, the following recommendations are made:

❖ As it was found, the governance structures are weak and biased. Thus, a measure should be taken to correct these weaknesses. Government should strengthen these structures and institutions via increasing the coverage towards poor and marginalized groups, empowering local land governance by providing trainings, enhancing participations, and inclusiveness. At national and regional level, the local land governance stakeholders should support the existing structures and institutions by formulating supportive and legally binding policies and procedures to enhance the effectiveness of the whole land governance structures and institutions in improving the livelihood of community.

❖ The previous land appropriation mechanisms lack efficiency and effectiveness. As a result, there are many conflicts that are raised out of the unclear and biased land appropriation. The land redistribution mechanism was not supported by technology and was not demarcated clearly. Hence, the redistribution should be supported by GIS to demarcate clearly and make each boundary easily understandable. The regional

government should also revise the unfair redistribution prevailed in the community. It will help to take inventories and redistribute the rural land to the needy of who most are youngsters. It is only through the land redistribution that we can know and redistribute to the needy if there is any beyond the quota or holding of every rural community who owns the land. This should be supported by a framework and procedures so that the local government is in charge to implement the framework.

❖ The study indicated that most of the land conflicts were settled legally albeit respondents were in favor of the informal one. Hence, the legal method should accredit the customary way of conflict management in the litigation process as its main input provider. So that, these customary institutions should first see the cases, and if it is beyond their capacity, they submit it to the formal institutions in charge by attaching their recommendations, in our case to the kebele land judges and the wereda court. Any case that is not first submitted to the customary institution and seen by it should not be directly filed at the legal institutions. This mainly reduces the time and resource wastage besides to the maintenance of relationship of litigants. However, this should be backed by the national and regional governments through a policy framework that enables to establish a policy and set a framework. The local government and people should also strengthen their role at re-establishing the informal court.

❖ Though there are more delays in conflict management at kebele level, there are also delays at wereda level. This is mainly attributed to the experience and knowledge gaps of the wereda court judges in relation to the diverse local contexts. Therefore, special courts who only oversee land conflicts are very important in this regard. This special court should be equipped with competent professionals having the knowledge of land governance policies, regulations and procedures, and the experience of the diverse local context. Hence, either the local government should empower the wereda court to enable them grasp the knowledge of the diverse local contexts of the rural community or the national and/or regional government should set a policy framework to establish a special court. The local government could establish this special court accordingly.

References

Abebe M. (2009), "Access to Justice and Rural Land Dispute Settlement in Ethiopia," in Muradu A., (ed) Eth. Buisiness Law Series, vol.III.

Amanor, S., (2006), "Customary land, mobile labor and alienation in the Eastern Region of Ghana", Land and the politics of belonging in West Africa, Leiden and Boston: Brill: 137-160.

Andre, C. and J.P. Platteau (1998), "Land relations under unbearable stress: Rwanda caught in the Malthusian trap," Journal of Economic Behavior and Organization, vol. 34 (1): 1-47.

Arko-Adjei, A., J. De Jong, J. Zevenbergen, and A. M. Tuladhar (2009), Customary Land Tenure Dynamics at Peri-Urban Ghana: Implications for Land Administration System Modeling. FIG Working Week 2009 on Surveyors Key Role in Accelerated Development, Eilat, Israel

Asia land forum, (2012). Democratizing Governance on Land towards Enhanced Access of the Poor to Land and Common Property Resources

Babette, W. (2008), "Land Conflicts a Practical Guide to Dealing with Land Disputes Eschborn GTZ Land Management", www.landcoalition.org/pdf/08_GTZ_land_conflicts.pdf retrieved on May 13, 2012

Bell, K. C. (2007). Good Governance in Land Administration. Strategic Integration of Surveying Services - First Working Week for the new FIG Council a big success. Hong Kong, China SAR, International Federation of Surveyors (FIG).

Birner, R. and H. Gunaweera (2002), "Between Market Failure, Policy Failure, and 'Community Failure': Crop-Livestock Conflicts and Technology Adoption in Sri Lanka." Johns Hopkins University Press for the International Food Policy Research Institute, pp. 186-206.

Bob, U. (2010), Land-related conflicts in Sub-Saharan Africa.

Bogale, A. Taeb.M., and Endo (2006), Land ownership and conflict over the use of resources: Implication for house hold vulnerability in Eastern Ethiopia, Journal of Ecological economics, 58, pp. 134-145

Boserup, E. (1965), the Conditions of Agricultural Growth: The Economics of Agrarian Change under Population Pressure. George Allen & Unwin Ltd. London.

Brown, K. and E. Corbera (2003), "Exploring equity and sustainable development in the new carbon economy" Climate Policy 3(S1)

Burns, T. (2007), Land administration reform: indicators of success and future challenges. Agriculture and Rural Development Discussion Paper 37, the World Bank

Christiane Arndt and Charles Oman, (2006) "Uses and Abuses of Governance Indicators", OECD, Development Centre Studies

Christine Bigdon/ S.T. Hettige (2003), Local Governance and Conflict Management in Sri Lanka

Clement, F. and J. Amezaga (2009), "Afforestation and forestry land allocation in Northern Vietnam: analysing the gap between policy intentions and outcomes," Land Use Policy 26(2): 458-470.

Cotula l., Toulmin c. &Quan j. (2006), better land access for the rural poor, Lessons from experience and challenges ahead, FAO, 2006.

Cotula, L. and J. P. Chauveau (2007), Changes in" customary" Land Tenure Systems in Africa, IIED.

Cotula, L., C. Toulmin, and C. Hesse. (2004), Land Tenure and Administration in Africa: Lessons of Experience and Emerging Issues, International Institute for Environment and Development, London.

Curry, N. (2001), "Rights of access to land for outdoor recreation in New Zealand: dilemmas concerning justice and equity." Journal of Rural Studies 17(4): 409-419.

Daudeline, J. (2002), "Land as a source of conflict and in post-conflict settlement," World Bank Regional Workshop on Land Issues in Africa and the Middle East, Kampala, Uganda

Deininger, K. (2003), Land Policies for Growth and Poverty Reduction: A World Bank Policy Research Report, Oxford and New York: World Bank and Oxford University Press.

Deininger, K. and R. Castagnini (2004), Incidence and Impact of Land Conflict in Uganda Journal of Economic Behavior & Organisation60, pp. 321-345

_____ (2005) "Incidence and impact of land conflict in Uganda," Journal of Economic Behavior and Organization

Deininger, K., Ed. (2003). Land policies for growth and poverty reduction, A World Bank Policy Research Report, Washington DC, USA, the World Bank and Oxford University Press

Deininger, K., H. Selod, and Anthony Burns (2012), The Land Governance Assessment framework identifying and monitoring good practice in the land sector, World Bank, Agriculture and rural development.

DFID (2005-2006). Conflict and Development: Peace building and Post–conflict Reconstruction.

Diamond, J. (2005), Collapse, How Societies Choose to Fail to Succeed, Viking Penguin

ECA (2006), land policy in Africa: a framework of action to secure land rights, enhance productivity and secure livelihoods, presented for the consultative workshop.

Enemark, S. (2005), the Land Management Perspective: Building the Capacity. ITC Lustrum Conference on Spatial Information for Civil Society, Enschede, the Netherlands, International Institute for Geo-information Science and Earth Observation (ITC).

FAO (2002), Land tenure and rural development, Land tenure studies, No.3

_____ (2007), Good Governance in Land Tenure and Administration, FAO Land Tenure Studies 8, Rome

_____ (2007), Good Governance in Land Tenure and Administration, FAO Land Tenure Studies.9

FDRE (1995), the Constitution of the Federal Democratic Republic of Ethiopia, 1995

_____ (2010), Ethiopia's agricultural sector policy and investment framework, 2010-2020

FIG (2001), Women's access to land, FIG Guidelines, FIG Publication No. 24

_____ (2004), secure land tenure: 'New legal frameworks and tools. Proceedings of an expert meeting held by Commission 7, Nairobi, Kenya, and UN-Gigiri.

Fourie, C., (1998). "The role of local land administrators: An African perspective." Land Use Policy 15(1): 55-66.

Fred-Mensah, B.K. (1999), "Capturing ambiguities: communal conflict management alternative in Ghana," World Development, vol. 27 (6): 951-965.

Gizachew G. (2011), Land related conflict issues, Dispute resolution Mechanisms and current status of land border related disputes, article review, Mekelle University.

Graham, J., B. Amos and Plumptre Tim (2004), "Principles for good governance in the 21st century, Policy Brief No.15", fromhttp://www.iog.ca/publications/policybrief, retrieved in December, 27, 2012.pdf.

Gurr, T. R. (1970). Why Men Rebel. Princeton, NJ: Princeton University Press.

Haque, S. (1997), LOCAL Governance in Developing Nations: Reexamining the question of Accountability.

Havenga, B. (2002), The Role and Purpose of Local Government Pretoria University, in William Robson, A. (1937), London George Allen and UN win.

Ho, P. (2009). Developmental dilemmas: land reform and institutional change in China, Taylor and Francis.

Holden, S. T., K. Deininger, and Hosaena G., (2011), Impact of land registration and certification on land border conflicts in Ethiopia, Department of Economics and Resource Management, Norwegian University of Life Sciences

Homer-Dixon and Thomas F., (1999), Environment, Scarcity, and Violence, Princeton, NJ: Princeton University Press.

Hosaena G. (2010), Land policy reforms and the land rental market in Ethiopia: Equity, Productivity and Welfare Implications.

Humpharies, R. (1988), intermediate state responses to the Black Local Authority Legitimacy Crisis in C.Heymans and G.Totemeyes (Eds.), Government by the people, Johannesburg, Juta.

Hydén, G. and K. Mease (2004), Making sense of governance: empirical evidence from sixteen developing countries, Lynne Rienner Pub

IFAD (2011), enabling poor rural people to overcome poverty in Ethiopia.

Ikejiofor, U. (2006). "Equity in informal land delivery: Insights from Enugu, Nigeria." Land Use Policy 23(4): 448-459.

International Land Coalition (2008), Land and Vulnerable People in a World of Change, New York

Kasanga, K. and N. A. Kotey (2001), Land management in Ghana: building on tradition and modernity, Land Tenure and Resource Access in West Africa. London, IIED.

Kaufmann, D., A. Kraay and M. Mastruzzi (2007), Governance matters VI: Governance indicators for 1996-2006. World Bank Policy Research Working Paper No. 4280

Khanal, R. (2002), Conflict Resolution in Local Governance Provisions in Local Self-Government Act 1998.

Kironde, J.M. L. (2009), Improving Land Sector Governance in Africa: The Case of Tanzania, Paper prepared for the "Workshop on "Land Governance in support of the MDGs: Responding to New Challenges" Ardhi University, Dar es Salaam, Tanzania, Washington DC.

Land and Housing Working Group (2009), Land and Housing Rights in Cambodia Parallel Report 2009, Cambodia, P.8.

Land Grabbing and Poverty in Cambodia (2009), the myth of development, Losing Ground, Forced Evictions and Intimidation in Cambodia

Magel, H. and B. Wehrmann (2001), "Applying Good Governance to Urban Land Management Why and How." ZeitschriftfürVermessungswesen (ZfV) 126(6):

Mahama, C. and M. Dixon (2006), "Acquisition and affordability of land for housing in urban Ghana: a study in the formal land market dynamics." Research paper series 6(10)

Mamo. H, (2005), Land Disputes settlement in a plural "institiutional" setting, the case of Arsi Oromo of Kokossa district, Southern Ethiopia, Journal of African study Monographs, 29, pp. 125-135

Manila, (2003), "International Experience in Municipal Performance Measurement", 3rd International Conference on Decentralization

Mathieu, P. (2006), FAO's approach and principles in working on land tenure issues, Land, Property, Social Justice and Development, Institute for Social Studies, The Hague.

McEwan, C. (2003). "'Bringing government to the people': women, local governance and community participation in South Africa." Geoforum 34(4): 469-481.

McLaren, R., and P. van der Molen, (2009), Land Governance in Support of the Millennium Development Goals, a New Agenda for Land Professionals, FIG / World Bank Conference, Washington DC, USA 9–10 March 2009

Meitzneryoder, L. S. (2003). Custom and conflict:The uses and limitations of traditional systems in addressing rural land disputes in East Timor, A discussion paper prepared for a regional workshop on "Land Policy and Administration for Pro-Poor Rural Growth",

Mugyenyi, J. (1988), Land tenure system and its implications for rural development in Swaziland, In: Lamba, Kandoole (Eds.), Mobilization of Resources for National and Regional Development in Southern Africa. Zomba, Malawi. Southern Africa Universities Social Science

Mwanza (2004), Socio economic profile of Mwanza region, Tanzania

Nahem, J. (2008), A Users' Guide to Measuring Local Governance, UNDP, Oslo Governance Centre.

Netherlands Ministry of Foreign Affairs (2011), Strengthening land governance for poverty reduction, sustainable growth and food security, Inventory and analysis of programs between 2007and 2010, December 2011

NGO Forum on Cambodia (2009), Statistical Analysis on Land Dispute Occurring in Cambodia for 2008, Phnom Penh, p.5.

Odgaard, R. (2006), Land rights and land conflicts in Africa: The Tanzania case. Copenhagen, Danish Institute for International Studies

OECD (2008), Donor Approaches to Governance Assessments, DAC Network on Governance, June, 2008 (final draft)

Olima, W. H. A. and L. M. Obala (1999), "The effect of existing land tenure systems on urban land development: A case study of Kenya's secondary towns, with emphasis on Kisumu." Habitat International 23(1): 113-124

Olsen, H. B. (2007), Decentralization and Local Governance, Module 1: Definitions and Concepts

Österberg, T. (2002), Designing viable land administration systems, World Bank Regional Workshop on Land Issues in Africa and the Middle East. Kampala, Uganda

Palmer, D., S. Fricska, B. Wehrmann (2009), towards improved landgovernance, Land Tenure Working Paper 11, food and agriculture organization of the united nations united nations human settlements program.

Piotrowski, S. and G. Van Ryzin (2007), "Citizen Attitudes toward Transparency in Local Government," The American Review of Public Administration 37(3): 306

Pons-Vignon, N. and H.S. Lecomte, (2004), Land, Violent Conflict and Development, OECD Development Centre, Working Paper No. 233.

Posen, Barry R., (1993), ''The Security Dilemma and Ethnic Conflict'', In Michael E. Brown, Ed, Ethnic Conflict and International Security'' Princeton: Princeton University Press.

Robinson, J. A., R. Torvik, R. and T. Verdier, (2006), Political foundations of the resource curse, Journal of Development Economics.

Roy, I. (2008), "Civil Society and Good Governance: (Re-) Conceptualizing the Interface." World Development 36(4): 677-705

Sachs, Jeffrey D. and Warner, Andrew M, (1995), Natural Resource Abundance and Economic Growth, Working Paper No W5398

Sawyer, A. (2003), "Violent conflicts and governance challenges in West Africa: The Case of the Mano River Basin Area", Workshop in Political Theory and Policy Analysis, Indiana University.

Schultz, C. (2008), "Responding to scientific uncertainty in US forest policy," Environmental Science and Policy 11(3): 253-271

Schwedersky, L. H. (2010), Mechanisms of Land Conflict Resolution in Rural Cambodia, Bachelor Thesis, Humboldt-Universitätzu Berlin GeographischesInstitut, Berlin.

Sen, Amartya, (1989), Hunger and Public Action, Oxford University Press

Shah A., (2006), The New Vision of Local Governance and the Evolving Roles of Local Governments, Local Governance in Developing Countries, Public Sector Governance and Accountability series,

Sietchiping, R. (2010), Political Economy of Land Access and Control over Natural and Land-Based Resources: A Means for Conflicts Prevention and Management

Spielman, D. J., M. J. Cohen, and Tewodaj M. (2008), Mobilizing Rural Institution for Sustainable Livelihoods and Equitable Development, a Case Study of Local Governance and Smallholder Cooperatives in Ethiopia.

Stewart, K. (2006), "Designing good urban governance indicators: The importance of citizen participation and its evaluation in Greater Vancouver." Cities 23(3): 196-204.

Toulmin, C. (2009). "Securing land and property rights in sub-Saharan Africa: The role of local institutions." Land Use Policy 26(1): 10-19.

Toulmin, C. and J. Quan, Eds. (2000), Evolving land rights, policy and tenure in Africa

Transparency international (2011), Land transparency, a guide to best practice in transparency, accountability and civic engagement across the public sector

Ubink, J. M. (2007), "Tenure security: Wishful policy thinking or reality? A case of periurban Ghana," Journal of African Law vol. 51(2)

_____ (2008), In the land of the Chiefs: customary law, land conflicts, and the role of the State in peri-urban Ghana, Leiden, the Netherlands, University of Leiden, PhD Dissertation.

Ubink, J. M. and J. F. Quan (2008), "How to combine tradition and modernity regulating customary land management in Ghana," Land Use Policy 25(2): 198-213

UNCHS-HABITAT (2000), Global campaign for good urban governance, Concept paper, Draft 5, Nairobi, UN-Habitat

UNDP (1998),Decentralization, a sampling definition, Evaluation of the UNDP role in Decentralization and Local Governance, Local Governance Division, Bureau for Policy Development, Norway, Oslo.

_____ (1997), Governance for sustainable human development, A UNDP policy document, New York, UNDP

_____ (2004), "Decentralized Governance for Development" – A Combined Practice Note on Decentralization, Local Governance and Urban/Rural Development

_____ (2004), the website of the Management and Governance Network of the United Nations Development Program (UNDP)

_____ (2006), Governance Indicators: A Users' Guide, United Nations Development Program

_____ (2007), A Users' Guide to Measuring Local Governance, Oslo Governance Centre

_____(2008), land and Conflict, The United Nations interagency frame work team for preventive action, Bureau for crisis prevention and recovery, Guidance note for practitioners

UN-ESCAP (2009), what is Good Governance? , United Nations Economic and Social Commission for Asia and the Pacific. http://www.unescap.org/pdd/prs/ProjectActivities/Ongoing/gg/governance.asp, retrieved on March 12/2013

UN-HABITAT (1996), New Delhi Declaration, Global Conference on access to land and security of tenure as a condition for sustainable shelter and urban development, New Delhi

_____ (2004), Pro-poor land management HS/728/04E, Nairobi, Kenya

_____ (2007), Transparency in Land Administration: A Capacity Building Agenda for Africa. Expert Group Meeting on Transparency in Land Administration, Nairobi, Kenya

UN-Habitat Transparency International (2004), Tools to support transparency in local governance, Nairobi, UN-Habitat

UNHS and Transparency International (2004), Tools to support transparency in local governance, Nairobi, Kenya, UN-Habitat

USAID (2005), Land and Conflict, Office of Conflict Management and Mitigation Bureau for Democracy, Conflict and Humanitarian Assistance U.S. Agency for International Development (USAID)

Van der Heijden, J. (2009), Building regulatory enforcement regimes: Comparative analysis of private sector involvement in the enforcement of public building regulations.OTB Research Institute for Housing, Urban and Mobility Studies. Delft, The Netherlands, Delft University of Technology PhD dessertation.

Van der Molen, P. (2007), Some Measures to Improve Transparency in Land Administration, Land Administration Concepts, Strategic Integration of Surveying Services, Hong Kong SAR, China.

Van der Molen, P. and A. M. Tuladhar (2007),"Corruption and Land Administration" International Federation of Surveyors (FIG) Article of the Month, March 2007

Van Donge, J.K., (1999), "Law and order as a development issue: land conflicts and the creation of social order in Southern Malawi," Journal of Development Studies, vol. 36 (2): 373-399.

Van Leeuwen M. and L. Haartsen (2005), Land disputes and local conflict resolution mechanisms in Burundi, Burundi, and Bujumbura/Wageningen

Van Oasterom, (2009), Land administration as a corner stone in the Global spatial information infrastructure, International journal of spatial data infrastructures research.

Wehrmann, Babette, and Eschborn (2008), A practical guide to dealing with land disputes 2008, P. 2

Williamson, I. and L. Ting (2001), "Land administration and cadastral trends -- a framework for re-engineering," Computers, Environment and Urban Systems 25(4-5): 339-366

Wily, L. A. and D. Hammond (2001), Land security and the poor in Ghana: Is there a way forward? A Land Sector Scoping Study, DFID Ghana's Rural Livelihoods Program

World Bank (2006), Land Administration: Indicators of Success, Future Challenges, Land Equity, Wollongong, World Bank. World Commission on Environment and Development (1987), "Our Common Future. "Oxford University Press, Oxford, New York

_____ (2008), Justice for the Poor? An Exploratory Study of Collective Grievances over Land Local Governance in Cambodia, Centre for Advanced Study.

Yilmaz, S., Y. Beris, and R. Serrano-Berthet (2008), Local Government Discretion and Accountability: A Diagnostic Framework for Local Governance, Local Governance & Accountability series Paper No. 113

Yin, R. K. (2003), Case Study Research: Design and Methods. California, Sage Publications, Inc.

Zakout, W., B. Wehrmann and M.-P.Torhonen (2007), Good Governance in Land Administration: Principles and Good Practices. Draft publication. Washington D.C., World Bank and FAO

Zemelak, A. (2008), Local government in Ethiopia: Adequately Empowered? A research paper submitted in partial fulfillment of the requirements for the LL.M Degree in the Faculty of Law, University of the Western Cape.

Zimmermann, W. (2006), Good governance in land administration, shaping the Change, XXIII FIG Congress, Munich, Germany

Zwan, J. Van Der (2010), strengthens the economic dimensions of peace building, practical note series, and peace building essentials for economic development practitioners, practice note 7: Conflict sensitive land policy and land governance in Africa.

Zwan, J. Van Der (2010), The Need for Conflict-sensitive Land Policy and Land Governance in Africa.

Appendix I

Mekelle University

College of Business and Economics

Department of Management

(Development Studies)

Questionnaires to be filled by sample household heads.

Dear Respondents:

This survey is going to be undertaken by a student of Mekelle University, College of Business & Economics in the Department of Management in Partial Fulfillment for the Requirement of Master of Arts Degree in Development Studies (Governance, Democracy and Development Specialization). This questionnaire is designed to obtain information on Local Governance in Rural Land Conflict Management in Tigray: The Case of Ganta Afeshum wereda, Eastern Zone of Tigray. The information collected from you will be used for academic purposes, and will be kept confidentially.

I thank you for your cooperation and time!

Instruction: Please circle the appropriate answer and check the box of your choice, or code to all alternatives under each question below and use the space provided for open ended questions for further explanation. Your genuine response is critically invaluable for the better result of the study. Please read all the questions properly and provide your response.

Part I: Demographic factors

- Age_____
- Sex
  Male [ ]   Female [ ]

- Marital status
  Single [ ]   Married [ ]   Divorced [ ]   widowed [ ]

- House hold type
  Male Headed [ ]   Female Headed [ ]

➢ Educational level of the respondent

Illiterate	☐	Secondary Education (Grade 9-12)	☐
Read and write only	☐	Diploma	☐
Primary Education (Grade 1-8)	☐	First Degree and above	☐

➢ Educational level of the House Hold Head

Illiterate	☐	Primary Education	☐	Diploma	☐
Read and write only	☐	Secondary education	☐	First degree and above	☐

➢ House hold size

Three and less	☐	4 to 6	☐	7 to 10	☐	11 and above	☐

➢ Main Source of livelihood

Farming	
Livestock	
Irrigation	

Please explain if your main source of income is other than the above lists

_____

➢ House hold's Agricultural land per hectare

Less than 0.5 ☐   0.5 to 1.0 ☐   1.01 to 1.5 ☐   1.51 to 2.0 ☐   more than 2.0 ☐

➢ Annual average income of the House Hold (in birr)

5000 and less	☐	5001 to 10000	☐	10001to 15000	☐
15001 to 20,000	☐	20,001 to 25000	☐	25001 and above	☐

➢ Land entitlement status

Not yet ☐   Already Received ☐

➢ Number of land conflicts faced for the last two years since 2011

One ☐   two ☐   Three ☐   Four and above ☐

➢ When was the conflict occurred

2011 ☐   2012 ☐

➢ Status of settlement of conflicts

Not settled yet ☐   partially settled ☐   fully settled ☐

Part II: Main causes of rural land conflicts

➢ Please select the main cause for the rural land conflict you faced and rank them accordingly

Main causes	Rank
Land Tenure insecurity	
Competing land claims and use as land value is increasing	
Land Holding inequalities	
Rural land scarcities	
Poverty	
Unclear land entitlement procedures	
Un clear procedures for inheritances including lineage	
Ineffectiveness of law enforcements	
Government land appropriation schemes	

Other causes if any_____

Part III: Rural land conflict types

➢ Please select the main types of conflicts you faced and rank them accordingly

Type of conflict	Rank	Frequency
Boundary Conflicts		
Inheritance conflicts		
Intra lineage conflicts		
Customary or Ancestral claims Vs. current use improvement claims		
Land conflicts as one manifestation of political differences		
Conflicts on vacated and absentee ownership of land		

Other types of conflicts if
any_____

> Do you think that rural land conflicts equally affect women headed and men headed
> Households?

     Yes   [   ]   No [   ]

    If your answer is no, why_____

> Which rural land conflict type is mostly faced by women headed households?

    _____

Why_____

> Which rural land conflict type is mostly faced by the poor and marginalized?

    _____

Why_____

Part IV: Rural land conflict management at local level

> Conflict is always negative in nature

    Yes [   ]   No [   ]

> If yes, why? _____

> If No, why? _____

> Who do you have faced a conflict with?

    [   ]   Neighbor

    [   ]   Family member

    [   ]   With someone in the community

    [   ]   If any other_____

> What is your choice of managing a conflict?

    [   ]   Formal

         Take the case to the Kebele Administrative committee   [   ]

    [   ]   Informal

         Alternative conflict management mechanism   [   ]

Customary or Traditional conflict management ☐

Mixed informal conflict management mechanisms ☐

✓ Please put a tick mark on your level of agreement on the following points why we choose formal or informal way of rural land conflict management

		Strongly disagree	Disagree	Neither agree nor disagree	Agree	Strongly agree
formal/Legal	Enforcement of a clearly and previously established rule of law					
	Clearly defined penalty					
	Professionalism of judges					
	Impartial procedures					
	There is no interest by the community to manage conflicts customarily					
	Standardized procedure for determination, recording and dissemination of information					
Informal	Judges lack knowledge about the rural land					
	Judges are practically unfit to the diverse local conditions					
	Legal procedures necessarily results in the recognition of "Loser" and "Winner", which is not easily acceptable by the rural community and it invites for further revenge and conflict					
	Sometimes, the impartiality of					

	courts is also questionable, in view of frequent accusations related to corruption practices with in the judiciary				
	Courts and tribunals are overcrowded with land conflicts, a situation that reflects the limited effectiveness of the judicial system				
	Justice is not accessible to the poor and marginalized due to costliness of courts, informal fees, long procedures, many bureaucratic red tapes and the coverage of courts				
	Formal courts are not trusted by the villagers especially the poor and marginalized as courts are time consuming, biased to the rich, and judges need bribes				
	Judges decisions are not properly understood by the illiterate rural community, as a result they are not confident on the court to manage the conflict up to their expectations				
	Customary management of conflicts better secure rural stakeholders' land entitlements				
	Customary conflict management is a consensus building way that				

	benefits both parties					

- ➤ Which way are you really using to manage the conflict raised?

    Formal [ ] informal [ ]

- ➤ Have you ever faced a delay in managing a rural land conflict?

    Yes [ ] no [ ]

- ➤ If the answer for the above question is yes, on average, how long does it take to manage a rural land conflict customarily?

    Less than a year [ ] 1 to 2 years [ ] 2 to 3 Years [ ] More than 3 years [ ]

- ➤ On average, how long does it take to manage a rural land conflict legally?

    Less than a year [ ] 1 to 2 years [ ] 2 to 3 Years [ ] More than 3 years [ ]

- ➤ At what level do conflicts stay for longer period of time when managed legally?

    Kebele level [ ] Wereda level [ ]

- ➤ What do you think is the reason for the delayance?

    _____

- ➤ What is the biggest challenge you faced during a legal rural land conflict management?
    Time [ ] Money [ ] Property [ ] relationship [ ]

    If any
    other_____

- ➤ What is the biggest challenge you faced during the customary rural land conflict management, if any?

    _____

- ➤ Do you think land entitlement is important in reducing rural land conflicts?

    Yes [ ] No [ ]

If your answer for the above question is yes,
Why?

_____

Part V: Stakeholders of Local governance in rural land conflict management

➢ Do you believe that the government is playing an important role in the local governance?
Strongly disagree ☐   Dis agree ☐   neither disagree nor agree ☐   Agree ☐

Strongly agree ☐

➢ Who are represented during customary rural land conflict management?
_____   _____

_____   _____

_____   _____

➢ Are the poor and marginalized involved in any rural land conflict management?
Yes ☐   No ☐

If your answer is yes, why_____

If the answer is no, why _____

➢ Is there any civic organization involved in the rural conflict management?
Yes ☐   No ☐

➢ If your answer is yes, please name_____

➢ If your answer is No, what do you think is the reason?

_____

➢ How do you evaluate the capacity of the government staffs in rural land conflict management?
Capable enough ☐   not capable ☐

➢ How do you evaluate the experience of the government staffs at kebele level in rural land conflict management?
Experienced ☐   Not experienced ☐

➢ How do you evaluate the corruption level the government staffs at wereda and kebele level in the legal conflict management frame work?

Not Corrupted ☐   I do not know ☐   Corrupted ☐

➢ To what extent do you agree about the transparency of the local government in rural land management?

Activities	strongly disagree	disagree	neither disagree nor agree	agree	strongly agree
Land information is always available to the community					
There is open access to information about ownership, value and use of land					
There are standardized procedures for determination, recording and dissemination of information					
There is a supervision by the local authorities					
There is always a possibility of appeal					

➢ To what extent do you agree about the accountability of the local government in rural land management?

Activities	strongly disagree	disagree	neither disagree nor agree	agree	strongly agree
The land governance institutions are responsive as demand arises from the community					
There are mechanisms for questioning and explaining the ongoing land activities in the community.					
The community is involved in every land related issues and have a say on it					
Kebele land administrators and land judges are elected by the community and could be fired by the community if necessary					

Part VI: Local governance structures and institutions

➢ Do you believe the local government structure is supportive in rural land conflict management?

Yes ☐   No ☐

If yes, why_____

If no,
why_____

➢ How do you evaluate the local coverage of institutions in terms of reaching the poor and marginalized?
Very low ☐   low ☐   Fair ☐   Good ☐   Very good ☐

➢ How do you see the relationship between the local institutions and the community?

Very weak ☐   Weak ☐   Fair ☐   Good ☐   Very good ☐

➢ Do you think the formal land conflict management should consider the customary conflict resolution mechanisms?
Yes ☐   No ☐

If yes,
Why? _____
If no,
Why? _____

➢ Please indicate your level of agreement on the local government structure and institutions

The local government structure and institutions are for rural land conflict management	Strongly disagree	disagree	Neither disagree nor agree	agree	Strongly agree
Weak					
Ineffective					
Non responsive					
Corrupt					
Do not encourage participation					
Not transparent					
Biased to the rich					
Not all inclusive (the poor and					

marginalized) in terms of representation					

Part VII: Attitudes and skills of Arbitrators in rural land conflict management

Attitudes and skills of arbitrators in rural land conflict management	Strongly disagree	disagree	Neither disagree nor agree	agree	Strongly agree
They have good arbitration skills					
They have adequate experience					
Update themselves through formal and informal trainings					
They are willing and respectful to support the conflicting parties					
They have the energy and commitment					
Believes in local customary solution than the legal one					
Strongly believes in participation and representation of the poor and marginalized					

➢ What skill do you lack with the Arbitrators?

_____

Checklist for focus group discussion

Part I: General instructions for the researcher

➢ Make an acquaintance with the selected key communicators before starting discussion, by first introducing yourself to the member, i.e., your name, where you come from, and tell them the purpose and objective of the study so as to make things go smoothly and give thanks to them in advance before introducing the agendas.

➢ Introduce the discussion points or agendas to your key communicators

➢ Do not direct the key communicators; let them feel free to react openly in order to understand their feelings about the functioning of local governance in rural land conflict management, and then raise constructive opinions.

➢ Write down each and every idea they raise up like a rapporteur does.

Part II: General information

Name of the researcher: _____ Date of focus group discussion: _____

Part III: Background about local land governance in rural land conflict management in Ganta Afeshum Wereda for the focus group discussants

Local governance has its own roles in the rural land conflict management in in any local administrations. So, today we are going to discuss and see local governance in the rural land conflict management in your wereda, Ganta Afeshum.

Part IV: Discussion points with the focus group

Dear group members, you are from different sectors of the community. So, you, as a key community leaders or communicators, you have a great role to play in discussing the role of local governance in rural land conflict management in Ganta Afeshum wereda. Thus, please, discuss on the following key points such as:

1. How land is governed at local level?

✓ What are the institutions?

✓ Who are directly involved?

✓ Is the system of land governance participative?

2. What are the challenges of land governance at local level?

3. What are the most common sources of rural land conflicts and the conflict types frequently observed in your kebele/wereda?

4. What is the role of the local government in managing rural land conflicts in this wereda?

5. How do you evaluate the structures and institutions of the government in rural land conflict management?

6. What are the real gaps that the local government should feel to reduce rural land conflicts?

7. What are your recommendations towards reducing rural land conflicts in Ganta Afeshum wereda?

Thank you for your cooperation in giving your opinions on the discussion points.

Semi structured Interview questions

➢ Do you think land is a major governance issue?

➢ Are the rules governing land allocation clear?

➢ What are the major challenges of local land governance?

➢ How do you see the role of local governance in rural land conflict management?

➢ Who are the stakeholders in the formal and informal rural land conflict management?

Legal

Customary

➢ What are the procedures used by the community to manage the rural land conflicts?

Formal

Informal

➢ What are the local government structures in managing rural land conflicts?

➢ Do you think the involvement of civic society organizations, the poor and women is very important? Why?

➢ Are there any local institutions involved in rural land conflict management?

➢ Do you think courts are providing an appropriate justice to the conflicting parties in solving the rural land conflicts?

➢ Is there any corruption in rural land conflict management? At what level?

Bribes

Fraud

Misuse of office power

➢ Do you think the local government is transparent in rural land conflict management in terms of

   ✓ Availability of land information

   ✓ Open access to land information about ownership, value, and use of land

   ✓ Standardized procedures for determination, recording and dissemination of information

   ✓ Supervision and possibility of appeal

➢ How do you see the importance of land entitlement in reducing rural land conflicts?