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CHALLENGES OF GOOD GOVERNANCE IN LOCAL GOVERNMENT: THE CASE OF SAESI TSAEDAMBA WOREDA, TIGRAY REGION, ETHIOPIA

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ABSTRACT

The concept of good governance has gained significant attention in developing countries and Ethiopia is no exception. It is widely recognized that as a precondition/prerequisite for sustainable development particularly for developing countries like Ethiopia. Since there are few academic studies on this issue in Ethiopia, this paper assesses the challenges of good governance via selecting of a case study woreda. Hence fore, in this paper transparency and responsiveness which are the core dimensions of good governance had selected to assess prevailing conditions in woreda court, social court and land administration offices. Capacity, discrimination, corruption, accessibility of information, delay, openness and satisfaction are considered the major determinants of good governance in the woreda in general and the selected public institutions in particular. To know the perception of service users on transparency and responsiveness of the selected public institutions a descriptive study had used that enriched through oral and written interview, discussion and personal observation. Hereafter, small and incapacitated human power had observed and identified in the selected public institutions and in the woreda at large. Moreover, due to lack of capacity in the service providers disseminating information, accessibility of their institutions information, delivering a timely service and providing decision based on reasonable evidence had rarely practiced. Hence, transparency and responsiveness had discredited in the woreda which are the most significant indicators of good governance. Therefore, there should be more and deeper inquiry related to the transparency, and responsiveness of local government actions and decisions.

KEYWORDS

Good Governance, Local Governance, Responsiveness, Sasea Tsaedamba Woreda, Transparency.

INTRODUCTION

Since the 1990s, development investigators and policy developers have been given a due attention on good governance as both intrinsic and extrinsic value. They conceived it as an instrument to achieve sustainable development and or an end in itself (Thomas, 2008). Moreover, Aktan (2008) contend that good governance bring results which raise human need to attain productive function in a fair way which sustain the marginalized ones or by making every one at least to have an equal opportunity. Dinissa (2008) also states that, good governance is the special virtue since it is widely recognized that to bring secure economic growth and responsive and transparent public institutions.

In Africa, NEPAD have been made a significant effort to change bad governance, and to create a favorable governance environment (Kempe, 2003). According to the author the main intention of NEPAD is therefore to implement good governance dimension because they are the necessary components for securing of economic growth and prosperity of the continent. Ethiopia is one among African countries that have made the indispensable effort for the consolidation and promotion of good governance environment at both the local, regional and national level especially after the incumbent government comes to power.

The inauguration of the decentralization governance in Ethiopia since 1990s indicates one of the most imperative in the history of the nation, as it has shifted a highly centralized authority to the regional and local units to develop a decentralized system of governance (Helvetas Ethiopia, 2008). FDRE constitution (1995) stipulates that:

"State governments shall be established at state and other administrative levels that they find necessary and adequate power shall be granted to the lowest units of government to enable the people to participate directly in the administration of such units. "The constitution has therefore allowed substantial autonomy and autonomous decision-making power to the regional and local governments.

Unfortunately, this wide reaching and internationally vital statement have not been sufficiently proved empirically in Ethiopia. To fill this gap in the literature, this study aims to analyze the challenges of good governance in lower lever administration in Ethiopia.

For the reason that many weredas/lower level administrations have been witnessing a deficiency in attaining a viable local development and providing an efficient and effective service for their grass root people (Helvetas Ethiopia, 2008).

"Lack of capacities (knowledge and skills) and concrete tools and procedures for planning and implementing development projects, ineffectiveness of trainings, and lack of administrative and coordinative skills are the major causes identified by the local stakeholders for hampering Woreda performance (ibid:4-5)".

Moreover Serdar and Varsha (2008) in their study underlined that many woreda administrations are simply overwhelmed with the high amounts of responsibilities and tasks they should implement, weak access to quality capacity building programs and general lack of practical tools and procedures such as related to participatory planning, monitoring and evaluation and inexistent coordination and management, that lead to inefficient structures and procedures. Zemelak (2009) asserts "The most serious challenge for Ethiopian local government is capacity and local government institutions of the country have acute shortage of qualified man power."

STATEMENT OF THE PROBLEM

People around the world are demanding good governance for the advancement of their life. Because it is the result of interactions, relationships and networks between or among the different sectors (public sector, private sector and civil society) and involves decisions, negotiation, and different power relations between stakeholders to determine who gets what, when and how (Alexandra, et al., 2009). For Abdalla (2010), recently there is an agreement that good governance is important to secure countries long term development and progress even though it is not sufficient in its own.

Even if good governance consists of well-groomed ideas that can give value to society at large, there is a difference between developing and developed countries to achieve it in practice. According to Werline (2003) cited in Kuotsai (2007) on the course towards development the main disparity between developing and developed countries is not a resource base rather the governance challenges. Therefore, there is a gap in the realization and sustaining of good governance principles although many of them are clearly stipulated in the constitution of different countries.

The woreda selected for research have challenges that can deter for the promotion of governance. A grievance of citizens observed on land administration, equal distribution of recourses, access to public services and information's and non-transparent and non-responsive leaders, less capable institutions in resolving possible conflicts and ensuring equity and equality of all citizens before the law and individual liberty and equal opportunity for all. Besides, there is rampant corruption, discrimination, and gender inequality in areas of land administration, woreda court and social court etc. In addition there had a delay of decisions and justice from the part of the administration and the social and legal courts to the public problems of the woreda.

OBJECTIVE OF THE STUDY

This research has both General and specific Objective.

GENERAL OBJECTIVE OF THE STUDY

The general objective of the study was to assess the challenges for the enforcement of good governance in SaseaTsada Amba wereda.

SPECIFIC OBJECTIVES

The specific objectives were:

1. To explore perception of the stakeholders towards Responsiveness and Transparency.
2. To explore accessibility of institutions information to community members and the general public.
3. To identify the main factors that determines Transparency and Responsiveness.
4. To examine the Transparency and Responsiveness of the public institutions to the local people.

RESEARCH QUESTIONS

Thus, the central research question of the paper was formulated as follows: what are the challenges of good governance in Tsase'aTsadamba Woreda?

Accordingly, the research sub-questions are subsequently developed as:

1. What is the view of the service users regarding transparency and responsiveness of selected public institutions?
2. How accessible are institutions information to community members and the general public?
3. What is the status of responsiveness and transparency in the public institutions?
4. What are the underlying factors that influence the degree of transparency and responsiveness in the woreda?

SIGNIFICANCE OF THE STUDY

It will provide insights to the extent to which good governance has developed in Sasea'aTsada AmbaWoreda as well as on the challenges that the wereda faces in the path towards promoting of good governance. The investigation of these challenges may provide a direction to other researchers to conduct further investigation and later they can suggest remedial measures to be taken by policy planners, practioners and implementers to address the issue. Thus, it encourages academicians and practioners with the similar field of study to conduct different related research activities. Because as far as the information that the researcher has there is little research activity related to governance that had been carried out with in the woreda and even within the country.

CONCEPTUAL FRAMEWORK

Governance ensures that political, social and economic priorities are based on broad consensus in society and that the voices of the poorest and the most vulnerable are heard in decision-making over the allocation of development resources (Adel, 2003). By generating and defending broad commitment to the public welfare, a high-quality democracy with good governance increases the likelihood that public resources will be used to generate public goods that stimulate investment and commerce and raise the quality of life (Larry, 2005).

Furthermore, it is a greatly necessary term because it is believed to bring better economic achievement, acceptability of political systems, and quality of life (Dinissa, 2008). Imran (2009) also asserts that starting 1990s the idea of "good governance" as a means to bring a secure development and to alleviate the abject poverty has been gained a wide acceptance from different global organizations. Kanak (2007) also argues absence of good governance acts as a formidable barrier to the achievement of good economics of good governance. Furthermore, according to Werline (2003) cited in Kuotsai (2007) on the course towards development the main disparity between developing and developed countries is not a resource base rather the governance challenges.

A different litterateur indicates that good governance and development as intrinsic goals in their own and they mutually reinforce each other (Gita and Zahra, 2006). A strong consensus than the other continent of the world has been reached in Africa by New Partnership for Africa's Development (NEPAD), on the critical importance of good governance as a precondition for Africa to meet the Millennium Development Goals (MDGs) in which African leaders promise to be accountable to one another and to their own people and is predicated on Africa's ownership of the development process (Fourth African Development Forum, 2004). Moreover, better governance is recognized as one of the targets of the Millennium Development Goals, an agenda for alleviating poverty and bringing sustainable development that world leaders agreed on at the Millennium Summit in September 2000 (Oksana, 2008).

LITERATURE OF GOOD GOVERNANCE

In terms of government effectiveness and control of corruption, which are two of six governance dimensions analyzed by Kaufmann et al. (2007), cited in David,et al (2008) Ethiopia ranks globally in the 31st and 37th percentiles, respectively (where the country in the highest, i.e., 100th percentile, performs best). In contrast, Ethiopia's relative status in terms of voice/accountability, and in terms of political stability, is relatively weak (17th and 5th percentiles, respectively) which is very low even compared to countries with similar incomes.

Moreover, many weredas have been a deficiency in attaining a viable local development and providing an efficient and effective service for their grass root people. Lack of capacities (knowledge and skills) and concrete tools and procedures for planning and implementing development projects, ineffectiveness of trainings, and lack of administrative and coordinative skills are the major causes identified by the local stakeholders for hampering Woreda performance (Helvetas Ethiopia,2010). Serdar and Varsha (2008) also describe in their study that many Woreda administrations are simply overwhelmed with the high amounts of responsibilities and tasks they should implement. These are topped by weak access to quality capacity building programs and a general lack of practical tools and procedures such as related to participatory planning, monitoring and evaluation. Furthermore according to Zemelak (2009) as in many jurisdictions, the most difficult challenge for Ethiopian local government is capacity. The local government institutions of the country, as was pointed out, have acute shortage of qualified man power. According to government policy documents, woreda administrations are supposed to be autonomous administrative units.

Local governments also seem to lack the power to control and manage their workforce as all hiring and firing have to go through zonal or regional offices (the degree of say these upper tiers of government have is different across regions)(Serdar and Varsha,2008). Each regional state government must formally devolve adequate decision-making authority and control over resources to zonal, woreda and kebele administrations in order to promote democratic decentralization and get government closer to the people. However, the stark reality in Ethiopia's decentralization process is that woredas and kebeles have been given too much responsibility and functions without the necessary financial and resource capacity to undertake development at the local level. This situation has to change in favor of devolving responsibilities and functions to woredas and kebeles accompanied by sufficient financial and human resource strength to undertake development at the local level (UN-HABITAT, 2002)

METHODOLOGY OF THE STUDY

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

SITE SELECTION AND DESCRIPTION OF THE STUDY AREA

The study was conducted in SaesiaTsadambaWereda. The woreda is located in eastern zone of Tigray region, in the Northern Ethiopia. The study area is bounded by Afar in the east, Irob in the North East, Gulomekeda in the North, GantaAfeshum in the North West, Hawzen in the West, Kiile-Awlaelo in the South East and Atsebi in the South. It is located in north Eastern part of the region between 130 55'0" North and 140 23'0" North latitude and 390 28'30" east and 390 53'0" east longitude. According to CSA (2007) the total population of the woreda is estimated to 139,191. From this population 35,404 are households. The total area of the woreda is 2511.47 km2 (ibid).

Administratively the woreda is divided in to 27 tabias and 110 kebeles in which the 25 are rural tabias and two are towns. Each tabia is divided in to kebele or "kushet" which are the lowest unit in administrative hierarchy. The delineation is made based on natural boundaries like rivers, escarpments, and mountain peaks, settlement, population size, agroecology, and convenience and proximity to administrative centers.

Concerning the selection of the woreda by the researcher was, as the researcher grew up in this region and he had not faced communication barrier between him and the local people to interact and deal with all matters related to the research activities.

With regard to the selection of the sample tabias four tabias were selected purposefully. In selection of these tabias things that were taken in to consideration was frequency of conflicts forwarded to the woreda court especially on land related cases and rent seeking activities in each tabias. Therefore, document analysis in the woreda court and key informants opinion has the greatest value in selection of these sample tabias.

DATA TYPE AND SOURCE

Both qualitative and quantitative were given due attention. When used along with quantitative data, qualitative research had supported the researcher to interpret and better understand the complex reality of a situation and the implications of quantitative data.

The available source of data was grouped in to two categories. Primary source or firsthand data/information was collected. Secondary sources were also explored from respected secondary hand information.

RESEARCH STRATEGY AND DESIGN

The research strategy undertaken depends on how the problem looks, what questions the problem leads to and what end result is desirable. 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. It seeks a better understanding of complex situations and often exploratory and descriptive in nature (Oksana, 2008). If a concept or phenomenon needs to be understood because of little research has been done on it, and then qualitative approach is necessarily important. Qualitative and quantitative research approaches, however, had not been viewed as polar opposites or dichotomies and therefore, the researcher used quantitative approach on describing results through percentage and frequencies.

The research deals with a particular case study as the unit of analysis from which information is collected. That is, Wereda SaseaTaeda Emba. Based on the time dimension the study was cross sectional. Because, data can be collected from respondents of different geographical locations in a single point of time. Therefore, individuals from different geographical areas were entertained to questionnaire, interview and focus group discussion to express their view regarding of challenges of good governance that are going in the woreda.

Hence, the study had a qualitative and quantitative research, descriptive, and explanatory in nature. Simultaneously, it explored inherent traits, characteristics, and challenges of the good governance or it provide a deeper understanding of the subject under study, it is also interpretive.

SAMPLING DESIGN AND PROCEDURES

The researcher predominantly used non-probabilistic sampling techniques. Accordingly, the study used purposive and convenience sampling to select the study woreda, sample kebeles, the farmers, office workers, administrators, service providers etc.

Sasea'aTsaeda AmbaWoreda was purposely selected. Because the woreda is more convenient for the researcher and no research was conducted relating to governance issues. Four "tabias" of the woreda were also being purposely selected and households were selected through convenience sampling technique. Because these "tabias" were selected purposively by considering the geographical proximity, frequency of conflicts recorded in woreda and social court and rent seeking activities. The main reason for using of convenience sampling was because of time constraints and cost reasons. The other reason was due to the absence of the available list of the population. Even if there were total number of households for each tabia in the woreda, but there were no lists of the population especially in the rural areas. Moreover, offices such as woreda court, social court, and land administration were purposely selected from both the "tabia" and woreda administration for the study. Because these public institutions were selected by giving a due consideration to the availability of the large number of users in this public institutions.

Purposeful sampling for interview and focus group discussion were employed. During selection of individuals for an interview age, educational status, social status and gender etc. were taken in to consideration relevant to a particular research question.

To sum up respondents for interview and focus group discussion were purposely selected and respondents to fulfill the questionnaire were selected through convenience sampling techniques. Further, the researcher had made an informal discussion with experts, administrators, local elders, teachers and community development workers. Firstly, he distributed a questionnaire to sample respondents. After that, focus group discussions and interviews were made in that order.

TABLE 1: SAMPLING FRAME

No. of tabias (kebeles)	Name of tabias	Number of house holds	Number of sample respondents
1	Asmena	1506	29
2	Hadushiwet	1786	32
3	Edagahamus	2920	54
4	Freweyni	1806	35

Source: sample survey, Nov 2009

The researcher interviewed about 150 respondents for his study. In selecting of respondents from each "tabia", he used a proportionate sampling technique. The number of interviewees participated in this study was determined by researcher's budget and time.

DATA COLLECTION

The target populations of this study were farmers, administrative workers, teachers, rural and town dwellers of the sample kebeles. Besides, office workers of service, trade and industry, court, and capacity building in the woreda were included.

The researcher undertook the study by gathering primary and secondary data. The primary data was gathered by using of semi structured questionnaires, interviews and focus group discussions. Therefore, these techniques (interviews, questionnaires, focus group discussions and practical observations) supported to consolidate the value of secondary data.

QUESTIONNAIRES: The researcher predominantly used semi structured questionnaires. By using this type of questionnaires respondents were able to provided their perception, feeling, attitudes etc. Questionnaires were also administered in local languages for the sake of clarity and to easily understand by the respondents. The data was collected by four enumerators and one supervisor who were senior Mekelle university students and unemployed university graduate students.

INTERVIEW: The researcher applied semi structured interview. In this type of interview, the researcher wants to know specific information which can be compared and contrasted with information gained in other interviews. To do this, the same questions were asked in each interview. On the other hand, the researcher made the interview to remain flexible so that other important information was arising from the conversation. The researcher had made an interview for about ten individuals. This was mainly made with key informants of tabia, woreda and municipal administrators and officers.

FOCUS GROUP DISCUSSION: The focus group discussion primarily arranged with issues that were not included and answered through questionnaire and interview. And it was mainly used even with questions that were included in questionnaire but that need further information. The number of individuals that were reached through focus group discussions ranged from five up to six. Sometimes the discussion was made flexible when important ideas for the study was raised. By doing this the researcher received a wide range of responses during a meeting and the problem were clearly identified, articulated and analyzed. In selecting individuals for group discussions all sex, age groups, educational background and social status were taken in to consideration. The first round of focus

group participants consists of five individuals from key informants, former social court judges and land administrators and traders. The second round also comprised six participants from woreda women's affair, experts and youth association.

The data collection process had been the following components of activities in order to obtain a quality data within the available resources.

1. Four data collectors and one supervisor were employed for data collection. Some are senior mekelle university students and others were unemployed graduated students with some experience of data collections.
2. Provision of the necessary trainings for data collectors and one day training was conducted.

SECONDARY DATA: It is important to notice that the research conducted was partly on respected secondary hand information, such as government reports at the national and regional level, UN agencies and other international organization reports, research papers, and journal articles.

Hence, Secondary source were consulted on document analysis; such as survey of related literatures, electronic data-bases, and analysis of reports and discussions, on quality and challenges of good governance were used to gather the appropriate information. Besides to the literature on challenges of governance in local governance institutional sources such as crime reports, regional and woreda statistics, administrative and service reports was taken in to consideration. Document analysis was significantly important to assess the land related challenges of the society. Hence, land related cases supported the researcher to evaluate service delivery of the social court and woreda court in terms of responsiveness.

DATA PROCESSING AND ANALYSIS

After the data were collected, it was processed and analyzed by using of descriptive techniques such as averages, percentage, figures, and tables. The researcher mainly used SPSS (statistical package for social science) version 16 and Microsoft excel. On the top of that, stata 10 particularly chi-square test had used to measure the significance of the variables. Most of the collected data were quantified for simplicity and others such as open ended, interview, and focus group questions were qualitatively analyzed. A descriptive analysis method were used in the process of renovating the raw data in to a form that would make them easy to understand, interpret, and manipulate the data to provide descriptive information. Tabulation and cross tabulation was also widely used to analyze the quantitative data. Besides, to analyze the qualitative data, the researcher produces an interview summary form or a focus group summary form as soon as possible after each interview or focus group had been taken place.

RESULTS AND DISCUSSIONS

The analysis part includes five components. The first part deals with back ground information of the respondents. The study was all inclusive in which respondent's from both sexes, educational level and age level were entertained from the sample "tabias". The second part deals with the perception of respondents on transparency and responsiveness of the selected public institutions. These were woreda court, land administration and social court. Hence, the perception of the respondents towards responsiveness and transparency of each selected public institution is well presented. The third part also deals with the accessibility of these institutions information. The fourth part also deals with transparency and responsiveness of these public institutions to the local people. The last part also deals with the main factors that determine responsiveness and transparency of these public institutions. A descriptive analysis method were used in the process of reducing the raw data in to a form that would make them easy to understand, interpret, and manipulate the data to provide descriptive information. Hence; tables, figures, average and percentages were widely employed. 150 questionnaires from the 162 questionnaires were found eligible for analysis and the rest 12 were excluded because of errors in filling the questionnaire and questioned respondents were outside of the sample tabias.

GENERAL DEMOGRAPHIC CHARACTERISTICS OF RESPONDENTS

The demographic characteristics of the respondents such as their ages, sex and educational level have direct or indirect relations with the way they understand concerning challenges of good governance in the woreda. The study was conducted in four tabias. Out of the four tabias two were rural (Asmena and Hadushhiwet) tabias and the remaining were urban (Edagahamus and freweyni). Estimate of 86 (57%) were from urban whereas about 64 (43%) were rural respondents.

TABLE 2: SEX OF RESPONDENTS WITH THEIR RESPECTIVE RESIDENCE

		Place of residences of respondents		
Sex		urban	Rural	Total
	Male	50	38	88
	Female	36	26	62
Total		86	64	150

Source: Survey result, 2011

Concerning sex of the respondents 88 (59%) were males of both urban and rural residents while 62(41%) were female respondents of both urban and rural areas.

TABLE 3: AGE AND EDUCATIONAL LEVEL OF RESPONDENTS

The table mainly consists of age, sex and educational level of respondents.

Age			Educational level						Total
			Non-literate	1 up to 4	5 up to 8	9 up to 12	Diploma	Degree and Above	
18-25	Sex	Male	3	-	6	8	0	4	21
		Female	1	-	2	2	2	0	7
	Total		4	-	8	10	2	4	28
26-40	Sex	male	9	8	14	7	1	5	44
		Female	22	3	8	3	1	3	40
	Total		31	11	22	10	2	8	84
41-70	Sex	Male	10	9	1	2	1	-	23
		Female	8	4	3	0	0	-	15
	Total		18	13	4	2	1	-	38

Source: Survey result, 2011

About 84 (56%) of respondents were in the age of 26-40 and around 38 (25%) were in the age of 41-70, whereas, the remaining 28 (19%) were in between the age of 18-25. From the total respondents female respondents consisted of 62 (41%) and 88 (59%) were male respondents. Around 53 (35.3%) of the sample respondents were non-literate and around 95 (63%) of the respondents were literate even if there was a difference in their educational level

PERCEPTION OF RESPONDENTS ON TRANSPARENCY AND RESPONSIVENESS OF LOCAL COURT AND LAND ADMINISTRATION

Respondents (service users) were suggested their perception on responsiveness and transparency of the selected institutions for the study.

TRANSPARENCY

Transparency and responsiveness are the core principles of good governance. Transparency can be important decision making to be open and clear for stake holders and it encourages stake holder's involvement in decision making. Generally, transparency here is important to assess openness and clarity of information's, processes, institutional rules and decisions to community members and the general public in land administration and the local courts. Moreover, it is also important to minimize corruption.

The following table shows the perception of rural and urban respondents on the openness of the court to the people.

TABLE 4: COURT PROCESSES ARE OPEN TO THE PUBLIC

court processes are open to the public				
	agree	uncertain	disagree	total
urban	48	21	17	86
rural	41	7	16	64
total	89	28	33	150

Source: Survey result, 2011

About 48 (55%) of urban sample respondents' responses were agreed to the view that court process are open. Similarly around 41 (64%) of rural respondents were agreed on the openness of the court to its decisions. But around 17 (20%) and 16 (25%) urban and rural respondents disagree to the view that court processes are open.

Besides openness, clarity is an important variable to measure transparency in court service. Hence, around 91 (60.6%) of the respondents responded agree on the clarity of rules and regulations of the court. But an estimate of 31 (20.7%) respondents had disagreed on the clarity of rules and procedures of the court. There is no significant difference on the data obtained from the sample respondents concerning the openness and clarity variables on the court service as the finding indicates.

Service users can provide feed backs and complains for their service providers. Therefore, respondents were asked whether their complaints were solved in a clear way or not.

TABLE 5: PUBLIC COMPLAINTS ARE SOLVED ACCORDING TO THE LAW IN A CLEAR WAY

		Public complaints are solved according to the law in a clear way.					
		strongly agree	Agree	uncertain	disagree	strongly disagree	total
sex	tabia						
Male	urban	10	20	10	7	3	50
	rural	6	14	3	9	6	38
	total	16	34	13	16	9	88
Female	urban	7	12	11	5	1	36
	rural	0	14	4	8	0	26
	total	7	36	15	13	1	62

Source: Survey result, 2011

About 30 (60%) of the urban male respondents were reported that public complaints were solved according to the law in a clear way. Concurrently, about 19 (52%) female urban respondents were supported it. Whereas, 10 (22%) male respondents and 6 (16%) female respondents disagree on the solution mechanism of the court to public complaints. About 20 (31%) male and 14 (22%) female rural respondents were reported that public complaints were solved according to the law in a clear way. But around 15 (40%) male and 8 (31%) female rural respondents disagreed on complaint solving mechanisms of the court.

Besides, the respondents were replied about the equal treatment of the service users in the court. Therefore, an estimate of 55 (36.7%) of respondents agreed that the court performs discrimination. But 47 (31.4%) disagreed about discrimination in the court. Data that were obtained through interview also indicates that proportional punishments were not issued to different levels of offenses; In addition cases lack transparency according to the interviews.

In the following table 6, number of staffs and their qualification is clearly delineated. Because many respondents of interviewees and focus group discussion suggested that lack of competence and insufficient number of qualified judges caused low level of transparency and responsiveness.

TABLE 6: NUMBER AND QUALIFICATION OF STAFFS IN JUSTICE ADMINISTRATION, JUSTICE, POLICE, AND COURT SECTORS

Number of staffs					
		Justice administration	Justice	Police	Court
Educational level	Degree		1		6
	Diploma	5	8	13	8
	Certificate		1	1	1
	10 up to 12	1	3	36	11
	Below 10	1	1	5	3
	Total	7	14	55	29

Source: Woreda Administration office (2011)

Hence, concerning the number of staffs and their qualification, around 7 (7%) are degree holders. From all sectors, around 34 (32%) are diploma holders and around 51 (59%) are at 10-12 educational level. The largest percentage of staffs therefore lies in between diploma and grade 10-12. Around 6 (28%) are degree holders in the court that is relatively better than the other sectors.

Vibhute (2009), in his study of justice system in Ethiopia reported that there were insufficient number of qualified judges and public prosecutors, outdated and inefficient methods and procedures of the justice delivery system, lack of clarity and coherence in the existing laws, lack of access to justice information, and lack of sufficient number of institutions of legal education and their inability to produce the required number of professionals.

Social court is quasi-judicial organs that are established to maintain peace and order in lower level administration. In Tigray region there are many social courts that are involved in conflict resolution. Hence, respondents were asked to provide their suggestion concerning the transparency of decision of the social court.

TABLE 7: TRANSPARENCY OF DECISIONS OF SOCIAL COURTS

		Is the decision of the social court transparent			
		never	sometimes	Always	Total
Sex	male	18	39	31	88
	female	12	33	17	62
Total		30	72	48	150

Source: Survey result, 2011

Pearson chi2 = 1.8964 Pr = 0.049

The result of the study in table 7 shows that an estimate of 18 (20%) male and 12 (19%) female respondents responded that the decision of the social is never transparent. Around 39 (44%) and 33 (53%) male and female respondents respectively, were also reported sometimes the decision of the social court is transparent. Whereas, the rest 48 (30%) female and male responses reported that decision of social court is always transparent. Therefore, the association of male and female in the study was at least 5% significant.

In an interview and open ended question the participants of the study had interviewed to compare corruption in the two types of courts. Most of them agreed that it is high in social court. When they provide their justification for corruption at the social court, it was:

- Social court judges are not paid. The participants said "their salary is their corruption". They did not get any salary they work for free because they can earn money from their customers through corruption.
- Lack of knowledge or knowledge gap. They are not willing for their customers when they want to file appeal because of lack of knowledge and confidence
- Low awareness of law and consequently mislead the people.
- Intervenes beyond their jurisdiction. No boundary in entertaining a family case whether the case is highly complex or not. So this is a fundamental problem to the judges at large to the customers because of lack of procedural as well as substantive law and their implementation.

There were also participants who said corruption is high in woreda court. Their justifications were:

- Since the people have low awareness about law and they can mislead the people
- Takes time in solving of an issue
- Since many causes are served in woreda court corruption also high at the area in which a large amount of service is entertained.
- They ask grand corruption. Social court judges can be get or commit a petty corruption when it is compared with woreda court judges. But this does not mean social court judges do not commit grand corruption. The possibility of getting it is less.

Openness is important to all institutions to be trustworthy on the sense of the service users. Openness of rural land administration office therefore evaluated by the respondents.

TABLE 8: OPENNESS OF THE RURAL LAND ADMINISTRATION OFFICE TO ITS DECISIONS

tabia				Never	Sometimes	Always	Total
	Hadush Hiwet	sex	male	5	13	1	19
	Asmena			6	9	4	19
tabia		total		11	22	5	38
	Hadush Hiwet	sex	Female	4	10	2	16
	Asmena			3	5	2	10
		total		7	15	4	26

Source: Survey result, 2011

About 11(29%) of male respondents of Hadush Hiwet and Asmena were reported each, rural land administration office is never open to its decisions. Around 22 (58%) male and female respondents of the two tabias reported that rural land administration office is sometimes open to its decisions. Female respondents had also provided their opinion on this from the two rural tabias. Thus, about 7 (27%) female respondents reported never. While about 15 (58%) female respondents also reported sometimes. Hence, the largest percentage of the respondents' response lies within sometimes and never regarding the openness of the office to its decisions.

RESPONSIVENESS

Responsiveness is important component of good governance. As a principle it advocates public feed backs and complaints to be solved with in a given time and cost. Not only the timely response to the complainants and feed backs but also the importance of these decisions in satisfying the public demands and interests has involved in responsiveness.

Respondents were asked concerning the service delivery of the courts and to suggest their satisfaction level.

TABLE 9: SATISFACTION OF THE PEOPLE FROM THE WOREDA COURT SERVICE

How do you perceive the satisfaction of the people from woreda court service?						
tabia	sex	satisfied	somehow satisfied	somehow dissatisfied	dissatisfied	Total
urban	male					
		14	20	7	9	50
rural		7	19	3	3	36
TOTAL		42	78	10	12	86
tabia	sex					
urban	Female					
		13	13	3	9	38
rural		8	8	7	3	26
total		11	21	10	12	64

Source: Survey result, 2011

Concerning service of the court about 27 (62%) male and female respondents from the urban area had reported satisfied. Whereas, about 29 (66%) male and female respondents from the same area were dissatisfied about the court service. The rural area respondents had also asked to express their view concerning the court service. Henceforth, about 15 (50%) male and female rural respondents were satisfied. While, about 6 (19%) male and female from the same residence reported dissatisfied.

Respondents of the study had expressed their satisfaction on the service of the social court. Thus, about 76 (50.7%) were dissatisfied. Whereas, about 74 (49.3 %), of the respondents satisfied with different degree of satisfaction. Therefore, when respondents dissatisfaction on woreda and social court was compared about 35 (23%) of rural and urban respondents dissatisfied on the woreda court service. Whereas, about 76 (50.7%) respondents of rural and urban areas had dissatisfied on the social court service. Hence, dissatisfaction level of respondents is high in social court service. When the respondents were also interviewed about the value that has been given by the society to the social court, most of the respondents responded very low.

In this table respondents asked the appropriateness of response of urban land administration to public complaints.

TABLE 10: THE TIMELINESS OF RESPONSES PROVIDED BY THE URBAN LAND ADMINISTRATION TO COMPLAINANTS

Tabia	Is a public complaint on land issue solved on the specified time frame?			
	never	sometimes	Always	Total
Edagahamus	21	23	8	52
Freweyni	5	25	4	34
Total	26	48	12	86

Source: Survey result, 2011

Edagahamus and Freweyni are the two urban areas of the woreda. Respondents from these tabias had asked about the timely response of land administration office to people identified problems. Thus, About 21 (40%) respondents from Edagahamus and 5 (15%) from Freweyni reported that public complaint on land issue never solved with in a given time frame. Whereas, about 23 (52%) respondents from Edagahamus and 25 (74%) from Freweyni also said that sometimes, public complaint on land issue solved with in a given time frame. According to the interview made with judges of social and woreda court most difficult land related conflicts has been border conflict, ownership/inheritance conflict, land redistribution and land rental conflict. Social court judges and land administrators from the rural tabias in focus group discussion also repeatedly pinpointed the above land related conflicts. Moreover, they also differentiate the most difficult land conflict and it was border conflict according to them. The second types of difficult conflict were ownership/inheritance conflict.

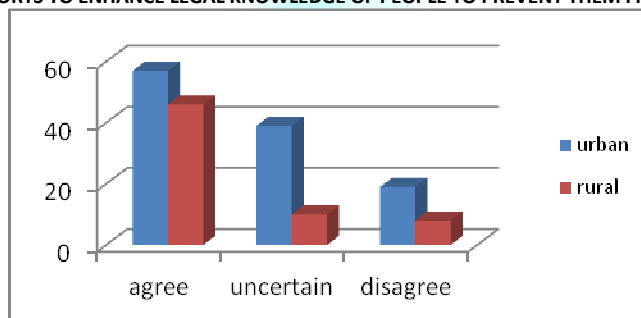
Moreover, respondents were also asked about responsiveness of the office to public problems. Hence, about 22 (25.6%) were positive and 33 (38.4%) were negative. On the other hand sample respondents also asked on timely distribution of land for investment. About 43 (50%) said sometimes on timely distribution of land for investment. About 34 (40%) also responded never.

ACCESSIBILITY OF THE SELECTED INSTITUTIONS INFORMATION TO COMMUNITY MEMBERS AND THE GENERAL PUBLIC

Accessibility in this paper refers to the communication between service users and providers, participation of people either in articulating problem or in decision making or both, free flow of information to the public and capacity of the selected offices in disseminating information to the public. More importantly, it emphasized service provider's receptiveness to public appeal, view, comments and recommendations by changing or introducing the best service delivering strategies.

Educating people to develop awareness on crimes and other illegal actions can help them not to commit a wrong action unintentionally.

FIGURE 1: EXTENT OF EFFORTS TO ENHANCE LEGAL KNOWLEDGE OF PEOPLE TO PREVENT THEM FROM COMMITTING A CRIME



Source: Survey result, 2011

About 57 (66%) of urban respondents agree on the education concerning crime and other wrong actions that was provided by the court. Around 46 (72%) of rural respondents also agree on education provided by the court. The remaining 19 (22%) of urban and about 8 (13%) of rural respondents, however replied disagree.

The opinion obtained through interview and focus group discussion also strongly supports the idea that was gained through questionnaire. Most participants of the study in an interview from different tabias agree that public legal education programs were given to them by the court not to commit a crime. This was one among the strong side of the woreda court from the point of view of the participants. But there were many respondents who reported uncertain and disagree on Public legal education programs as we observed from the figure 1 above.

According the Canadian International Development Agency (2008) report Public legal education programs exist in most of the countries studied. According the organization report in India specific bodies have been established to make the public and especially disadvantaged members of the public more aware of its rights and of the law generally through websites, the printed media, radio and television broadcast.

Training communities about land use, management and administration can minimize actual and potential conflicts. Because the training can empower the capacity and knowhow of farmers in using of their land and solving a conflicts raised by land. Respondents therefore asked whether they were get training or not, concerning land administration activities.

TABLE 12: TRAINING COMMUNITY (SUB-KEBELE) MEMBERS IN INFORMATION THAT SUPPORT LAND ADMINISTRATION ACTIVITIES

Your Woreda train community (sub-kebele) members in information that support land administration activities.						
Tabia	sex					
			Never	Sometimes	Always	Total
HadushHiwet	Sex of respondent	male	5	6	8	19
		female	4	12	0	16
	Total		9	18	8	35
Asmena	Sex of respondent	male	8	7	4	19
		female	3	6	1	10
	Total		11	13	5	29

Source: survey result, 2011

Around 9 (51%) of male and female respondents from Hadush hiwet reported never concerning training about rural land administration. And estimates of 11 (72%) male and female respondents from Asmena tabia also responded never. Relatively fair number of respondents from both tabias had reported sometimes concerning a train given to community (sub-kebele) members by the woreda in information that support land administration activities as it is shown in table 15 above.

ADR (2005) research finding similar to this research indicates, there is little current capacity in Ethiopia for the dissemination of information to the public about land rights and land administration generally since insufficient effort has been made to inform the public about land policy, regulations, and land administration systems already in place. Even if programs are needed that inform the public of the land administration proclamation and registration to the acceptance and ultimate success of the programs, few resources are currently being made available to undertake this public information campaign as the finding of the research indicates.

From public hearing service users can be get a little knowledge that helps them to know their rights and responsibilities. Hence, respondents were asked the information they have on it.

TABLE16: DO YOU KNOW THAT COURT ALLOWS PUBLIC HEARING?

Do You Know that Court Allows Public Hearing				
sex		yes	no	total
	Male	47	35	82
	Female	40	27	67
	Total	87	62	149

Source: survey result, 2011

About 83 (54.7%) responded **Yes** and about 67 (44.7%) responded **No** concerning the information they have whether court allows public hearing or not. From those who provide the yes answer about 48% participated sometimes in public hearing. When it computed it in terms of sex 47 (54%) males responded yes and 40 (46%) also said no. Around 35 (56%) female respondents also said yes and 27 (44%) said No. Those who provided No answer offer the main factors for not participating in public hearing: These were distance location of the court. They said that the location of the woreda court is far away from our residence area. Therefore we cannot capable enough to participate by crossing many kilometers. The other factor is, it mismatch's with their job.

EPSCAP, (2008) declares that Courts have become more accessible to the public through the provision of information to the public about the courts and how they function and their outline is becoming more client-friendly.

Sometimes since local people have low knowledge of law, those who have a power mislead them from using of their constitutional rights. Therefore, the table discusses about condition of appeal right in social court.

TABLE 13: SOCIAL COURT ALLOWS THE RIGHT OF APPEAL TO THE COMPETENT COURT AGAINST AN ORDER OR JUDGMENT MADE BY IT

		Social court allows the right of appeal to the competent court against an order or judgment made by it.			
		Never	Sometimes	Always	
Educational level	never enrolled in school	11	26	16	53
	1 up to 4	4	5	15	24
	5 up to 8	4	14	16	34
	9 up to 12	3	9	10	22
	diploma	3	0	2	5
	degree and above	2	9	1	12
Total		26	63	60	150

Source: survey result, 2011

Moreover, concerning the result of the study that evaluates an appeal right in social court, about 63 (42%) responded sometimes, around 60 (40%) reported always alternative and about 26 (17%) responded never. About 10 (18%), of the non-literate and 8 (13%) between an educational level of one up to four and five up to eight and 5 (30%) of diploma and degree agreed social courts do not allow the right of appeal.

According to focus group and interview participants a decision should be in a written form so as to be trustworthy. Because when one of the parties aggrieved by the very decision of the court they will instituted or frame an appeal to the other competent court who have a power to adjudicate the case. Whence, as per the information obtained from the focus group discussion of former judges of social courts and other key informants the tabia, appeal right were not known as the constitutional right of the citizens. And they lose a confidence to allow appeal right. Except interview respondents from Edagahamus and Freweyni tabia, the other tabia respondents were condemned the idea Social court allows the right of appeal to the competent court against an order or judgment made by it.

Accessibility of laws, regulations and policies is simply important for developing of an awareness or know how for the stakeholders.

TABLE 14: ACCESSIBILITY OF RULES AND REGULATIONS OF THE LAND ADMINISTRATION

Can you obtain easily the rules and regulations of the land administration?				Total
Sex of respondent		yes	No	
	male	15	23	38
	female	4	22	26
Total		19	45	64

Source: survey result, 2011

The respondents had been asked about the accessibility of rules and regulations of the land administration. The result of this study as shown in table 14 above indicates around 45(70.3%) were agreed that they were unable to obtain easily the rules and regulations of the land administration. About 19 (29.7%) agree on the accessibility of rules and regulations of the land administration to them.

The respondents were also asked about the awareness that they have in the land proclamation. Thus, about 50% had been said that they had been learned sometimes. Around 27 (40%) also said they had been never learned about it.

Developing an effective land administration system implies an informed public that not only knows their rights, but also understands the administrative structure to manage those rights (ARD, 2004). Therefore, the result shows that there was no adequate open discussion between the people and the concerned office for land administration.

Not only accessibility of rules and regulations but also accessibility of important information/decision about land administration is important for those who will be affected by that decision.

TABLE 15: ACCESSIBILITY OF INFORMATION/DECISION TO THE STAKE HOLDERS

Is information flow free or directly accessible to those who will be affected by such decisions or enforcement?					
		Never	Sometimes	Always	Total
Sex of respondent	male	13	15	10	38
	female	9	14	3	26
total		22	29	13	64

Source: survey result, 2011

Regarding the accessibility of important information on land administration about 13 (34%) male and 9 (35%) female rural area respondents replied never. That is, accessibility of information to them was never existed. While, around 10 (26%) male and 3 (12%) female also responded always.

FACTORS THAT DETERMINE TRANSPARENCY AND RESPONSIVENESS IN THE SELECTED PUBLIC INSTITUTIONS

In this paper the main factors that are presumed to affect transparency and responsiveness effectiveness are capacity, commitment, corruption and discrimination etc. Hence, the capacity of service providers of rural and urban tabias, extent of corruption and discrimination were evaluated by the service users.

Discriminating users based on religion, sex, economic status and others can cause for lack of transparency and responsiveness.

TABLE 16: DISCRIMINATION IN TABIA

Educational level	Discrimination in tabia administration			
	Never	Sometimes	Always	Total
Non literate	6	18	29	53
1 up to 4	1	7	16	24
5-up to 8	3	11	20	34
9 up to 12	1	10	11	22
Diploma	0	1	4	5
Degree and above	0	3	9	12
Total	11	50	89	150

Source: survey result, 2011

About 89 (34 %) of the respondents responded always in which leaders of their tabia conduct discrimination and about 50 (33.3%) sometimes. The result in terms of educational level had been also 29(38%) from the non-literate, 13 (23%) from educational level one up to eight, 5 (22%) from grade 9-12 and 2 (12%) from degree and above reported that discrimination never existed in tabia administration. Whereas around 16 (30%) from the non-literate section, 30 (53%) from grade1 up to 8 educational level, around 7 (32%) from grade nine up to 12, around 11 (68%) diploma and above had been also contended discrimination have been performed in “tabia” administration always.

Furthermore, around 43 (28.7%) of the respondents react that leaders of their “tabia” carried out corruption sometimes, estimates of 64 (42.6%) replied always. Even if most respondents agree that there is corruption in both woreda and tabia administration when they had been asked to compare the extent of corruption, 77 (51.3%) reported it is high in “tabia” and 60 (40%) also in woreda and 13 (8.7%) were with no response.

In addition to the above idea those who agreed the level of corruption in tabia administration is high, they justify their reason as follows.

- Lack of strong system of administration
- Tabia leaders lack knowledge, competence and skill - policies and strategies that flows from above are good but change can never exist in the absence of knowledgeable and skilled individuals.
- Since they are unpaid workers they can try to get some benefit through corruption.
- There is no strong controlling mechanism by the woreda leaders –Even if the kebele administrators are entrusted to Prepare detailed implementation programs for social and economic programs issued by higher-level authorities and Carry out plans and directives issued by the Wereda council and its executive committee but weak controlling mechanism from the woreda.
- Even tabia leaders themselves gave corruption to the woreda leaders. When the woreda leaders go to the tabias concerning of some issue very much selected food varieties like honey, butter and meat are prepared in one of the tabia administrators.

The respondents were also discriminating the main areas of corruption in tabia administration. These were:

- Social court and development agents
- Safety net and land administration(in allocation of social services)

Those who said corruption is high in woreda also brought their own justifications. Their main reasons were

- It consumes so many times to complete a single case. So this leads to unnecessary cost and wastage of time.
- Woreda leaders can commit a grand corruption - The scope of corruption varies from the other end of the continuum of “petty corruption” to “grand corruption”. The latter is systematic in nature, it is embedded in all institutions and processes dealing with governance (The North-South Local Government Co-operation Programme, / 2005-2007).
- A government also supports them. Because when a leader of a woreda distrusted of corruption and lose an acceptance from the people he/she can only change to the other woreda. But he/she cannot resign from his position.
- The main reason why tabia leaders are being corruptors is because of the high level of corruption in the woreda.
- Parochialism- They said tabias and towns have not been treated equally. Even the leaders have been favor to the area they had been grown up were the idea of the respondents of Edagahamus tabia.

The respondents were also discriminating the main areas of corruption in woreda administration. These were:

- Capacity building and police force
- Municipality and trade and industry
- Land and cement administration and distribution
- Urban development

A study conducted by Rashida, and Uzma, (2009) in Pakistan indicates that local governments are weak with little organizational and economic authority. Hence, the economic poverty, rising corruption and the manhandling of civil society multiplies Pakistan’s governance crisis.

Rules and regulations are formulated in line with the stakeholder’s interest and needs and to minimize ambiguities in administration.

TABLE 17: IS THE EXISTING RULES AND REGULATIONS OF THE URBAN LAND ADMINISTRATION MINIMIZES RENT SEEKING?

Is the existing rules and regulations of the urban land administration minimizes rent seeking?						
	strongly Agree	Agree	Uncertain	disagree	Strongly Disagree	Total
tabia						
Edagahamus	2	14	13	8	15	52
Frewayni	5	8	15	5	1	34
Total	7	22	28	13	16	86

Source: survey result, 2011

The sample the respondents were also asked to pinpoint the level of corruption and an estimate of 45(30%) respondents replied high.

Whereas, 51 (34%) also replied low. And 54 (36%) also responded uncertain. Discrimination based on wealth, race and position, absence of self-confidence, inappropriate punishment for corruptors was mostly raised by the interviewee. The interview finding of Canadian International Development Agency (2008) in Ethiopia to judges indicates that many had been offered bribes or heard of attempts, especially at the Woreda level and the bribes are rarely offered directly to a judge but through friends and relatives acting as go-betweens.

Around 28 (24%) of the total respondents responded uncertain on the contribution of existing rules and regulations of the urban land administration in minimizing rent seeking. About 29 (25%) also positively agree on contribution of existing rules and regulations in minimizing biases or discriminations, but around 28 (24%) refuted it. While around 16 (31%) Edagahamus respondents positively view on the effectiveness of the rules and regulations, the other 23 (44%) respondents from that tabia also disagreed on it.

Respondents of focus group discussion and interview agreed that in both rural and urban areas, land was the main cause of corruption. This was in line with the questioned respondents.

Respondents were also asked the extent of rent seekers in their town. About 41 (47.7%) respondents replied high on the extent of rent seekers in relation to land. But about 17 (19.8%) replied low. Hence most respondents agree on the high level of rent seekers on their town. Focus group discussions and key informants interviews also corroborate the above Survey findings.

The focus group and interview participants bitterly argued that the service that has been given by the land administration committee was not satisfactory. Because the committee lacks commitment and knowledge. They have problem of interpreting the land proclamation and land administration staffs had not been working cooperatively.

Moreover, they had said that rent seeking activities had been the main disease of the development of their town. Especially in the towns the major areas of corruption were in tax collection and land distribution. Land was exchanged and traded. More than ever a land around the town had the main source of income for the rent seekers. Moreover rent seekers take land legally and immediately sell it. And later they reclaim a land and get by different means were their argument.

A similar study in Ethiopia by Deininger (2010) indicates that given Ethiopia's severe land scarcity, it is possible to find out how far rent-seeking and 'land grabbing' by local elites may undermine the scope for drawing on elected local structures to clarify land tenure at large scale. Second, land policy in Ethiopia is far from ideal: institutional responsibilities are unclear and often overlap; there is a considerable threat of expropriation that is unlikely to be entirely eliminated by certification. According to FAO cited in Palmer (2007) Weak governance may promote inequality as the rich are able to benefit from the opportunities for self-enrichment while the poor may lose their rights to land and common property resources such as communal grazing areas and forests. The poor who cannot afford the formal legal services are doomed to rely on informal and extralegal arrangements, becoming effectively excluded from the protection and reach of the law.

TRANSPARENCY AND RESPONSIVENESS OF THE PUBLIC INSTITUTIONS TO THE LOCAL PEOPLE

Respondents had provided their perception pertaining transparency and responsiveness of the public institutions such as woreda court, social court and land administration. The major emphasis in this part is the appropriateness of court decisions to the local people, discussion between service users and service providers about service provision and delay of justice were mirrored via the respondents understanding.

TRANSPARENCY

Transparency allows people (including deprived) to gather information critical to reveal abuses and defend their interests; to take advantage of opportunity, access services, exercise their rights.

Decisions need evidence which is logical for all stake holders. Court decision should be on logical evidence to get trust from the users. Hence, respondents were providing their view in table 18 below.

TABLE 18: COURT DECISIONS ARE MADE BASED ON CONVINCING EVIDENCE

		Do you think court decisions are made based on convincing evidence?					Total
		Strongly Agree	Agree	Uncertain	Disagree	Strongly Disagree	
Sex	male	15	25	24	17	7	88
	female	6	21	20	13	2	62
Total		21	46	44	30	9	150

Source: survey result, 2011

An estimate of 67 (44.7%) respondents perceived that court decisions were made based on convincing evidence. But about 39 (26%) of the participants of the study also reported court decisions were not made based on convincing evidence. When this question was evaluated in terms of gender mainstream about 40 (45%) male respondents support that court decisions were made based on convincing evidence. But around 24 (27%) male respondents disagree on it. An estimate of 27 (43%) female respondents was also support to the 45% of male's idea. About 15 (24%) female respondents also support to estimates of 27% male respondents who disagree on the decision of the court on convincing evidence.

Discussion between service providers and users is important to bring solution or alternative for people identified problems and to suggest other problems that need the greatest attention from the service providers.

TABLE 19: DISCUSSION/CONFERENCE CONCERNING GOOD GOVERNANCE IN THE WOREDA

Tabia	Does your woreda administration carryout an open discussion with the people on the issue of good governance?				Total
	Never	sometimes	Always		
Urban	13	59	14		86
Rural	5	40	19		64
Total	18	99	33		150

Source: survey result, 2011

From the shown Table 19 above most respondents were having the similar opinion i.e. Sometimes the discussion/conference made for promoting of good governance in the woreda. An estimate of 59 (68%) respondents from urban had responded sometimes. Moreover, 40 (46%) from rural area said conferences concerning good governance in the woreda were held sometimes. The interview respondents also said that a discussion on good governance issue had been held one up to two times per year. But the major public problems that were discussed in the meeting were not solved. According the service providers idea there was an interesting discussion with the people in approving of semiannual and annual plan of their tabia, in selecting of patriots of development and in developing awareness on growth and transformation plan and business processing reengineering. Service users had not negated the service provider's idea. But the discussions were not in line with service user's expectations and crucial problems raised in the discussion were also handled for formality only.

Similar to this, the Survey results of MoFED (2009) declares that majority of respondents feel that it is important for citizens to be involved, but do not feel they have available opportunities. Furthermore, those that are active and engaged do so mostly through meetings and tend to have a more favorable and 'empowered' view of citizens' ability to effect change.

Focus group respondents also agree on the wide range prevalence of corruption, parochialism, discrimination and disagreement among the woreda cabinet themselves. The leaders are self-interested and they always run for corruption. The solution of the focus group participants were formulating a smart policy cannot be an end in itself and serves for a shot run only. The only thing is practicing it in the ground. For this to happen an intensive and extensive effort should make to dried out the rent seekers. Lines of Transparency and accountability should be also strong.

Furthermore, the result that was obtained from the unstructured questionnaire shows a direction in evaluating the condition of governance in the woreda. They had been elaborating their view regarding to any exemplary effort that was made by the woreda administration to enhance sound governance. Henceforth,

most of the respondents that is more than 69.5% responded negatively to the effort of the woreda for good governance. When they explain their view they said that:

- Weak interaction between people and leaders.
- Long distance between users and concerned public institutions - According to the participants of an interview view the rational principle of the government is delivering service in close proximity to users. That is way elementary schools, high schools and health center service were delivered to the society relatively with a small walking distance was repeatedly raised by the respondents. But what strongly disagree with the government was on the remoteness of their woreda administration. There were many respondents who viewed on behalf of others who have been very far away from the woreda administration. They said that any individual who had been an issue from Sewne, Geblen, and Messahul tabias can be complete his/her task at the expense of three days without taking in to consideration the administrative delay in the woreda institutions.
- Discrimination between rich and poor- whenever you want to get something, you have to commit an illegal action that is corruption. Therefore, the rich can afford to pay it not the poor. Therefore, justice is unable to reach at the door of the poor. Only the affluent or the well to do individuals have been getting their need by giving of corruption was their idea.
- Absence of checking and controlling mechanisms.
- Lack of speedy response- many youngsters had been form cooperatives to actively participate in alleviating of their poverty in particular and their country in general. But still they did not get the favorable environment to pursue their plan. According to the grouped youngsters view on the side of them everything had been completed to start. But the concerned woreda administrators were not encouraging us to practice it. These cooperatives had been getting training in the region pertaining of their project. But they viewed the encouragement that was made by the region was so satisfactory but it becomes a hopeless in the woreda and tabias. According to them the woreda and tabia wrongly interpreted to the instruction disseminated from above.
- Policy implementers do not understand what they are going to implement. Administrators and development agents have not been consonant among each other. The development agents have been served as messengers of the administrators without knowing the message of their task.

RESPONSIVENESS

This focuses on speediness of the court in making of investigation for appropriate decision.

TABLE 20: TRIAL PROCESS OF THE COURT IN TERMS OF TIME

tabia			How can you rate the trial process of the court in terms of time?					Total
			very long	long	moderate	short	very short	
urban	Sex	Male	6	13	22	6	3	50
		Female	1	3	17	5	8	36
	Total		7	18	39	11	11	86
rural	Sex	Male	3	6	15	1	13	38
		Female	2	4	15	3	2	26
	Total		5	10	30	4	15	64

Source: survey result, 2011

Relating to the trial process of the court about 19 (38%) male and 4 (11%) female replied the trial process of the court stays for a long period of time. Hence, the study result shows about 69 (46%) responded moderate, 28 (18.7%) long, 12 (8%) very long. In line to this question the sample respondents were asked the decisiveness of response when a request to appeal was requested. The result of this study also shows about 85 (56.7%) responded that the court give a decisive response when a request to appeal is raised. But 43 (28.7%) opposed it.

In table 21 below, there are criminal and civil cases which are recorded in the court. There are civil and criminal related cases starting from 1996-2002.

TABLE 21: CIVIL AND CRIMINAL CASES FROM 1996-2002 IN THE WOREDA COURT

year	Type of case	Pending cases	Newly opened files	Total	Dead cases	Pending cases
	Criminal case	445	1214	1659	1283	376
1996	Civil case	190	642	832	648	184
1997	Criminal case	376	1016	1392	1048	34
	Civil case	184	1248	1432	1267	347
1998	Criminal case	344	681	1025	839	198
	Civil case	347	2191	2538	2295	241
1999	Criminal cases	198	1254	1452	1383	67
	Civil cases	241	913	1154	1086	70
2000	Criminal case	67	668	735	707	28
	Civil case	70	1138	1208	1203	5
2001	Criminal case	28	993	1021	1008	8
	Civil case	5	1092	1097	479	14
2002	Criminal case	8	870	878	868	12
	Civil case	14	1702	1716	1809	23

Source: Taken from the woreda court documents

There were many pending cases as already stated in the table 21 above. This is due to administrative delay. The main reason for the administrative delay as far as the researcher explores from the suggestion box and interview of the participants of the study were due to shortage of human power, resources, and negligence of judges. supporting this the Canadian International Development Agency (2008) stated that the loss of many experienced judges, combined with the creation of new courts in all the regional self-governments, resulted in a severe shortage of judges.

In 1996 there were 560 cases from total of 1931 cases which were pending cases in that year and transferred to next year. Therefore speedy service delivery of the court accounts for about of 71% in 1996 Ethiopian year. When it compared with recent happenings i.e. 2002 E.C about 2594 criminal and civil cases were recorded and only 35 cases were pending and transferred to 2003 E.C. Therefore, prompt response reaches around 99%. This indicates that there is a radical change in speedy service delivery of the court when one goes from 1996 to 2003 E.C. But within a year there were many cases which were delayed for many months. Consequently it is impossible to boldly conclude that the court service delivery reaches 99%.

"Justice delayed is justice denied" is a good proverb that directly reflects responsiveness. Therefore, no one can feel comfort when decisions are not on the given time frame.

TABLE 22: DELAY OF JUSTICE AND DURATION OF DELAY IN SOCIAL COURT

		Duration of delay					
		Above two week	Above month	Above three month	Above six month	Above year	Others
Do you think there is a delay of justice in social court?	yes	20	17	28	31	17	10
	No	0	0	1	0	0	0
total		20	17	29	31	17	10

Source: survey result, 2011

Concerning delay of justice in social court around 123 (82%) respondents replied **yes** on the prevalence of delay of justice in social court.

When those who responded “yes” answer, rate the duration of delay, around 87 (58%) view above three months. Around 37 (24.6%) also rate from 2 up to 5 months.

Focus group participants also agreed that there is a delay of justice. They reported that a case can be delayed on average for about five months. Abera, (2002), findings concerning social courts informs that social court judges commit mistakes related to hearing evidence, delaying decisions beyond 45 days set forth in the proclamation to adjudicate a case, failure to give copies of decisions for the appellant, imposing sentence of imprisonment exceeding their jurisdiction and denying the rights to cross examine witnesses. He had been recognized the problems of the judges of the social court as:

- Lack of knowledge of substantive and procedural laws
- Lack of awareness of human rights, federal and regional constitution
- Lack of skill of conducting trial, writing decisions, and keeping proper records/files

Much like a machine might be expected to do, courts receive information, process it according to agreed and consistently applied rules and then announce the outcome (Barry, 2010). According to this author the first step in a typical court case is the formal filing of documents. The next step is that oral evidence and submissions are made during a court hearing. And finally a court is meant to produce a written judgment that publicly announces the outcome to the disputants. But is social courts judge in Tigray produce a written judgment that publicly announces the outcome to the disputants? Because article 9 sub alina (c) proclamation No.93/1997 of social court in Tigray declares “if possible social court judges can be able to read and write”. This article therefore allows judges of social court can be either literate or non-literate. According to Abera, (2002) also social court are grassroots organs operating both in urban and rural areas which run mostly by laypersons that have little or no knowledge about the law in general.

SUMMARY, CONCLUSION AND RECOMMENDATION

SUMMARY AND CONCLUSION

Respondents were asked to provide their understanding on the main challenges of governance in their woreda in general and on the selected public institutions such as woreda court, social court and land administration offices.

Hence, questions were forwarded to the respondents to determine citizens’ perception of the following issues:

- ❖ Their perception on responsiveness and transparency of the selected public institutions
- ❖ Their satisfaction on the service of these institutions
- ❖ Accessibility of information from these public institutions
- ❖ Responsiveness and transparency of the selected public institutions to the local people
- ❖ The daunting challenges that undermine transparency of these selected institutions

The respondents had brought their perception on the responsiveness and transparency of the processes, decisions, information flow, timeliness and actions and performances of the local court and land administration offices. As majority of the respondent’s point of view the legal court actions and decisions have been relatively open to the public and the rules and regulations of court are also relatively clear and precise as compared with social court and land administration office. In line with openness, providing solutions to the public complaints in a clear way is the most important. In urban areas of the study woreda, land allocation and distribution is not clear and transparent as findings of the study indicate. Furthermore, a communication concerning land allocation and distribution is rarely made. Urban land administration is the main ground of rent seeking activities and land has been sold like a commodity. Misuse of land by the local elites and Chiefs has been practiced. Rural land administration has been also share the problem what has been discussed in urban land administration and the problems are more pervasive in it. The decision of the office authorized for land administration lacks transparency. The office is incapable and incapacitated to disseminate information concerning effective land administration.

According to MoFED (2009) the perceived responsiveness to complaints was highly correlated with satisfaction levels. Service users had been in a relative sense satisfied on the handling and responding mechanisms of the public complaints by the service providers of the legal court even if they did disagree on the remaining offices. But what had been strongly condemned was the discrimination and corruption made by the court. Justice is on the side of the rich and the poor are very vulnerable to lack of justice. This is what makes common the three types of institutions. For instance in the local court it had ever seen a non-proportionate and inadequate decision to the stake holders. In these two types of courts and more pervasively in social court judges lack knowledge on criminal and civil laws and this lead to inappropriate decision. Consequently; Crime committed and the punishments for a crime are unbalanced. More to the point, discrimination and corruption had also compared in the two types of courts. Hence, the finding indicates that corruption is more frequent and difficult in social court because of Social court judges are not paid and consequently encouraged to conduct corruption. Moreover, lack of knowledge and confidence, low awareness of law and intervention beyond their jurisdiction and delay in taking of action has been the major problems in social court that causes corruption.

Abera, (2002), findings concerning social courts asserts that social court judges lacks knowledge of substantive and procedural laws, awareness of human rights, federal and regional constitution and skill of conducting trial, writing decisions, and keeping proper records/files.

The view of the respondents fairly positive on the timely service of and the response of the public problems and complaints in woreda court. After BPR service delivery of the court is moderately improved. Consequently, the service users had been moderately satisfied pertaining the service delivery of the legal court. Besides this the delay of service has been moderately good and a good progress has been seen in the court that can be served as a model to the other offices of the woreda. The data obtained from the office also relatively in line with the service users response. Whereas, a large section of respondents had pessimistic about the service of social court. Because their service is on and off. Their working day is two days per week.

Land management concerned office had been made little effort in solving of land caused conflicts and allocation of it equally to the society. The communication between the office and the stakeholders is low and as the result land caused conflict is frequent due to administrative problems. The residents lack knowledge of the land administration proclamation, and land policy. The administrators also lack the required knowledge of the proclamation, rules and regulations and other land policies. Hence, this leads the society to consume their valuable time for a minor case in the court. But that case can easily solve by land administrators, mediators and other more informed arbitrators if they are clear and more considerate about the land proclamations and policies.

According to ADR(2004) Regional and local level governments have not enough capacity to sufficiently execute land administration reform programs because these offices lacks capacity and the staffs have neither adequately trained staff for the programs being developed nor the resources (e.g., offices or equipment) to carry out these programs

A discussion pertaining good governance issue had been held in the tabias and woreda. But it was made sometimes and issues or complaints raised in the conference were left without effect and they had been handled for formality only. An important issue that needs a speedy response is not addressed from the part of the administrators. This can lead service users to give a lesser value for any woreda or tabia initiated discussion.

The main challenges of responsiveness and transparency have been capacity or competence, skill and knowledge, corruption, and discrimination. Respondents at the highest educational level had lack a confidence on the capacity, knowledge and skill of both the woreda and tabia leaders than the illiterate and those at the lower educational level.

Marito and Andrew (2008), in their study argued that many woredas lack skilled personnel since administrative and technical posts created to handle administrative responsibilities have not been fully filled or have been filled by untrained personnel with limited capacity. Similar to this, Zemelak(2009) asserted that the most difficult challenge for Ethiopian local government is capacity since the local government institutions of the country have acute shortage of qualified man power.

The other factors that impede good governance in the woreda that commonly shared among the selected institutions were:

- ▶ Lack of speedy response to the society articulated problems
- ▶ Leaders have political competence but not have administrative skill and knowledge.
- ▶ Weredas are not fully implementing policies directed from the regional government
- ▶ Absence of strong controlling mechanism to the actions and decisions of the tabia leaders.
- ▶ High level of corruption and discrimination. Particularly discrimination between rich and poor
- ▶ Weak interaction and relationship between people and leaders.
- ▶ Long distance between users and concerned public institutions and lack of strong system of administration

RECOMMENDATIONS

The selected public institutions (woreda court, social court and land administration office) have challenges that precludes from becoming transparent and responsive to their stake holders. Most of the challenges commonly shared by these institutions.

The researcher had provided possible solutions based on the findings of the study. Hence, each office has its own recommendation based on the challenges that it had been faced.

In spite of the fact that a fairly positive governance had been observed in the woreda court when it is compared with the other selected institutions the researcher suggested the following points by making a constant reference the participants view.

- ▶ Empowering the capacity of judges by giving of long and short term training that helps them for providing consistent, transparent and proportional decision. Moreover, lack of human power has been observed in the court. This was the main thing for the delay of justice in the woreda. Henceforth, adequate and outfitted human power should be assigned.
- ▶ The court should be equipped with necessary materials that can facilitate the speedy, convincing and open service delivery. For instance, computer, video camera, woreda net service.
- ▶ Empowering the knowhow of the people through public legal education. People should be informed about laws and any other important issues that lead to conflict. This should reduce the number of complains and crimes that taken to the court.

The respondents who were included in interview, questionnaire and focus group discussion do not have an opinion to give up the function of the social court. Because they differentiate the main advantages and disadvantages of the social court and they evaluated them. In terms of the importance they have reported that getting justice at nearby cannot be taken easy since it minimizes a cost. Especially for women's getting a service at their proximity had been highly supported.

Whence, the researcher had been emphasized on the pressing problems of the social court and suggesting possible solutions .The possible solutions were:

- **Recruiting judge of social court:** The clients and especially those who nominate a judge should be informed to carefully suggest an informed and morality bounded judge. They must compare with the past experience and contribution of the nominated individuals for a judge. Moreover, the judges of social court should be able to read and write.
- **Organization:** social courts judges should be given task equipment's that facilitate their task. Moreover, they should be given continuous and consistent training to develop a full awareness about law or their concerned task. Besides, there should exist a clear cut mechanism in which social court judges must get a reward for their service.
- **Chain of accountability and transparency:** There should be exist a mechanism that shows to whom judges of social court are accountable for their decisions and actions. Moreover, presence of evaluation methods directly or indirectly by the public should be vital to know the conduct of the judges. The researcher also recommends that the accountability of the social courts should be to the woreda court. Because, social court judges are not functioning cases that are not known in a legal court. In rational thinking the duties of social court judges are the duties of legal courts.

According the opinion of the respondent's difficulties had been also observed in rural and urban land administration. The top cases that were recorded in the court had land related conflicts. Hence, the researcher recommended feasible solutions that can minimize the daunting challenges that have been going on in land administration in the study woreda. These are:

- ▶ Maintaining skilled and knowledgeable staff through leadership, training, development and commitment to continuous improvement in the delivery of services. That is, empowering the capacity of the land administration staffs by providing short and long term trainings. Moreover the land administrators should be able to read and write. That means, the members who are appointed to become part of the land tribunal must have relatively adequate qualifications and receive special training as required. The procedures and decisions of the land tribunal have to be transparent, and every staff member should bound to a strict code of conduct. The procedures and decisions of the land tribunal need to be monitored, evaluated and made accessible to the public.
- ▶ Land administration must be give emphasis on the allocation of the land to the right person and checking whether the land is employed according the first assumption of the person or not. That is establishment of local control mechanisms and the introduction of sanctions for rent seekers misusing their authority by irregularly allocating land for their own profit
- ▶ Moreover, ownership right or land certification should be made transparent to the land owners and it should be supported by map.
- ▶ Decision-making over access to and use of land as well as its enforcement and the reconciliation of conflicting interests is done in a fair and transparent way, allowing everyone to equitably participate and to receive an adequate share. Because good land governance requires the honest, participatory and serious application of certain principles to land policy, land related legislation, land administration, land management, land reforms, land conflict resolution etc.
- ▶ Active involvement of citizens in land use planning –especially at village level can reduce land use conflicts, as the land use plan can then be adapted to the needs of the local population who will feel more bound to it as a consequence. And land use and building standards have to be realistic and adapted to local conditions, as otherwise they will be widely violated and result in unnecessary conflicts.

Finally, the researcher has provided a general recommendation. That is:

- Limited research had been done on the area of good governance at the national level more specifically on the dimensions of good governance such as transparency and responsiveness. The researcher had made a little progress in assessing of local governance challenges in selected offices such as woreda court, social court and land administration. The researcher therefore, advices for other researchers who have an interest to conduct their research in lower level administration to give an attention on social court and land administration offices. Because in these offices a great number of service users had observed and at the same time major challenges for service provision had comparatively explored by the researcher. But it needs a further investigation to clearly identify and minimize the challenges of these offices. Hence, this paper can be used for other researchers as a spring board to conduct a further research on a similar field of study.

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