DECENTRALISATION AND GOVERNANCE IN LAND ADMINISTRATION SYSTEMS

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ABSTRACT

Land administration is a complex process and it is often associated with decentralisation. In recent years, there has been increasing interest in the importance of decentralisation governance in land administration systems. At present, there are no standardized frameworks available to assess and compare the consequence of the systems put in place. This is an extremely important area and considered necessary to determine the relative effectiveness of decentralised land administration systems and associated governance arrangements that might affect the performance of the delivery of services. Therefore, the purpose of this study is to develop a framework to carry out such an assessment of performance, which is important to prove the impact of decentralisation on governance. This will allow strategic assessment framework to be formulated to help ensure more appropriate decentralisation governance in land administration system throughout developing countries in the future. This study is probably the first to systematically determine the principles and variables for decentralised land administration governance assessment. The conceptual framework was developed first, and then an empirical analysis by using mixed method approach was conducted. Data to undertake this study was obtained from survey with land administration experts (quantitative phase) and follow by interview of decentralised land administration stakeholders (qualitative phase) in the case studies. In the first phase, the perceptions of land administration experts were evaluated, which highlights the key principles and variables for assessing decentralised land administration governance. The results suggest that the principles can be grouped as relating to transparency, efficiency and effectiveness; sustainability; responsiveness; clarity and simplicity; security and stability; and consistency and impartiality. The six factors demonstrated strong validity and reliability. Then, the developed assessment framework was tested at the second phase with two case studies in the states of Johor and Sarawak in Malaysia in order to assess their respective decentralised land administration governance practices. The results from interviews confirmed the applicability of the principles enabled testing of the assessment framework in the context of specific case studies. Finally, the analysis then identified potential lesson drawing from the case studies to provide strategic framework for assessing decentralised land administration systems. The

results of this study would help to better understand the benefits of decentralised system for governance, to facilitate its implementation and to prioritise its practices. It offers a beneficial source of information to land administration fields, particularly in developing countries, which are still lagging far behind when it comes to successful decentralisation practices. The thesis concludes with a discussion of the results and sets out recommendations. Hence, further research is suggested in order to refine the framework, particularly in setting measurable variables and testing across further case studies.

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ABBREVIATIONS

FIG	-	International Federation of Surveyors
FAO	-	Food and Agriculture Organization of the United Nations
CASLE	-	Commonwealth Association of Surveying and Land Economy
DLAGAF	-	Decentralised Land Administration Governance Assessment Framework
MDGs	-	Millennium Development Goals

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CHAPTER 1

Introduction and Research Background

1.1 Introduction

Land is an important social and economic resource for human life, if not its most valuable asset. Higher demand for land, and its limited supply and misuse in several places means that the sustainable management of land is at the forefront of critical challenges (Oladapo and Olotuah, 2007). Land resources require proper management to ensure that they function in the correct manner for each person in the world and to ensure that they function in line with the requirements of sustainable development, which demands the proper management of the environmental, economic and social interests of limited resources (Kalantari *et al.*, 2008). Williamson *et al.* (2010) advocate a new role for land administration in supporting these agreements. Sustainable development is not achievable without sound land administration (Enemark, 2001) or an appropriate infrastructure for facilitating land management activities when implementing land policy (Molen, 2002). For these reasons, land policy, land management activities, and technology reform must be aimed effectively towards integrating sustainable principles (Ho, 2006).

Cagdas and Stubkjaer (2009) identify two broad groups of thinking with appear to land: information science, and social and behavioural science. Both groups are interconnected and should not be seen as working under different circumstances to develop and enhance land administration systems. Land administration refers to the area of study between people and land, which includes the development of land institutions and their practical activities (Williamson *et al*., 2010). In other words, the study of land administration incorporates several related disciplines, including: human behaviour, social economic development, and environmental protection

instead of technological development. Land institutions emerge as significant components in land administration systems and they play an important role in developing the best practices for sustainable development. Recent developments in land administration studies have heightened the need for appropriate land institutions, and arrangements are often influenced by the nature of the country (Dale and McLaughlin, 1999) and the system involved (Williamson, 2001a). For this reason, it is difficult to ignore the importance of land institutions, which are responsible for the rights, value, uses, and development of land to ensure sustainability. Consequently, land administration demands appropriate institutional arrangements locally and globally in order to resolve critical issues in any society. This is true both for successful land administration (Molen, 2002) and the achievement of sustainable objectives (Masum, 2011). In this regard decentralisation may be seen as a significant key for achieving the best practices of land administration (Enemark and Sevatdal, 1999).

Given the above points, clearly successful land administration institution for good governance advocates appropriate land management to enable sustainable development. Therefore, this study will begin by looking at setup of land institutions and their performance in land administration perspectives. This study has been divided into four main parts: an overview of the research (Chapter 1); theoretical analysis (Chapters 2 and 3); research methodology and empirical analysis (Chapters 4, 5, 6 and 7); and discussion (Chapter 8). Overall, the comprehensive analysis of a land administration institutional framework requires multiple objectives in order to understand governance pressures and reforms in land institutions. Within the limitations of the study area, the main purpose of this research is to determine and develop a strategic framework to assess the performance of land administration institutions in a decentralised system. The results of the study will explain the impact of decentralisation on the performance of good governance and offer a significant model for other countries within the same system.

This chapter provides an overview of the study and the motivations for the research. To clarify the problem that this study intends to solve, this chapter commences by introducing and explaining the rationale and background for the study (Section 1.2)

and justifying the research area (Section 1.3). Accordingly, Section 1.4 states the aim, objectives and scope of the research and Section 1.5 explains the research questions which inform the main objective. An overview of the research approach, or research methodology, is given in Section 1.6, although this will be discussed and clarified fully in Chapter 5. Finally, Section 1.7 outlines the thesis structure and the final documentation.

1.2 The rationale and background of this study

Land activities essential to meet human needs to ensure proper social, economic and ecological functions. Equally, as a crucial economic and social resource (Bandeira *et al.*, 2010) with limited supply (Nzioki *et al*., 2009), land requires the best management practices (Williamson *et al.*, 2010). In order to achieve sustainable land use, stakeholders should seek to integrate their management of property and land resources with the components of land policy, land information infrastructure, and land administration system (Enemark *et al.*, 2005). In developing countries, the improvement of land administration systems is appropriate as a main component of land policy (Williamson, 2001a). In other words, land administration would provide a proper implementation of land policy with effective land information infrastructure (Williamson *et al.*, 2010). Land administration systems contribute to managing land rights and facilitating the property market (Barnes, 2003), primarily through land registration, land mapping, property valuation, and land development subsystems (Kalantari *et al.*, 2008). In particular, if the system functions well in comprehensive and sustainable ways, then land administration promises social security (Rajabifard *et al.*, 2007; Ding, 2008), a productive property market, effective land use (Enemark *et al.*, 2005), growth equity, and good governance (Ding, 2008). Acknowledging these effects, stakeholders should consider the possible approach on land administration, and adapt best practices towards achieving desired outcomes.

Recognising all the above consequences, many studies (such as Auzins, 2004; Dale and McLaughlin, 1988; Enemark, 2001; Williamson, 2001a) bring up questions

about the key challenges of land administration systems all over the world to enabling sustainable development. Indeed, recent concerns about the imperative role of land administration in sustainable development have generated a considerable body of research. To understand the relationship effectively, land administration has been tackled from wide variety of theoretical, methodological, and empirical angles. For example, there has been considerable theoretical debate concerning the relative connection between land administration functions and sustainability (Dale, 1997; Williamson, 2001a; Williamson, 2001b; Williamson and Ting, 2001; Enemark, 2001; Torhonen, 2004; Bennett *et al.*, 2008; Enemark, 2008). Other theoretical studies have explored the importance of land administration functions to broader sustainable land management agendas; for instance, security and risk management (Palmer, 1998; Kombe and Kreibich, 2000; Payne, 2001), land market (Wallace and Williamson, 2006; Kalantari *et al.*, 2008), and technology development (Bennett *et al.*, 2012; Enemark *et al.*, 2005; Olowu, 2003; Robertson, 2002). Empirical studies have examined the effects and performance of land administration (Olima and Obala, 1999; Bogaerts *et al.*, 2002; Nzioki *et al.*, 2009; Jones 2010). Finally, Silva and Stubkjaer (2002) have pinpointed two methods used to study land administration, which are the frequent use of case studies and the borrowing of theory from the social sciences. The case study method is the most frequently used and can be combined with documentary research, questionnaires, interviews, comparative analyses, and participant observation (Silva and Stubkjaer 2002). Alternatively, some studies have combined multiple methods in large scale efforts to better understand land administration contexts, such as Olima and Obala (1999), Torhonen (2004), and Chimhamhiwa (2010).

Due to increase the debate on the successful land administration as one of the elements behind sustainable development, there have been marked on several grounded issues that requires for reengineering of the current systems. Currently, institutional arrangements and legislative framework are the main problem for government and land users (Bennett *et al.*, 2008). Particularly in the developing countries, much of the work found that there are facing problems in concentrating on global pressures, which includes sustainable development. Williamson and Ting (2001) have drawn attention to the fact that most developing countries are failure to

link between technology development and sustainability prerequisite in the system. Moreover, Williamson (2001b) reports that stakeholders are reluctant to maximise the functions related to policy and programme development and Molen (2002) highlights the systems currently fail to support society at an appropriate level. Ineffective land administration occurs for two main reasons: institutional conditions leave much to be desired and the organisation systems are often lacking (Molen, 2002). There are facing problems of unclear division of responsibilities between government organisations (Molen, 2002), limited collaborations (Olowu, 2003), more centralised (Barnes, 2003; Firman, 2004) and poorly coordinated land management institutions (Auzins, 2004; Firman, 2004), and imbalances between national policy making and local decision making (Enemark, 2004). Indeed, Barnes (2003) discovered that the infrastructure was not working properly because the systems were not transparent, overly bureaucratic, expensive, inaccessible and involve corruption. Some are poorly designed and administered, and do not exist where they ought to (Bennett *et al.*, 2008). In consequence, it led to poor land management, land abuse, and a lack of legal frameworks to utilise the land resources (Nzioki *et al.*, 2009).

Indeed, many studies highlight the fragmented organizational structure is one of the key issues in the land administration systems. In most countries, land management organisations work independently to manage their own activities, although the three key elements in land administration (i.e. tenure, value, and use of land) are interconnected (Dale, 1997). In fact, most land administration functions have fallen typically to different organisations (Dale and McLaughlin, 1999), which suffer from the problems of poor coordination, among others (Firman, 2004). Land administration systems have been controlled by different policies and tools, and those governed by various organisations with limited collaboration (Bangsal and Lebrilla, 2008) became problematic even though they were supported by innovative technology (Williamson *et al.*, 2010a). For instance, problems in land acquisition are mainly due to unclear objectives and policies, and management practices that do not comply with good governance principles (Pienaar, 2009). Many of the difficulties in titling have been aggravated by bureaucratic obstacles, corruption, and capacity limitations in the agencies responsible for land administration (Jones, 2010). Above

all, it is noticeable that specific reform strategies are essential in land administration to handling the issues as well as improving the overall quality for benefits of society. In designing a strategy it is important to recognise what factors that might affect the performance of the system including historical background, social, and economy as well as governance arrangements.

In the last few years, there has been a growing interest in debating governance in land administration. What is more, the major concern of the issues as addressed above relates very much to inappropriate structures of governance in the system. Yet, institutional arrangements have become a substantial obstacle; therefore, some authors (Enemark, 2001; Williamson, 2001a; Barnes, 2003; Steudler, 2004 and Burns *et al.*,2006) highlight the role of decentralisation as a panacea for the ills of poor land administration governance and the failure of the centralised system. The concepts of centralisation and decentralisation have been hot issues among scholars and practitioners in public management about the mismatch between theoretical view and reality contexts. Many raise the advantages, criticisms and limitations of both centralised and decentralised approaches. Principally, centralisation refers to concentration of power at the top level while decentralisation means the extent of decisions being taken at the lower level of society (Shah, 2010). Under centralisation, authority over service delivery is delegated to bureaucrats appointed by the central government (Bardhan and Mookherjee, 2006). To tackle and eliminate the problems and the failure of centralisation, many consider decentralisation as another option for improvement of the services at the local level.

The concept of decentralisation refers to the restructuring of authority so that there is a system of co-responsibility between institutions of governance at the central, regional and local level (Work, 2002). A decentralised governance structure reduces the need for co-ordination as the centralised structure transfers to lower levels of government those functions which it cannot manage effectively (Roy and Tisdell, 1998). The concept has the potential to foster responsiveness and accountability, political participation, education, leadership development, political equality, and more responsive and more flexible decision making (Pius Kulipossa, 2004). On the whole, there are many advantages and disadvantages of both concepts and the

differences impact not only on organizational structure but also on decision making power as well as governance performance.

In discussing centralisation versus decentralisation, Pirnejad *et al*. (2007) summarized the differences between the two concepts: each category has different characteristics in term of involvement, strategy, governance, implementation, management and timing (Table 1.1). By centralised system, the power is localised in a central agency by top down approach but in a decentralised system the power is shared amongst parties at the local level through a bottom up approach. In this specific instance, referring to Pius Kulipossa (2004), more centralisation may mean less power sharing while more decentralisation may mean overloading local institutions. However, according to Brady, (2002), when thinking about the functions within government either centralisation or decentralisation, it can be seen that this is a complex and involved multidimensional issue. Each has different approaches, policy implications and condition for success. Like decentralisation itself, the specific form takes varies considerably across countries with different characteristics (Pius Kulipossa, 2004). Indeed, Shah (2010) highlights that the concepts are not paradoxical entities and can be best explained as opposite point on a single continuum, where the advantages of one tend to be advantages of the other. The best solution has to be sought in a combination of the centralised and the decentralised approaches (Pirnejad *et al*., 2007). Likewise, the success of the concepts depends on the strategy, on the institutional arrangements, and as well as on the understanding of stakeholders about the reasons for the reform since good governance is one of the objectives that all countries hope to achieve.

Table 1.1: Summary of differences between the centralised and decentralised approaches

	Centralised approach	Decentralised approach
Consisted of	One large project	Small scattered projects
Involvement of parties	By central assignment	By negotiation
Start	From a macro level	From a micro level
Strategy	One comprehensive solution for all problems of the end-users	Pragmatic approach to solve immediate needs of the end-users
Governing	Power is localised in a central party	Power-sharing amongst parties through negotiation
Implementation	Top-down	Bottom-up
Change management	Macro level > Micro level	Micro level > Macro level
Timing	Big bang	Small incremental advances supplied

Source: Pirnejad *et al*. (2007)

As discussed above, in line with global pressures, land administration principles should be concerned with the government structures including decentralisation approaches (Williamson, 2001a). Many of the land administration systems in the developing country, certainly the case in Asia, operate as decentralised systems to facilitate public to land administration services and to support the information needs of local authorities (Lunnay, 2005). A decentralised system of land administration is perceived as a necessary strategy in order to avoid informal land development, increase tax collection, and mobilise resources for local infrastructure (Kombe and Kreibich, 2000). It requires the transfer of the operational functions of land administration (Barnes, 2003) as well as decision making power at local level (Enemark *et al*., 2005). It is about the challenge of reorganising the state and only involves governmental players at the local level (Ouedraogo, 2003). However, decentralisation in land administration systems continues to invite controversy and debate. In fact, decentralization is a broad concept which requires a more specific definition and each category of decentralization has different features, policy implications and conditions for success (Im, 2010). The powers and functions transferred to local institutions vary considerably across countries (Cotula *et al.*, 2004). Decentralization is best understood with reference to the specific contexts in which it is applied (Rees and Hossain, 2010). Ultimately, understanding the

conditions required for successful decentralisation is what will promote appropriate governance structure is necessary to all the key players.

Land administration is often associated with decentralization because of decisions on land very much affect local people, and therefore it is workable to allocate these responsible at the local level (Molen and Enemark, 2008). An increasing number of countries are decentralising the functions of the central government to lower level of government, Enemark (2001) highlights the issue as significant key to enabling sustainability. In the context institutional framework, Enemark, (2001) raises the question of suitable local institutions responsibility in support of sustainable development. It relates very much on local participation in the outcome of the decision making process (Enemark, 2001) as well as the delegation power made between governmental levels (Enemark, 2004). Under a decentralisation model all land records are usually kept at the local land office level including cadastral maps, land registration documentation and land tax records (Lunnay, 2005). There are many advantages to decentralised land administration, including its low cost proximity to participants (Fitzpatrick, 2008). It is a concept which appears deceptively simple, however, on closer examination, discourses around decentralisation are complex (Satge *et al.*, 2011). The process of designing and implementing decentralisation is complicated, lengthy and difficult (Ouedraogo, 2003). Therefore, in discussing about this concept and impact of successful local institution, many factors should be consider because of it was understood and applied in varies ways and disciplines.

A powerful link between appropriate land administration and sustainable development needs adequately to address the issue of design of an efficient institutional framework for appropriate structure of governance (Enemark, 2001). According to Torhonen (2004), there are five factors influence successful land administration, which are: good governance; appropriate resources; adequate equity; cultural sensitivity; and quality and commitment. The focus on land administration institutional arrangements and thus good governance as a government performance standard changed land administration as a discipline (Wallace, 2009) by demanding governance interventions (Williamson *et al.*, 2010). Like decentralisation,

governance is a broad concept, more difficult to define it exactly and to describe its characteristics (Mansberger *et al.*, 2012). Many studies even leave the concept undefined, assuming its meaning to be common knowledge (Dubois and Fattore, 2009). Today, the term "governance" is applied to different levels of generality as well as theoretical contexts (Bevir, 2009). In land administration, Burns and Dalrymple (2008) describe as how governance involves political, organisational, and regulatory processes, requiring community voice and participation, sustainable decisions, and land management. Mansberger *et al.* (2012) define governance in land administration as the bundle of decision making process and implementations of decisions regarding land. In this view, it covers a very wide spectrum including land tenure, land use, land taxation, land market and land development. It is linking the elements of land policy, land laws, and land institutions (Mansberger *et al.*, 2012).

Yet, within the real contexts of land administration, does a decentralised system lead to more efficient governance and better land delivery services? To discuss the necessity of decentralisation on governance performance means that we are questioning an inadequately successful past. Whatever the answer, it is clear that the concept has been established in many developing countries. Work (2002) estimated that almost 80% of developing countries are experimenting with some form of decentralising process. The impact of decentralisation on appropriate governance is mixed. In recent years, economists and political scientists have often made the case that decentralised political institutions are more efficient, lean and effective (Brennan and Buchanan, 1980). However, there is no consistency from previous research regarding decentralization and good governance in land administration systems. In particular, the relationship between decentralised land administration and good governance is not universally accepted and, many would say, is unproven. The positive impact of decentralisation usually depends on the individual case and one has to look at the range of factors that affect the behaviour of people who are involved in public policy making and service provision (Sharma, 2006). Decentralisation offers an opportunity to promote participation and encourage sustainability; however, certain circumstances must be satisfied to make it successful and it must be a continual process (Ouedraogo, 2005). Accordingly, decentralised land administration systems will only be successful if there are sufficient resources (human, technical, and financial) to manage functions at the local level (Barnes,

2003). It can then lead to greater responsiveness and democratic participation (Bevir, 2009) for successful governance.

Decentralisation and governance are able to contribute many potential benefits to land reform because both concepts are focused towards balancing people's needs with national policy. Although in public administration, by contrast, many studies deny that a decentralised system could deliver effective services and enhance good governance performance (Bevir, 2009; Blume and Voigt, 2011; Cohen and Peterson, 1996; Fisman and Gatti, 2002), Fisman and Gatti (2002) conclude that the evidence that decentralisation could reduce corruption is still unclear, and it may even serve to weaken accountability. Many developing countries are constrained by the resources available to them (Barnes, 2003). In fact, most studies in developing countries have shown that decentralisation does not guarantee full improvement in economic and social development (Olowu, 2003). Bevir (2009) reports that decentralisation often creates inefficient bureaucracies, and lacks the human and financial capacity to adequately implement policies. Lack of local capacity resources, conflicts between local and national interests, corruption, exclusion, and institutional disorder are recognised as constraints and risks of decentralisation in regard to land rights (Ouedraogo, 2005). Blume and Voigt (2011) conclude that government effectiveness is negatively correlated to decentralisation but virtually uncorrelated to federalism. However, Pius Kulipossa (2004) argues whether these disadvantages are inherent flaws of decentralisation or might be other factors are involved. To the extent that we can draw a conclusion from the literature, therefore, it is that decentralisation holds out the promise improved governance, but that its specific structure must be tailored to individual national circumstances. This can be seen that there is no single model for optimum decentralisation since there are many factors including historical and country background operating against a single model.

As a result of the huge growth of research in the area of land administration, attention has been paid to theoretical and conceptual studies of governance and decentralisation. In contrast, there has been little empirical study to confirm a significant relationship between the two. The relationship between decentralisation and the quality of governance in land administration, however, is typically assumed

and not as frequently tested in the real context. For example, many researchers, such as Williamson (2001a), Barnes (2003), Steudler (2004), and Burns *et al.* (2006), have suggested that decentralisation arrangements are a possible solution to land administration issues, although they still lack a framework for achieving good governance. Furthermore, numerous efforts have been made to examine the significance of good governance in land administration and to develop suitable principles and indicators, such as those by Zakout *et al.* (2006), Grover *et al.* (2007), Bell (2007), Arko-Adjei *et al.* (2009), and Sewornu (2010). Yet, this has resulted in limited discussion of the consequences of institutional arrangements. In addition, little systematic empirical case study work has been done to determine whether decentralised systems actually improve the quality of governance. A couple of previous studies examine related issues, but we believe in a somewhat partial manner. The only previous that, to our knowledge, looks directly at the issue of potentiality of decentralisation as approach to achieve good governance is by Roy and Tisdell (1998), who note a there is no universal governance structure which is applicable to all situations. The study has shown that in some cases, good governance can be achieved by decentralised and participatory approaches but in other cases by centralised governance structure. In most countries, even where land responsibilities are vested with local bodies, the central government retains considerable control. This control is exercised through a variety of tools (Cotula *et al.*, 2004). However, Lunnay (2005) points out that, in certain circumstances, despite implementing a decentralised system, land administration still needs central intervention to establish policies, to ensure quality of services, to coordinate training and implement personnel policies.

A second related paper, by Snr *et al*., (2000), has analyses the concept and impact in practical ways. In this work, the study found that many of the efforts at decentralisation have yielded the desired results in the case study area in Bostawa. It has promoted representative local democracy in a much more far reaching way than in any other African country. The success of that process can be enhanced further by the implementation of complementary empowerment programmes to promote more informed participation. However, this study does not adapt any standard assessment method in assessing the impact of the systems on delivery system. Another paper that

concerns about practical implication of decentralising land administration system is by Enemark (2001). The study strengthens that competencies should rest with the lowest possible level of jurisdiction so as to combine responsibility for decision making with accountability for financial and environmental consequences. Local institutions and organisations must be able to handle conflict in a very concrete and direct sense. According to him, decentralisation may be seen as a significant to apply sustainable principle at all governmental levels in its broadest sense including economic, social and environmental aspects. Although the study has limited discussion on the necessary of decentralisation process but do not discuss on the impact of the system in the case study, in particular on good governance principles performance.

Although the large body of literature has addressed the issue of decentralisation and public sector development, the effects of decentralisation on land administration and service delivery have been poorly assessed. In sum, there is still no strategic framework to assess the relationship between decentralisation and good governance within institutional land administration arrangements. For decentralisation to realise its potential for improving governance, it would be therefore be useful to assess the empirical link between decentralisation and governance performance in land administration systems, an exercise that has yet not undertaken in systematic way. Attention has rarely focused on approaches and instruments for assessing the quality of decentralised land administration systems, and the association between good governance and sustainable principles. For example, according to Gyapong (2009), in customary land, systems based on governance have not been discussed. The current theoretical, conceptual, and empirical discussions of governance in land administration focus on developing and enhancing the principles and indicators see Grover *et al.* (2007), Zakout *et al.* (2006), Bell (2007), Buchanan (2008) and Arko-Adjei *et al.* (2009); however, they have forgotten about other institutional arrangements that might affect the performance of good governance. In this regard, according to Wallace (2009), Land Equity International has constructed a conceptual framework to show the correlation between governance and land administration development. This framework shows the link between land administration capacity and potential indicators through governance performance measurement; good, basic

or weak. However, the framework did not comment on the way that the system has been implemented, ignoring factors such as centralisation or decentralisation, and single or multi organisations.

Clearly, from the existing study, there is little consensus as to the general impact of decentralisation on governance in land administration systems, and in this context, standard approach seems to be essential for drawing lessons from the experiences underway. To date, there is no standard framework to assess the promises of good governance by implementing a decentralised system, particularly in land administration. Many previous studies have highlighted the potential for successful governance when implementing a decentralised system. Most discussions of the benefits of a decentralised land administration system have featured good governance principles, such as public participation, transparency, and accountability. If decentralisation is justified, then the performance of land administration systems needs to be assessed and benchmarked in terms of the promises made by good governance principles. This research aims to shed light on the poorly examined subject above, in order to clarify the statement that decentralised land administration system promises appropriate governance. This research aims to overcome the lack of an accepted tool to measure the relationship between decentralisation and governance performance in land administration. Therefore, it considers the governance challenges involved in implementing a decentralised land administration system. In particular, this research is interested in answering how institutional arrangements by decentralised system might affect the performance of governance in land administration. The purpose of this paper is to assess the effect of decentralisation on good governance, and to draw general lessons which might help to develop appropriate strategies to improve land administration services in developing countries. To do this, this study intends to overcome with a strategic framework to assess the performance of the system in terms of good governance principles and further tested suitability of the framework to analyse the consequence of decentralisation on governance.

1.3 Aim, research objectives and scope of study

The aim of this research is to carry out an in-depth investigation of governance performance and decentralised land administration systems, with particular attention to developing countries, and design and develop a strategic framework for assessing governance performance that is suitable for decentralised systems. To achieve the aim of the study, the following objectives have been set:

i) To theoretically appraise the concepts underpinning land administration, decentralisation, and good governance for enabling sustainable development;

ii) To conceptualise a framework for the assessment of decentralised land administration governance;

iii) To empirically analyse the appropriate principles and variables for a framework to assess decentralised land administration governance;

iv) To evaluate the governance performance of decentralised land administration in Malaysia; and,

v) To refine a strategic framework for the performance assessment of decentralised land administration governance.

This research provides a more systematic assessment framework for decentralised land administration systems by using good governance principles as potential guidance. The scope of the thesis will cover the main components of a land administration system: land registration, cadastral surveying and mapping, land valuation, and land use planning. It will concentrate on the information capabilities that the system has to produce, and focus on institutional arrangements through discussion of good governance and decentralisation intervention. Despite of different issues and challenges between developed and developing countries due to decentralised governance, this study only focus on developing countries in collecting, analysing and presenting the result. Therefore, this study specifies its research questions as follows:

i) What is land administration? How appropriate are the concepts of decentralisation and good governance for land administration? Is there a relationship between a decentralised system, good governance, and sustainable development in land administration?

ii) Does the current study provide a basis for the assessment of decentralisation and good governance in land administration? Is there a suitable framework to assess the performance of decentralised land administration governance?

iii) In regards to the developing countries, what are the most appropriate principles and indicators to measure the performance of decentralised land administration governance? Are the current good governance principles and variables suitable for the assessment of decentralised land administration governance in many developing countries?

iv) To what extent has decentralisation in land administration been implemented in Malaysia? Are there any differences between governance practices and performance when implemented as part of a decentralised system? Is the system actually successful in achieving good governance in land administration?

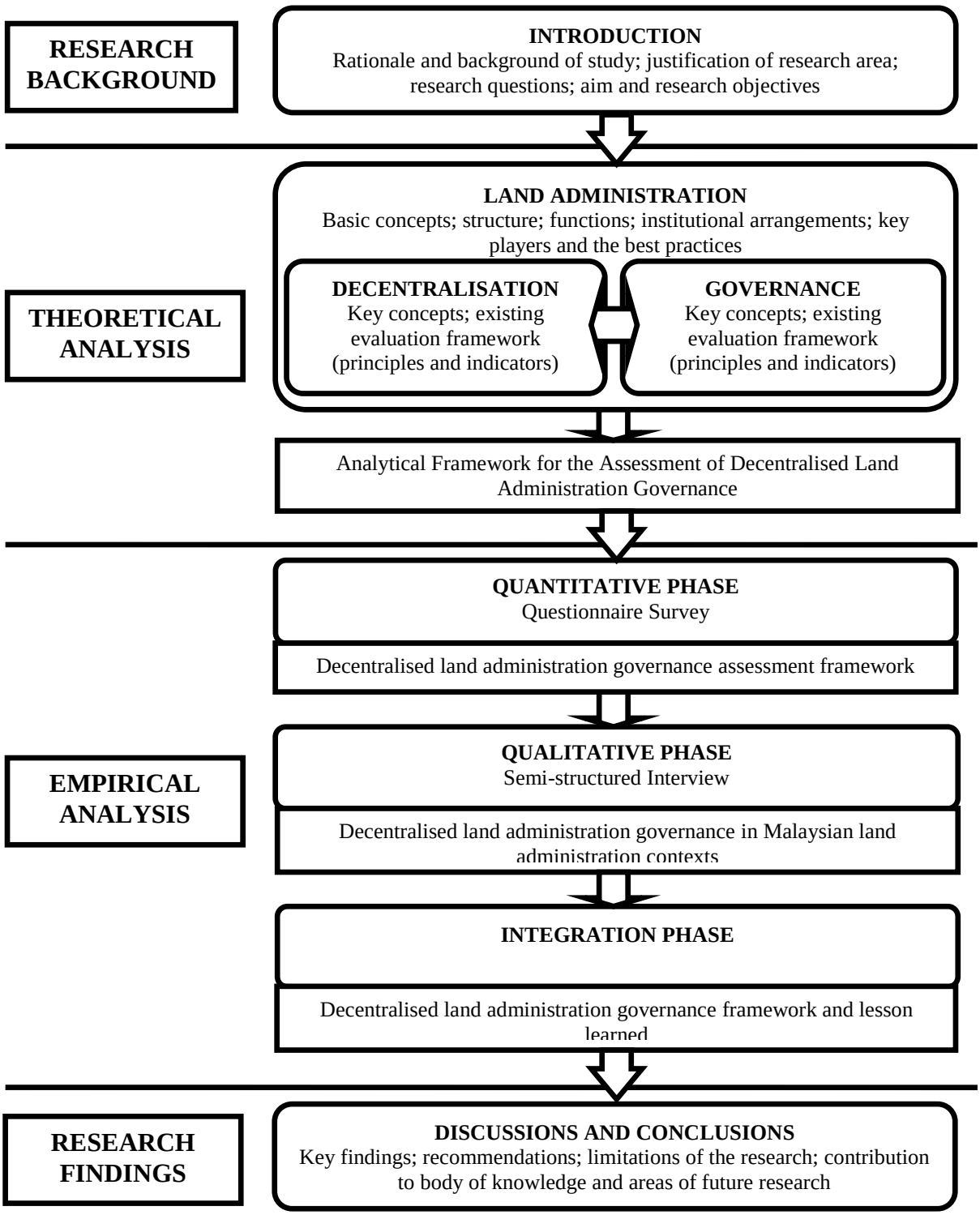
v) What is the strategic framework for the assessment of decentralised land administration governance particularly in developing country?

1.4 Research methodology

The rationale for this study is to develop a strategic decentralised governance assessment framework for land administration systems. This seems appropriate in order to develop a richer understanding of how decentralisation and good governance emerge in a mandated situation for successful land management. Figure 1.1 shows the organisation and structure of the research to understand the theoretical, conceptual, and empirical analysis this will involve. This study will commence with a theoretical phase and continue with a conceptual and empirical phase. Due to the

aim and research objectives of this study, the research adopts a mixed methods approach with a sequential mixed methods design, comprising of two phases of data collection and analysis (Ivankova *et al.*, 2006; Creswell, 2009; Creswell and Plano Clark, 2011). Using the mixed method notation proposed by Creswell (2009), this study will employ sequential explanatory design by collecting and analysing quantitative data in the first phase of the research, followed by the gathering of qualitative data in the second phase. The two forms of data are separate but connected, in order to to complement each other and provide a more complete picture of the research problem and answer the research questions (Yin, 2009).

Figure 1.1: Organisation and research structure



The first phase of this study used a quantitative method and engaged numeric data through a questionnaire survey research. This approach was chosen because of its ability to generalise the population through inferences based on data drawn from a small portion of that population, and to generate standardised data which is extremely amenable to quantification and consequent computerisation and statistical analysis (Louis and Richard, 2005). Next, the sequence phase involved qualitative methods through case study research. As a result of the quantitative analysis, opinions on the appropriateness of the new framework were gathered from case studies. In addition, the qualitative phase also analysed the actual practices and performance of decentralised land administration governance to prove the relationship between decentralisation and good governance. The results of the quantitative and qualitative phases were integrated (Creswell *et al.,* 2003) during the discussion of the outcomes of the study. The data collection and analysis procedures involved in each phase of the study will be explained in detail in Chapter 5.

1.5 Thesis structure

This section provides an overview of the contents of each chapter. The thesis is structured according to four core components: the introduction to the research; theoretical background; empirical work; and, finally, the conclusion. An overview of the contents of the thesis and the position of the research objectives is shown in Table 1.1. The first and second objectives of the study will be answered by theoretical discussions in Chapters 2 and 3, while the remaining objectives (i.e. 3, 4 and 5) will be answered in Chapters 6 and 7.

The thesis is organised into eight chapters as summarised in Figure 1.2. It comprises one introductory chapter, two chapters which establish the theoretical framework, one chapter discussing methodology design, one chapter containing case study background, two chapters of empirical analysis, and finally, the discussions and conclusion chapter.

Chapter 1 is the introductory chapter and sets the scene for the study. It discusses the research background, justifies the area of research and the research problem, and poses the research questions. It outlines the aim and objectives of the research, its scope, and research methodology, as well as the thesis structure.

Table 1.2: Thesis structure and positioning of the research objectives

Part	Chapter	Research Objectives
i. Introductory	1. Introduction	
ii. Background	2. Land administration system	1. To theoretically appraise the concepts underpinning land administration, decentralisation system and good governance for enabling sustainable development.
	3. Decentralisation and good governance in land administration system	2. To conceptualise a framework for the assessment of decentralised land administration governance.
	4. The land administration system in Malaysia	
iii. Design and results	5. Methodological design	
	6. Decentralised land administration governance assessment framework	3. To empirically analyse the appropriate principles and variables for a framework to assess decentralised land administration governance.
	7. Applicability of decentralised land administration governance assessment framework	4. To evaluate the governance performance of decentralised land administration in Malaysia.
		5. To refine a strategic framework for the performance assessment of decentralised land administration governance.
iv. Synthesis	8. Discussions and conclusion	

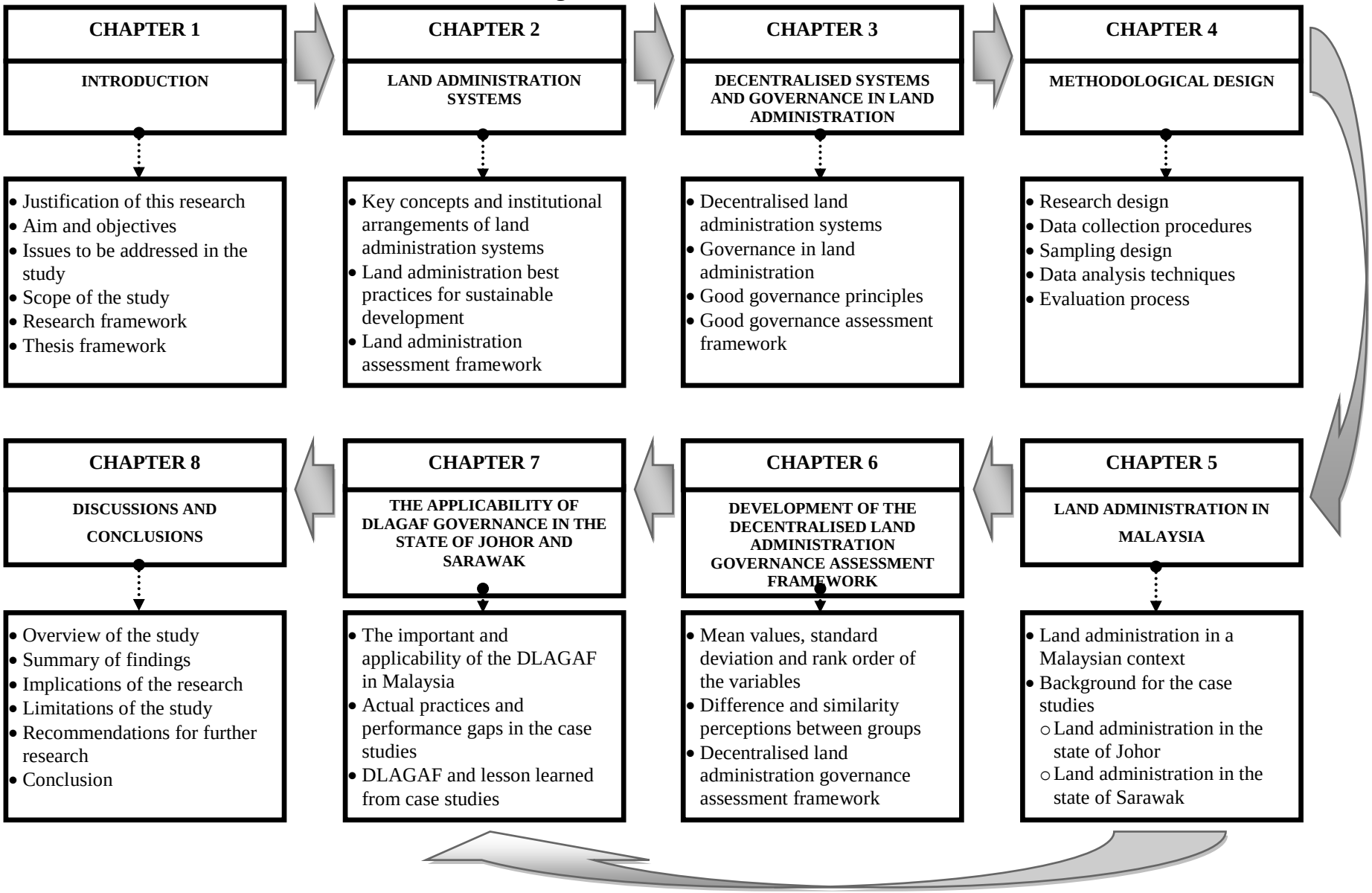
A theoretical framework for the study is provided in Chapters 2 and 3. These chapters are devoted to an explanation of land administration systems, and commence with a discussion of the definitions and key concepts involved. The theoretical analysis in Chapter 2 discusses the relationships between land management and land administration, and land administration reform and land administration for sustainable development. Land administration best practices and assessment tools are also discussed. Chapter 3 introduces two important elements in the research: good governance and decentralisation.

Chapter 4 concentrates on the research methodologies employed in the study. The chapter explains the research method used in the empirical analysis step by step. Since it involves two phases of data collection, this chapter commences with the procedures for the quantitative data collection and analysis, and then proceeds to the second phase of qualitative data and analysis. Finally, the importance of both findings is discussed in the integration phase.

Chapter 5 looks at the arrangement of land administration in Malaysia. The chapter discusses several aspects of the implementation of the decentralisation system in Malaysia. The chapter also provides a background for land administration in the selected case studies, which are the states of Johor and Sarawak. This information is very important to the discussion of the actual practices and performance in the analysis chapter.

Data collection and analysis are discussed in Chapters 6 and 7. Chapter 6 covers the first phase of empirical analysis, while Chapter 7 analyses the second phase of data collection. The final chapter, Chapter 8, gives a summary of the research, and offers fundamental conclusions based on the empirical findings. It also discusses the limitations of the study, its contribution to knowledge, and directions for future research.

Figure 1.2: Thesis framework



1.6 Summary of the chapter one

Chapter one is the introductory chapter and sets the scene for the study. This chapter has introduced the research area and an initial review of the theoretical and conceptual literature on land administration systems in order to demonstrate how this study fills a gap in existing knowledge. This chapter has explained the need to develop and design a strategic framework for decentralised land administration governance. This study will also play an important role in contributing new knowledge to developing countries that implement a decentralised system in land administration governance, as well as to other countries interested in moving from centralised to decentralised management. It provides a valuable guide to the benefits and weaknesses of the decentralisation system but, most importantly, this study will deliver a beneficial strategic framework to analyse the link between decentralisation and good governance in land administration.

The succeeding chapter (Chapter 2 and Chapter 3) will be discussed the theoretical framework of the study providing a critical review of literature relating to the theories underpinning land administration systems. The chapter also demonstrates the importance decentralisation and governance in land administration institutional arrangements.

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