

Walden University

College of Social and Behavioral Sciences

This is to certify that the doctoral dissertation by

Gbati Kakaye

has been found to be complete and satisfactory in all respects,
and that any and all revisions required by
the review committee have been made.

Review Committee

Dr. Morris Bidjerano, Committee Chairperson,
Public Policy and Administration Faculty

Dr. Raj Singh, Committee Member,
Public Policy and Administration Faculty

Dr. Olivia Yu, University Reviewer,
Public Policy and Administration Faculty

Chief Academic Officer and Provost
Sue Subocz, Ph.D.

Walden University
2021

Abstract

Corruption in Togo's Land Registration and Its Impact on Real Estate Development

by

Gbati Kakaye

MA, University of Lome –Togo, 1993

BS, University of Lome- Togo, 1991

BS, University of Maryland University, 2001

Dissertation Submitted in Partial Fulfillment

of the Requirements for the Degree of

Doctor of Philosophy

Public Administration

Walden University

May 2021

Abstract

Researchers have asserted that following malaria and AIDS, land-related conflict, exacerbated by rampant real estate corruption, is the third-largest problem and leading cause of death in Togo. The current study provided a means of gaining better understanding of the impact of corruption on real estate development in Togo by addressing the following research questions: How is corruption manifested in Togo's land registration process and how has corruption in land registration process impacted real estate development? Theoretically, the study was underpinned by the cultural and neo-institutional economics framework. Data were collected through individual interviews and a focus group discussion with 15 purposefully selected Togolese, as well as through review of pertinent documentation that included records of land registration, receipts, protocols, contracts, archival materials, media pieces, government reports, and investigations. The primary and secondary data were thematically analyzed, and the main findings identified multiple alienations of land; corruption in customary and state land administration, the police and the judiciary; weak judiciary; and inadequate compensation for lands expropriated from the natives. Based on the findings, measures such as curbing the alienation of land; reform of customary and state land tenure systems; and purging the government departments of corrupt officials would result in reduction of land litigation and its cost on individuals and the state judiciary. Positive social change implications include impact on the security of land tenure, creation of incentive for real estate development, and rise in the country's ranking in the ease of doing business index.

Corruption in Togo's Land Registration and Its Impact on Real Estate Development

by

Gbati Kakaye

MA, University of Lome –Togo 1993

BS, University of Lome- Togo, 1991

BS, University of Maryland University, 2001

Dissertation Submitted in Partial Fulfillment

of the Requirements for the Degree of

Doctor of Philosophy

Public Policy and Administration

Walden University

May 2021

Dedication

To my mother Afissatu, you did not live long to see your son “finished school.” This has been your wish. To my Grandmother, Mariama, you raised me from childhood to be a man, and be able to take care of myself and this I did but, life was too short for you, so, I was not able to pay you back. To my Good friend, Zachary Sambugma, and all my late parents, I will always pray for you, so, rest in peace.

Acknowledgments

So many people have helped me to reach this point in life. I cannot conclude this Dissertation without acknowledging them.

First and foremost, I acknowledge my amazing wife Fadila Kakaye who has been my rock and grounding force for the past twenty-five years. Thank you for supporting me and believing in me every step of the way. You have made multiple sacrifices to provide the best for me and our children. Without your ongoing support, my dreams would not have happened. I am eternally grateful to you.

To my daughters, my beautiful children, you are my life's purpose. You make everyday a day worth living, and I always want you to feel the love I have towards you.

To my dissertation chair, Dr. Morris Bidjerano, I felt immediately connected to you through our passion for good governance and reduction of corruption in the real estate sector in Africa. Thank you for guiding me along this dissertation journey.

To my committee members, Dr. Heather Denton- Mbaye, and Dr Raj Singh, I am inspired by your transparency and genuine care, for your students. Thank you for taking me under your wing to becoming a professor and a strong researcher. I look forward to continuing developing those skill sets and sharing my experiences with you.

To my good friends, Apollinaire Toffa, Dr. Mike Nwosu, Professor Godwin Ogagah , thank you for sharing your experiences with me.

Table of Contents

List of Tables	vi
List of Figures	vii
Chapter 1: Introduction to the Study.....	1
Background.....	2
Purpose of the Study	4
Significance of the Study	5
Significance to Practice.....	5
Significance to Theory	6
Background of the Study	7
Analytical Framework	10
Research Questions.....	11
Nature of Study: Qualitative Method.....	11
Types and Sources of Data	12
Definition of Terms.....	12
Assumptions.....	14
Scope and Limitations.....	15
Limitations, Challenges, and/or Barriers	15
Implications for Social Change.....	16
Summary	17
Chapter 2: Literature Review	19
Literature Search Strategy.....	21

Iterative Search Process	22
Little Research	22
Theoretical Frameworks	22
Origins of Theories	22
Major Propositions of Theories	23
Application of Theories	24
The Rationale for Choices of Theories	26
Relation to Present Study	27
Corruption	27
Real Estate Development	34
Land Registration	36
Tenure Security and Land Reform	39
Tenure Security	39
Accessing Land	40
Land Titling and Registration	42
Land Tenure in Togo	44
Recent Reform	49
Summary and Conclusions	51
Chapter 3: Research Method	52
Research Design and Rationale	52
Research Tradition	53
Role of the Researcher	54

Methodology	55
Population and Sample	55
Identify and Justify the Sampling Strategy	55
Criteria for Participant Selection	56
Participants Meeting Criteria	57
Number of Participants	58
Identifying, Contacting, and Recruiting.....	58
Saturation and Sample Size	58
Instrumentation	59
The Basis for Instrument Development	59
Content Validity.....	59
Data Collection	60
Data Analysis Plan	61
Transcription	64
Evidence of Trustworthiness.....	64
Credibility	65
Transferability.....	66
Dependability	66
Confirmability.....	66
Ethical Procedures	67
Summary	69
Chapter 4: Results	71

Introduction.....	71
Research Setting.....	71
Demographics	74
Data Collection	77
Credibility	108
Transferability.....	109
Dependability	109
Confirmability.....	110
Results	110
Major Themes	111
Emergent Theme 1: Multiple Alienation of Land.....	111
Emergent Theme 2: Prolonged Court Cases.....	112
Emergent Theme 3: Normality of Gift and Bribery.....	113
Emergent Theme 4: Inadequate Compensation	114
Emergent Theme 5: Culpability in Land Grabbing	115
Emergent Theme 6: Weak Criminal Justice Procedure	116
Emergent Theme 7: Perceptions about Estate Developers	117
Emergent Theme 8: Communication Gap and Inadequate Checks	118
Emergent Theme 9: Institutional Procedural Arrangement of Land Regulation.....	120
Major Research Questions and Emergent Themes	122
Summary and Transition.....	126

Chapter 5: Discussion, Conclusions, and Recommendations	128
Interpretation of Findings	130
Limitations of the study	139
Recommendations for Action	140
Recommendation for Further Study.....	143
Implications for Social Change.....	144
Conclusions.....	146
Reflection	148
References.....	150
Appendix A: Interview Protocol.....	163
Appendix B: Initial Protocol/Interview Questions	164
Appendix C: Focus Group Protocol and Interview Question	167
Appendix D: Initial Protocol/Interview Questions	168
Appendix E: Location of Togo	171
Appendix F: Coding Scheme	173

List of Tables

Table 1. Coding scheme	63
Table 2. Demographic data	74
Table 3. Coding Scheme.....	107

List of Figures

Figure 1. Togo Corruption Index/2019/Data	4
---	---

Chapter 1: Introduction to the Study

This study is about corruption in land registration process of the Republic of Togo and how it impacts on the country's real estate development. Togo is a country in West Africa bordered by Ghana to the west, Benin to the east, and Burkina Faso to the north. Land policy and land tenure issues in West Africa have developed within an environment of legal pluralism and underlined and swayed by various colonial systems – English, French, Portuguese and German. These had operated within different customary systems (AU-AFDB-ECA, 2011). Togo, unlike her neighboring West African countries has operated with only one land code since independence without the benefit of periodic land reforms to address societal dynamics. The period from the 1974 land code to the recent 2018 code provided the context for the research problem that confronted this study. At the time of undertaking this research, the 2018 land code had not made meaningful impact on the society due to the difficulty of changing from old ways. More so, when such old ways are deeply entrenched in the socio-economic and institutional fabrics of the society.

Corruption is the abuse of entrusted power for private gain (Transparency International, 2018). Experts' opinions have varied in an attempt to enumerate the causes of corruption. They assert that corruption differs from one country to another. Land registration generally refers to as systems by which matters concerning ownership, possession or other rights in land can be recorded usually with a government agency or department to provide evidence of title, facilitate the transaction and to prevent unlawful disposal which varies according to jurisdiction (Udoka, 2017). Many researchers

(Bottazzi et al., 2016; Yaro, 2010) have asserted that the underlying rationale for the agitation for the elimination of customary systems so that they may be replaced with more modern land tenure is in order to secure private property that can sufficiently incentivize land investments and that tenure security may be achieved using land titling and registration.

Background

Currently, Togo contends with land conflicts and fraud related to real estate development. For example, for decades now in Togo, there have been numerous documented cases of land being sold twice, as reported by different chieftaincies (Dickerman et al., 1989; Gardini, 2013; Kanfiegue, 2018; World Bank, 2016). As such, following malaria and AIDS, land-related conflict is the third-largest problem and the leading cause of death in Togo (Kanfiegue, 2018). Notably, land tenure in Togo is defined through a complex articulation of rights by which various concerned parties, such as couples, migrants, aboriginals, elders and young persons, who held asymmetrical power relationships claim varying rights over the same parcel of land (Kanfiegue, 2018). A potential solution to this problem would be an efficient and effective land registration process (Hanstad, 1998; OECD, 2017; Zevenbergen, 2002).

It cannot be overstated that governments are responsible for building and maintaining confidence in a property registry system's security and accuracy (OECD, 2017). Moreover, governments need to ensure that such a registry system prevents competing and fraudulent claims to ownership. However, achieving this oversight has been problematic for Togo, with the country's land registration system ranking among the

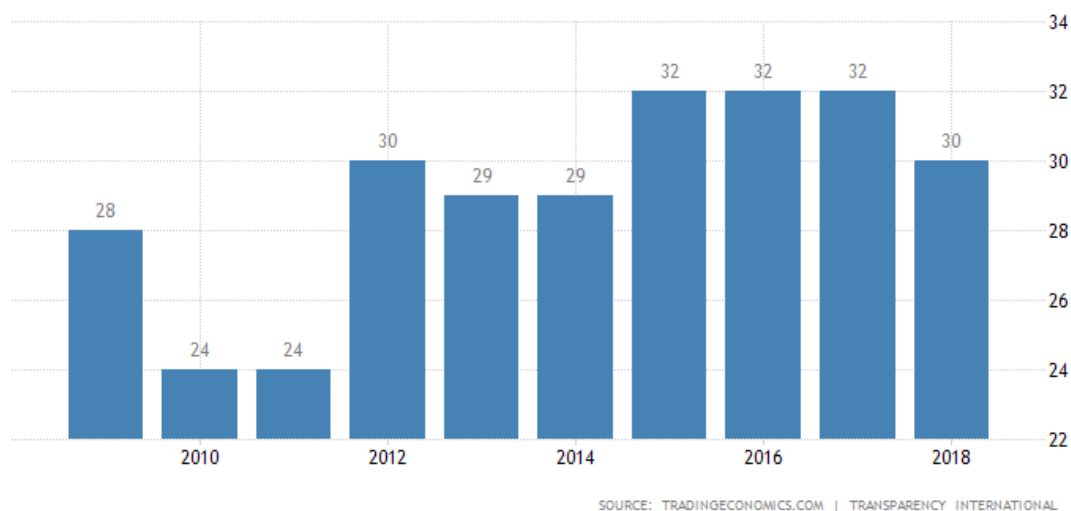
least efficient in the world and riddled with a high level of land conflicts (World Bank, 2016). On the one hand, small numbers of pieces of land are registered through a highly bureaucratic system of procedures that relegate state courts to relative insignificance in conflict management, particularly in rural areas (Gardini, 2013). On the other hand, there are traditional authorities or village leaders designated through colonial and postcolonial laws to be mere conciliators about civil matters. While they are not the custodians of property rights, they are increasingly recognized (a) as the leading institutions governing access to land and (b) for helping to strengthen specific rights to these properties. Thus, protection of real estate property can be complicated because inheritance laws are blends of civil code and traditional requirements, such that inheritances are often challenged (U.S. Department of State, 2014). Property disputes are further exacerbated by judicial opacity.

Against this backdrop, real estate development in Togo has been contentious and burdened by the challenges mentioned above. This assumption is an informed one, and necessary because of the absolute lack of relevant investigation on Togo's real estate market. To worsen the matter, land registration is cumbersome contracts are difficult to enforce, and Togo's judicial system is resource-constrained and has been subjected to undue and inappropriate control by the executive arm of government (U.S. Department of State, 2014). As such, Togo's corruption is very high, and Togo level of corruption ranked high up the list of the 180 countries compared (Transparency International, 2018). It is compelling to note that there is minimal discussion about real estate development in Togo. However, there have been urbanization projects in the country, including those

funded by the World Bank. There is also very little knowledge about the impacts of corruption in the land registration process and real estate development in Togo.

Figure 1

Togo Corruption Index/2019/Data



Purpose of the Study

The purpose of the study was to understand better the impact of corruption on real estate development in Togo. Two phenomena that are separately discussed in the literature about Togo are (a) corruption and (b) challenges in real estate development, particularly, issues on land tenure, ownership rights, and the overlap between legislation and traditional laws. There is little empirical knowledge about the possible impacts of corruption on real estate development in Togo, and this study has addressed this gap. The goal was achieved by the use of the qualitative research paradigm. Interviews were conducted to develop an understanding of how members of specific tribal/ethnic groups experienced corruption, if they have, involving traditional and public officials handling of the land registration process.

Significance of the Study

As mentioned earlier, there is a shortage of information on Togo's real estate market except for a few studies conducted over a decade ago. Since those studies, many changes have taken place that impact Togo's real estate market. Meanwhile, there have been studies and academic commentaries about challenges related to land registration in Togo (Dickerman et al., 1989; Gardini, 2013; Kanfiegue, 2018). Also, studies have been undertaken on corruption in Togo, but usually, only as part of comparative studies encompassing other African states (Mullet et al., 2016; Soumaila, 2017; Talukdar, 2016; Wendland et al, 2015).

It was essential to study corruption in the context of real estate development, precisely because there was no empirical knowledge about how crime in land registration impacted real estate development. Growth in the real estate sector could benefit the entire country because it would mean investments from the private sector that could lead to job creation. In this regard, it is vital to understand how corruption impact the development of the real estate industry in Togo. The study addressed this gap in the literature. I anticipate that the findings of this research may provide valuable insight to real estate developers, government officials, policymakers, traditional conciliators of land disputes, and the general public in Togo.

Significance to Practice

A significant challenge to the Togolese government's oversight of land management which has long defied current solution measures, has been the on-going disputes over land ownership rights. This problem has brought the traditional landowners

into collision with the government agency in charge of land registration and title certification. The country has suffered setbacks in real estate development due to the absence of security of land titles. The problem has provided the grounds for bribery and corruption to fester and land grabbing common.

This study is significant to practice because it probed into the problem to find its underlying cause. Based on stakeholders, my study has contributed to the search for a practical and permanent solution to land squabbles. In addition, remedial actions were identified, articulated, and recommended to the top hierarchy of government for adoption. This study concludes that a potential solution for implementation is an institutional approach to the war against bribery and corruption. Furthermore, injection of effectiveness and efficiency should be incorporated into the land registration process with institutional reforms, public awareness campaigns, and assessing customers' feedback.

Significance to Theory

There is a shortage of empirical studies on how bribery and corruption in the land registration process in Togo could render the agency of government saddled with this task ineffective and inefficient. An overlooked industry in the country's developmental potential is the real estate sector. Similar to the contribution of De Soto in Obeng-Odoom, (2013), this study identified a problem where the complex bundle of rights that are exercised disproportionately by diverse interest groups over the same parcel of land in Togo has precipitated conflicts, which results in lack of development.

Background of the Study

Like some other African countries, land access in Togo may be obtained through various yet overlapping ways that are deeply embedded in social and power relations (Gardini, 2012). Thus, it is not possible to obtain land rights, including using land registration in isolation of (a) the socio-political embeddedness of these rights, and (b) issues of citizenship, governance, and officials' accountability (Gardini, 2012). Land registration in Togo cannot be analyzed without understanding social and political institutions that guarantee property rights, especially since there are different authorities involved in resolving land conflicts. As is the case in other African countries as well, land can be acquired by means that are unique to a region.

Land registration in Togo is complicated because of equally complex land-tenure regulations, which continue to be dominated by traditional African customary laws that are interpreted by traditional chieftains and local authorities (Bertelsmann Sifting's Transformation Index [BTI], 2018; Giardini 2012, 2013). Frequently, these interpretations are made for self-advantage, especially in rural areas. To further compound matters, many land contracts are verbal. Hence, it is common for several "owners" to lay claim on a parcel of land that is traditionally owned by somebody else. Proving who the rightful owner is can be a long and cumbersome process.

Land registration is highly bureaucratic, and courts do not wield influence over such matters (Gardini, 2013). The influential figures in land ownership in Togo are the village leaders who govern access to lands and rights. This reliance on village leaders has resulted in public disputes over the land. Indeed, 80% of court cases in Togo pertain to

land ownership claims and tenures (BTI, 2018). Currently, the problem of land-grabbing in Togo covers 25,000 hectares, including lease contracts or large-scale land acquisitions estimated numerically to be up to 23 cases (BTI, 2018).

The development literature is replete with information regarding land and land rights' significance in the economic development process (Gardini, 2012; Hanstad, 1998). In thriving sectors, such as agriculture and real estate, secured and individual land tenure rights are essential factors to alleviating poverty, and the economy may stimulate growth. Often, secure land tenure entails legal rights to land that are comprehensively documented because doing so serves various purposes, including simplifying land transactions, utilizing the land as collateral for credit, and facilitating land administration (Hanstad, 1998). Therefore, an efficient and effective land registration system is a crucial component of a developed market economy (World Bank, 2013). Land interests are usually passed through inheritance and sale of the relevant piece of land (Zevenbergen, 2002).

Moreover, the land is an essential source of production, and as such, there should be an effective and efficient system for the safe transfer of interests in land. However, because this is not always the case, it is common for land-related disputes to arise, especially if the land registration system is weak. Some of these disputes lead to litigation, thereby entailing investments in time, capital, and scarce administrative resources (World Bank, 2016). A secure land registration system reduces this waste of resources.

Nevertheless, it is well documented that government procurement contracts and dispute settlements tend to be impacted by corruption in many African countries, including Togo (Global Security Org, 2018). Bribery of government officials is considered a crime, although it is generally expected and accepted. Although government officials have been charged with bribery and corruption, such cases are rare and mostly involve retaliatory motives among those who fail to win official favors (BTI, 2018). Gratuities and donations are used as bribes to obtain permits, registrations, and licenses (BTI, 2018). The Togolese government had set up different anticorruption institutions tasked with curbing corruption by eliminating opportunities for bribery and fraud. These are the Togolese Revenue Authority, a one-stop-shop to create new businesses, and the single window for import/export formalities.

The government also established the High Authority for the Prevention and Fight against Corruption and Related Offenses (HALCIA) in 2015, a private entity tasked with fighting corruption (BTI, 2018). However, there is a shortage of empirical knowledge regarding whether crime in land registration has impacted real estate development in Togo. Very little has been reported about the current State of Togo's real estate industry. Nevertheless, the World Bank (2016) asserts that Togo's weak land system would likely affect urban development, commercial-scale agricultural investments, and land-based resource management. However, more studies have to be conducted on these effects to better understand the complexities at play specifically in Togo.

Analytical Framework

Different theoretical frameworks have been used to study corruption. Among the most widely applied theories are principal-agent theories (Shleifer & Vishny, 1993), principal-agent and public choice theories (Rose-Ackerman, 1978), and social and cultural approaches (Park, 2003; Smith, 2006). Other strategies that have been used in studies on corruption are the institutional theory (Collins & Uhlenbruck, 2004; Park, 2003) and the cultural and neo-institutional economics framework (Alam, 1995; Mbaku, 2007). Out of these theories, the most relevant to the study is the cultural and neo-institutional economics framework.

Some researchers contended that corruption in Africa is caused by flaws in cultural norms and behaviors (Jabbara & Dwivedi, 2005). Other researchers noted that corruption is caused by cultural clashes between traditional and foreign norms so that it is viewed as an inevitable result of economic modernization and political development (Alam, 1995). Based on this perspective, bureaucratic corruption occurs because of society's collective ways of thinking. This is particularly applicable to Togo and other groups in Africa that consider tribal demands stronger than individual applications (Mbaku, 2007). From this viewpoint, public officials may perpetuate corrupt practices, including nepotism or embezzlement, to further common goals (Mbaku, 2007). It must be emphasized that the majority of African governments have weak laws and regulations so that corruption can take root and spread (Mbaku, 2007). In African countries, resource allocation is politicized allowing civil servants to take the market as the primary resource allocator (Shabbir & Anwar, 2008). Bureaucratic corruption increases when a

government prevails in the running of the economy (Hanson, 2009). Indeed, there are many sub-Saharan African states with these attributes. My study determined whether these theoretical frameworks adequately explain corruption in Togo's land registration process and system.

Research Questions

Against this backdrop, the study has addressed the following research questions:

Research Question 1: How is corruption manifested in Togo's land registration process?

Research Question 2: How has this corruption in the land registration process impacted real estate development in Togo?

Nature of Study: Qualitative Method

The study was qualitative, and specifically, a single case study. Purposeful sampling was used to get information-rich participants. 15 interviewees were recruited from specific tribal/ethnic groups and interviewed about their corruption experiences among traditional and public officials handling land registration. The interviewees are among those that have pending cases in the land registration process.

The single case study permitted a detailed analysis of the phenomenon that was investigated (Mruk 2010). Often, the single case study is used when the practitioner seeks to analyze an event in an in-depth manner using various data (Yin, 2009). The interview method supported a single case study with the overarching goal of obtaining detailed information regarding the topic being explored.

Types and Sources of Data

I used two sources of data, namely secondary and primary sources. The primary sources were derived from interviews with the participants of the study. Interview responses were recorded and permitted subsequent transcription. Data analysis was done on both primary and secondary sources. Secondary sources include documents, and records of land registration, receipts, protocols, contracts, archival materials, government reports, media pieces, and investigations. Data analysis was completed using the coding and thematic analysis cycles.

Definition of Terms

It may be necessary to define or explain the meanings or uses of specific names and terms commonly used in this study so that the ideas conveyed, and the readers can properly understand contextual implications.

Togo: is a country in West Africa bordered by Ghana to the west, Benin to the east, and Burkina Faso to the north. It is a sovereign state, and it extends south to the Gulf of Guinea, where its capital Lome is located. The land covers 57,000 square kilometers, making it one of the smallest countries in Africa, with a population of approximately 7.6 million (See Appendix E; UNDESA, 2017).

Bribery: the act of giving or receiving something of value in exchange for some influence or action in return, that the recipient would otherwise not offer. Bribery is defined by the offering, giving, receiving, or soliciting any item of value to influence the actions of an official or another person in charge of a public or legal duty (Black's Law Dictionary, accessed July 12, 2019).

Corruption: The abuse of entrusted power for private gain. Corruption can be classified as grand, petty, and political, depending on the amounts of money lost and the sector where it occurs (T.I., 2018).

Real Estate: is property consisting of land and the buildings on it, along with natural resources such as crops, minerals, or water; immovable property of this nature; an interest vested in this, an item of real estate, buildings, or housing in general. It also integrates the business of buying, selling, or renting land, buildings, or housing (Chen, 2019).

Impact: the force of impression of one on another: a significant or significant effect (Merriam-Webster, accessed July 12, 2019).

Development: is a process that ensures good quality of life to all the people in terms of happiness, harmony, and satisfaction of essential needs. It is related to the improvement, progress, and aspirations of people. The pre-condition for it is the fulfillment of basic requirements like food, education, health, and shelter (Johnson, 2008).

Customary Law: The long-established customs of a particular place or locale that the general Law regards as a legal practice (Quora.com, accessed July 24, 2019). Tradition implies the standards of a community.

Civil Law: The body of rules that delineate private rights and remedies and govern disputes between individuals in such areas as contracts, property, and family law, distinct from criminal law or public civil law systems, which trace their roots to ancient Rome, are governed by doctrines developed and compiled by legal scholars. Legislators

and administrators in civil law countries use these doctrines to fashion a code by which all legal controversies are decided (Legal-Dictionary, accessed July 24, 2019).

Land Grabbing: the seizing of land by a nation, State, organizations, or powerful and influential individuals in society, especially illegally, underhandedly, or unfairly (Dictionary.com, accessed July 24, 2019).

Judicial Process: it is the series of steps a legal dispute goes through in the court system. It deals with procedural issues, and it determines the roles of the judge and the jury in a courtroom. The judicial process also deals with the purpose and jurisdiction of individual courts over each type of Law (Legal-Dictionary, accessed July 24, 2019).

Assumptions

According to Simon and Goes (2013), assumptions are factors that are assumed but are yet to be verified. The first assumption made in this study is that real estate development in Togo has been hampered by an ineffective and inefficient land registration process. The second assumption is that the land registration process in Togo lacks effectiveness and efficiency due to corrupt practices involving land grabbers, customary and state land administration officials. Another assumption is that insecurity in a land title holding precipitates conflict that often ends in deaths of belligerent individuals, groups, or feuding communities. The final assumption is that this research is capable of making findings that will serve as a useful insight to finding a lasting solution to the corruption-riddled ineffective and inefficient land registration process, which impedes real estate development in Togo.

Scope and Limitations

The main focus of the study was the impact of corruption on real estate development in Togo. Specifically, the study investigated actual instances of fraud as experienced by specific ethnic communities or tribal members. To recall, in rural areas in Togo, the administration of the land registration process has been disorganized, with the overlap of customary and state land tenures.

Consequently, there have been fraudulent claims to land ownership and property disputes in rural areas of Togo. The land is registered through a bureaucratic process, and traditional village leaders have been historically in charge of land registration. However, there are also various allegations of corruption among government officials in the agencies. Nonetheless, there remains scant knowledge as to whether corruption also extends to these traditional village leaders, who administer land registration in rural areas. In light of these, the study's scope was limited to rural areas and 15 participants who were interviewed to provide in-depth insight into the research.

Limitations, Challenges, and/or Barriers

A limitation of the study was the small number of participants who were interviewed about the phenomenon investigated. However, this small study sample was compensated for by the in-depth investigation that was attained, and which a quantitative study with a much larger population would not provide. An anticipated constraint to the research was the unwillingness of potential study participants to disclose corruption experiences. There could be various reasons for this reluctance, including concerns about privacy and retaliation from the village leaders on the part of the respondents. It could

also be possible that village elders could be participants' kin. As such, there would be a desire to protect the good reputation of these village elders. These challenges were addressed by the appropriate sampling method, as discussed in Chapter 3.

Implications for Social Change

Curbing corruption in the land registration process in Togo has an immediate benefit of bringing to the barest minimum the deep seeded conflicts over land, deaths due to land disputes, and the chances of land grabbers succeeding with their criminal activities. Curbing bribery and corruption would also achieve the immediate reward of injecting effectiveness and efficiency into the land registry agency of government. Consequently, lands would be adequately certified, and with the assurance of security of land title, investors would come forward to invest in property. Corruption eradication has the long-term benefit of helping the government earn revenue to develop the entire society. According to Transparency International (2015), widespread bribery is associated with higher maternal mortality and more children dying before they reach the age of 5. In developing countries, one out of every two people has to pay a bribe to access essential services like education, health, and water.

The social impact of freeing the land for real estate development is weighty. Real estate developers convert ideas into real property. They influence society by shaping and planning how society lives, plays, and works in communities. Developers do their research and hire a firm to provide an independent market analysis as to what would be the highest and best land use for a particular parcel or several acres of land. Furthermore, for the most part, developers tend to provide housing and/or commercial buildings that

would be beneficial for varied communities and create jobs. Also, local governments benefit from what developers develop because property and sales tax generated from their project goes directly to the city.

Summary

Corruption and bribery activities in the land registration process in Togo are the main obstacle to citizens reaping the numerous social benefits associated with real estate development. Land acquisition for massive scale development and social improvement of the environment has often resulted in violent conflicts and sometimes death over inheritance and ownership rights. Some researchers have described their experience with the problem as a complex bundle of reasons that various interested parties exercise disproportionate power relationships over the same parcels of land. At the background of this challenge are flaws in institutional arrangements over the decades of colonial and post-colonial eras. There is still an overlap between customary and civil laws, making verdicts on land disputes problematic to enforce. The judicial institution is resource-constrained and cripplingly influenced by the presidency; land registry officials are entangled in dishonest acts and many have failed to discharge their duties effectively and efficiently.

With this study, I sought to gaining a better understanding of the impact of corruption on land acquisition for property development in Togo. The study has answered the overarching questions: How is corruption manifested in Togo's land registration process, and how has this corruption in the land registration process impacted real estate development in Togo? The findings of this study can provide useful insight to finding a

lasting solution to the corruption-riddled ineffective and inefficient land registration process, which impedes real estate development in Togo. The next chapter is the literature review for this study. Chapter 2 addresses the theories that underpin this study and examines prior research on corruption and land management.

Chapter 2: Literature Review

The problem that was addressed in the study pertains to the ineffective and inefficient land registration process in Togo and the possible role that corruption may play in the scenario (Hanstad, 1998; OECD, 2017; Zevenbergen, 2002). The purpose of the study was to gain a better understanding of the impacts of corruption on land registration, and by extension, real estate development in Togo. Other issues covered in the study of this phenomenon include land tenure, ownership rights, and the overlap between state and customary laws.

The land is an essential commodity that provides space for economic activities. Therefore, its accessibility can help enable sustainable economic development (Abdurial, 2006). This is because activities related to development all require spaces where companies can build their facilities for production, which can provide jobs to people. Throughout sub-Saharan Africa, the land has historically been a persistent issue for economic development, food security, and poverty reduction (Cotula et al., 2014; Saruchera, 2004). The reason for this is that in sub-Saharan Africa, agriculture remains the primary industry; people not only depend on agricultural output for their food but also use the industry of agriculture to provide for other needs. Agrarian activities, like farming and herding, all need large tracts of land. Indeed, the land is of utmost importance in economies and societies in sub-Saharan Africa, contributing significantly to GDP and employment because livelihoods depend on the land.

It is important to note that sub-Saharan African countries have experienced colonialism (Udoka, 2017). Colonialism has significantly changed how land is acquired

or owned in the region. External influences brought by the colonials have primarily been detrimental to the local people since they placed ownership of lands, previously free or owned by native people, in the hands of foreigners. Because of this, there are two types of land supply or tenurial systems: the formal, state land tenure system that is grounded upon property law that colonizing states enforced on the respective sub-Saharan states and the traditional landholding system which originates from indigenous societies (Abdulai, 2006; Abdulai & Antwi, 2009; Gardini, 2013; Saruchera, 2004; Zevenbergen, 2002).

However, there seems to be the consensus among scholars and researchers that the traditional landholding systems do not provide adequate secure and sufficient access to land (Abdulai, 2006; Abdulai & Antwi, 2009; Gardini, 2012; Gardini, 2013; Olulumazo, 2006; Saruchera, 2004; Udoka, 2017; Zevenbergen, 2002). In turn, this is underpinned by the belief that the traditional owners of the land are not formally registered or if it is, land registration is problematic in specific ways (Abdulai & Antwi, 2009; Dickerman et al., 1989; Gardini, 2013; Kanfiegue, 2018; World Bank, 2016). This is highly applicable to Togo, where land registration is problematic and conflict-ridden (Dickerman et al., 1989; Gardini, 2012; Gardini, 2013; Kanfiegue, 2018; World Bank, 2016). Conflicts in land ownership are unavoidable given the importance of lands in terms of determining individuals' security in having shelter, a source of food, and income. Conflicts can arise when governmental systems are inefficient, bureaucratic, or worse, corrupt. This literature review section discussed relevant theories, concepts, and

current knowledge about possible corruption in Togo's land registration process and its potential impacts.

Literature Search Strategy

I initially decided that only studies published in peer-reviewed journals would be used for the literature search. However, because of the difficulty in finding information and empirical studies relevant to the investigated phenomenon, I reviewed research from other sources as well. The databases searched for the literature review were ProQuest, Emerald Insight, EBSCOhost, Gale, Sage, Springer, Wiley, Science Direct (Elsevier), and the search engines Google and Google Scholar. Moreover, to achieve relevancy to the literature review, the literature search was limited to the past 18 years, in consideration of theoretical articles that may have been written during earlier times. The search terms relevant to the study were *real estate development, real estate development in Togo, land registration in Togo, real estate corruption in Africa, land registration corruption in Togo, the land dispute in Togo, solutions to corruption on real estate in Togo, land tenure in Togo, land laws in Togo, land registry, the impact of crime in real estate in Togo, corruption and theories, neo-institutional economic theory and cultural, positive social change.*

It was challenging to find empirical studies relevant to the phenomenon investigated. Most of the articles discussing the topic were not found in electronic databases. Hence, it was necessary to use Google and Google Scholar to find more sources. Articles were chosen carefully to filter out those that were not credible.

Iterative Search Process

The literature search process needs to be iterative, meaning it should be a systematic, repetitive, and recursive process in qualitative data analysis (Duminy, Andreasen & Lerise, 2014). An iterative approach for this literature review required a sequence of tasks executed in the same manner each time and performed multiple times. All of the search terms and combinations of search terms used for literature search on one database were repeated in the same manner for all databases used in this literature review.

Little Research

Unfortunately, despite the number of databases searched, the search yielded only a few studies for this literature review. Consequently, a broader search was undertaken using the search engines Google and Google Scholar. The same search terms and the iterative search process were used.

Theoretical Frameworks

As mentioned in Chapter 1 of this study, the selected theories for the study are neo-institutional economic theory and a cultural framework. These theories adequately explained the phenomenon being investigated.

Origins of Theories

Neo-institutional economic (NIE) theory is from the perspective of economics and seeks to focus on the societal and legal norms and rules that underpin economic institutions (Powell, 2007). On the other hand, the cultural model may explain corruption as part of the African culture. Scholars and researchers have explored the relationships between culture and corruption (Gelbrich et al., 2016; Lanier & Kirchner, 2018).

Major Propositions of Theories

The NIE approach posits that corruption stems from public officials' opportunistic behavior vis-à-vis citizens. Citizens do not have the same power as the officials or contend with high transaction costs to hold public officials accountable for their corrupt acts (Lambsdorff et al., 2004; & Shah, 2006). The NIE states that citizens are principals, while public officials are agents (Lambsdorff et al., 2004). The principals act rationally, but this is usually based on incomplete information (Shah, 2006). To be more informed about public sector operations, citizens may have to deal with high transaction costs to obtain and process needed information.

At the other end of the spectrum, public officials, as agents, are better informed. This leads to an asymmetry of knowledge that enables agents to indulge in opportunistic behavior that goes unhindered because of the high transaction costs that principals have to deal with and reveals weak countervailing institutions that require accountable and transparent governance (Shah, 2006). Hence, corrupt countries have insufficient mechanisms for contract enforcement, vulnerable judicial systems, and inadequate provision for public safety. All of these mechanisms combine to increase further transaction costs in the economy (Shah, 2006). The dilemma that principals face is worsened by path dependency wherein changing corrupt patterns from the past is difficult because influential interest groups may block any significant reform. Cultural and historical factors, as well as modes of thinking, affect those victimized by corruption so that they are even more victimized, especially since there is little chance that corrupt officials are brought to justice (Shah, 2006). As a result, principals grow to believe that

any endeavors to limit corruption will lead to retaliation from powerful interests (Scott, 2008). In light of these, citizen empowerment, through measures such as "devolution, citizens' charter, bill of rights, elections and other forms of civic engagement." Gain significance in battling corruption because they would negatively impact the incentives that public officials face to be responsive to public interests. According to NIE, by adhering with path dependency principal, agents will tend to continue corrupting (Yadav, 2005).

In addition to NIE, I considered the cultural context of Togo as I conducted my research and analyzed the data. According to Achim (2016), the most common element demonstrating the moral dimension of economic behavior is culture. Culture refers to "the collective mental programming of the human mind, which distinguishes one group of people from another" (Achim, 2016, p. 333). Concerns such as honesty, trust in authorities, trust in other individuals, pride, relationship with nature and the World, relationship with others, as well as the ability to perform undertakings according to one's way, avoiding uncertainty, orientation in time and space, and long-term and short-term orientation are all cultural factors in a nation (Achim, 2016; Gelbrich et al., 2016; Hofstede, 2011; Lanier & Kirchner, 2018). These artistic elements also influence the behavior of actors in economic activity (Lanier & Kirchner, 2018).

Application of Theories

The NIE has been applied in anticorruption efforts and law reform studies to prevent corruption (Roden, 2010; Uberti, 2016). For instance, according to Uberti (2016), "the 'anti-corruption consensus' of dominant development paradigms consider corruption

as a governance failure and posits that graft may be lessened, or even be eliminated using correct institutional reforms, including strengthening the judiciary system, designing corruption-proof regulatory regimes, and establishing anti-corruption agencies." Roden (2010), challenges the propositions of NIE based on analyses of anti-corruption discourse and historical examples. Roden (2010), emphasizes that the NIE adopts a neo-liberalist stance in political and economic thinking, thereby imposing exogenous norms in inappropriate contexts such that results could be problematic. Roden (2010) makes the provocative statement that corruption "is not necessarily evil in all its forms" and that corruption can be potentially beneficial for political, social, and economic development. Hence, he asserts that top-down approaches to battling corruption may be unsuccessful and could even damage political and economic development since they tend to target social capital inevitably, and in the process, criminalize this vital contributor to social, economic, and political development (Roden, 2010).

From a cultural perspective, in many African countries, giving gifts is a positive attribute, especially if gifting is done in exchange for service rendered (Meredith, 2006). Indeed, it is a tradition wherein a "gift was often given after the service is rendered as a sign of gratitude and the size of the gift varied with the importance of the person giving and receiving the service" (Meredith, 2006). Corruption became rampant in African states after they gained independence because politicians and many public officials abused their new powers to inveigle commission for services that they rendered (Atuobi, 2008).

The average commission is 10% (Meredith, 2006). Because of this, many African officials bribe people for an entire gamut of services, including, obtaining licenses, foreign exchange, scholarships, and other typical government processing services (Atuobi, 2008; Hanson, 2009; Lawal & Tobi, 2006; Ndikumanya, 2007).

According to Mbaku (2008), the corruption culture has thrived in African countries because of low compensation in the civil service and white-collar thefts, including ghost employees in payrolls (Mbaku, 2008). For example, in Ghana in 2002, the national auditor discovered that more than \$20,000,000 was paid to ghost employees over two years (Global Corruption Report, 2002). In that country, just like in the neighboring country Togo, the most corrupt public officials were traffic police, customs officers, and the excise and judiciary authorities (Global Corruption Report, 2002). Allowing this practice to continue indicates problems in the enforcement of laws and in monitoring their application.

The Rationale for Choices of Theories

The cultural model and NIE were the appropriate theoretical frameworks to use for the study. On one hand, corruption in African states has been attributed to flaws in cultural norms and behaviors (Jabbara & Dwivedi, 2005). Cultural conflicts between traditional and foreign norms, such as a way that corruption has become an unavoidable result of economic modernization and political development (Alam, 1995). On the other hand, the NIE has an excellent fit with the study not only because of its fit with issues relevant to the phenomenon being investigated, including weak mechanisms for contract

enforcement, judicial systems, and provisions for public interests. However, because it integrates the principal-agent perspective that is also a standalone theory.

Relation to Present Study

By using the NIE and the cultural model, the study was able to build upon existing theories. It must be emphasized that there is hardly any theory-driven discussion about corruption and its possible impacts on real estate development, especially land registration. The study contributed to the literature by addressing this gap. There is also a need to emphasize that a thorough search of literature could not yield empirical research about corruption in Africa concerning land registration. As such, there was little to no insight into the methods used to investigate this topic.

Corruption

Corruption has been described as a constant in society and has occurred in all civilizations. However, an in-depth exploration of the phenomenon only began in the last 20 years (Sumah, 2018). It occurs in different shapes, whether as abuse of power for private gain, fraud, or error (Van Stolk & Tesliuc, 2010; E.C., 2014). Its effects vary, both on the economy and the narrow and broader societies. Researchers have identified the political and economic environments, professional ethics, and morality and undeniably, habits, customs, tradition, and demography among the most common causes of corruption (Sumah, 2018). Its effects on the economy are well researched, yet still not completely. Crime has been a hindrance to economic growth and negatively impacts business operations, employment, and investments.

Many other researchers and institutions (the World Bank Institute, the European Union, the United Nations, and the EBRD) have investigated corruption and its impact on macroeconomic and microeconomic indicators through various forms of corruption, as well as its connection with local customs and habits, and how it affects the everyday life of people. Most studies are therefore mainly the analyses of the effects of corruption on various economic indicators, such as GDP growth, investments, employment, tax revenues and foreign investments (Pellegrini & Gerlagh, 2004; Campos, Dimova and Saleh, 2010; Ugur, 2014) or the study of various forms of corruption concerning politics and the economic environment, the research of its social condition and various manifestations (EBRD, 2013). Researchers agree with the adverse effects, i.e., high economic, political and social costs, and add that corruption is not a weakness of people but institutions, as they should be the ones to obstruct the greed and temptation of individuals within them (World Bank, 2009; OECD, 2014; SOCTA, 2013).

Experts' opinions have varied in an attempt to enumerate the causes of corruption. They assert that corruption differs from one country to another. However, it is still possible to identify some of the fundamental driving forces that generate it. Common to all countries, which are among the most corrupt, has been recognized by (Svensson, 2005). They all fall into the category of developing countries or countries in transition. Their attributes include low income, closed economy, visible religious influence, economic media freedom, and a relatively low level of education.

Irrespective of the preceding, corruption cannot be assessed unmistakably. This follows from experience, which showed that not only one phenomenon is responsible for

the occurrence and development. Corruption often arises from an assortment of numerous interrelated factors that can differ considerably from one another (Sumah, 2018). Among the most commonly mentioned factors that influence the development of corruption are the political and economic environment, professional ethics, and legislation, as well as purely ethnological factors, such as customs, habits, and traditions. It may be necessary to isolate the enumerated factors and briefly throw more light on their nature in what follows (OECD, 2012).

The political and economic environment strongly influences corruption. The more regulated and limited the country's economic activity coupled with higher authority and power of state officials in decision-making. The higher the possibilities of corruption, since those who need services are willing to pay or offer payment to avoid restrictions. The level of corruption is also affected by the monetary policy (OECD, 2012). Research finding revealed an active link between monetary policy and corruptive activity in the states. The states that have a well-regulated financial sector, not a lot of informal economies or black markets, are also less corrupt than those where the opposite is the case. They also reported less corruption in countries where there is more economic and political freedom. According to the World Bank Institute (2005), the efficiency of public administration determines the extent to which corruption can find fertile soil and sprout. Determinants of such efficiency include the quality of the regulations and permits. There are at least two ways that ineffective and unclear rules would enhance the level of corruption. First, the artificially created monopoly of power enables civil servants to obtain bribes based on their superior position and embedded in the system. Second,

conversely, ineffective and unclear regulations cause inhibitions and encourage natural persons to pay bribes to speed up the bureaucratic procedure (OECD, 2007).

Corruption is also strongly influenced by the low salaries of public administration employees whom device other means to improve their financial position by receiving bribes. Consequently, the socio-economic condition of government officials also affects the observable fact of corruption. Purohit, 2005; & Sumah, 2018, found that corruption arises because agencies, institutions, and the government can no longer control crime effectively due to underpaid officials. Moreover, this is more so in developing countries where there are not enough tax revenues to reward local officials appropriately.

Among corruption factors enumerated in the preceding are professional ethics and legislation. Lack of professional ethics and deficient laws regulating corruption as a criminal offense, and the prosecution and sanctioning of it are also a significant cause for the emergence and spread of corruption (Transparency International, 2013). A considerable influence also comes from the ineffective sanctioning of corruption, which only increases the possibility of continuing the corruptive actions of those involved, creating at the same time a strong likelihood that others will join in the corruption due to this inefficient sanctioning (Transparency International, 2013).

The sole lack of professional ethics is a particular issue. The administration requires different amounts of time to develop or change its ethics and professional standards, which is well known in transition countries. It is precisely in the transition countries that the softer acts of corruption are often considered acceptable and justifiable. Consequently, due to a lack of professional ethics in some countries that otherwise

manage illegal corruption well, there is nevertheless a widespread criminal corruption (OECD, 2014).

Corruption also generates a lack of transparency and a lack of control by supervisory institutions. Thus, where there is an insufficient legal basis or sufficient political will to control, which enables a non-transparent functioning of both politics and the economy, corruption flourishes. Corruption is also affected by extensive, non-transparent, or incomplete legislation, where laws can be interpreted in different ways (Transparency International, 2013).

Also listed in the factors being scrutinized are habits, customs, tradition, and demography. Different countries have different attitudes toward corruption. In Europe, two extremes have been identified. At one end is entirely corruption intolerant north and at the other is warm South where corruption is an almost normal, socially acceptable phenomenon. Another way of looking at the two extremes is the difference between countries with a democratic past, which traditionally prosecute corruption, and former socialist countries, where the corruption in the state apparatus has become legendary (OECD, 2014). Then, there are also different customs; in some cases, an expression of appreciation in the form of a gift for a service is equated to courtesy, and elsewhere it is considered corruption. Everything is only a matter of ethics and morality; however, they can differ in different areas and countries (OECD, 2014).

Togo, as a state within the entire global state system, having pre-colonial, post-colonial and modern state histories, has been impacted upon by the corruption contexts

discussed in the preceding. The evidence of it is the country's ranking by Transparency International (2018) as the 129th of 180 most corrupt countries of the World.

Transparency International (T.I.)'s annual survey on the findings of bribery and corruption across different regions of the World is a good source of data for understanding the widespread phenomenon beyond Togo and the shores of Africa.

Corruption was found to still fester in the U.S. despite Trump's presidency being elected on a promise to clean up American politics and make government work better for those who feel their interests have been neglected by political elites (T.I., 2017). A new public opinion survey compared 2017 with 2016 and reported that significant issues include the influence of wealthy individuals over the government. It manifests in the form of pay to play politics and the rotating doors between elected government officials, for-profit companies, and professional associations. The abuse of the U.S. financial system by foreign and local individuals, described as those who use their political power to receive kickbacks, bribes and special favors at the expense of the populace also featured in the report. Rather than feeling better about headway in the fight against corruption over the past year, a clear majority of people in America now say that things have become worse. Nearly six in ten people now say that the level of corruption has risen in the past twelve months, up from around 33 percent who said the same in January 2016 (T.I., 2017).

In Europe, fourteen of the top 20 countries on the 2019 Corruption Perception Index (CPI) are from Western Europe and the European Union (E.U.). On a scale of 0 to 100, where 100 is 'very clean,' and 0 is 'highly corrupt,' the top scorers are Denmark 88, Finland 85, Sweden 85, and Switzerland 85, while the bottom scorers include Hungary

46, Greece 45 and Bulgaria 42. With an average regional score of 66 out of 100, Western Europe and the E.U. can be rated better than other parts of the World. The region is known to pride itself on some of the most robust integrity systems in the World (T.I., 2019).

Europe's overlapping national and EU-level integrity systems presents its problems and may still have a long way to tackle corruption effectively (T.I., 2019). In both Hungary and Poland, democratic institutions and values are at risk, and governments have been discrediting public scrutiny. As a result of systematic violations of the Rule of Law, both Hungary and Poland are now subject to E.U. procedures that could see them stripped of their E.U. voting rights (T.I., 2019). Although Denmark is a top scorer on the scale, it is still not immune to corruption. While the CPI shows the Denmark public sector to be high on the 0 to 100 scale, corruption still exists, as seen with recent scandals involving Danske Bank (T.I., 2019). In the past year, the U.K. experienced a few public sector scandals involving parliament members. The lawmakers involved were found guilty of taking undeclared holidays paid for by foreign states (T.I., 2019).

Transparency International has closely monitored bribery rates across the Asia Pacific region. In the most recent surveys across the region (T.I., 2019), police top the list of public services that often demand a bribe in Malaysia and the neighboring countries. Just fewer than 33 percent of people who had come into contact with a police officer in the last 12 months said they paid a bribe. Overall, thirty-eight percent of the poorest people surveyed said they paid a bribe, which is the highest proportion of any income group. In China, nearly 75 percent of the surveyed said corruption has increased over the

last three years. This suggests that people do not trust the current anti-corruption war in the country (T.I., 2019).

Real Estate Development

Real estate development (RED) is sometimes referred to as property development (P.D.). Conceptually, RED is a business process, incorporating activities that range from the renovation and re-lease of existing buildings to the purchase of new land and the sale of developed land or parcels to others. Real estate developers are the people and companies who coordinate these activities, converting ideas from paper to real property (Freij & Peiser, 2003). Real estate development is different from construction, although many developers also manage the construction process.

Developers buy land, finance real estate deals, build or assign the project to builders, create, imagine, control, and arrange development from beginning to end (Freij & Peiser, 2003). Developers generally make the most significant risk in the creation or renovation of real estate and receive the most significant rewards. Usually, developers purchase a tract of land, determine the marketing of the property, develop the building program and design, obtain the necessary public approval and financing, build the structures, and rent out, manage, and ultimately sell it (Freij & Peiser, 2003).

At other times, developers will only undertake part of the process. It is common to find developers who source a property and get the plans and permits approved before selling the property with the plans and permits to a builder at an excellent price. Differently, a developer that is also a builder may purchase a property with the plans and

permits in place so that they do not have the risk of failing to obtain planning approval and can start construction on the development immediately.

Developers work with many different counterparts along each step of the process, including architects, city planners, engineers, surveyors, inspectors, lawyers, leasing agents, etc. developers come from a variety of disciplines. They include construction, urban planning, lending, architecture, law, and accounting, among others. A development team can be put together in one of several ways. At one extreme, a large company might include many services, from architecture to engineering. At the other end of the range, a development company might consist of one principal and a few staff who hire or contract with other companies and professionals for each service as needed (Abatecola et al., 2013). Assembling a team of professionals to address the environment, economic, private, physical, and political issues inherent in a complex development project is critical. A developer's success depends on coordinating and leading the completion of a series of interrelated activities efficiently and at the appropriate time (Abatecola et al., 2013).

The development process requires skills of many professionals that include architects, landscape architects, civil engineers and site planners to address project design; market consultants to determine demand and a project's economics; attorneys to handle agreements and government approvals; environmental consultants and soil engineers to analyze a site's physical limitations and environmental impacts; surveyors and title companies to provide legal descriptions of property; and lenders to offer to

finance. The general contractor of the project hires subcontractors to put the architectural plans into action (Freij & Peiser, 2003).

Subdivision of land is the principal mechanism by which communities are developed. Technically, development describes the legal and physical steps a developer must take to convert new land into developed land. The subdivision is a vital part of a community's growth, determining its appearance, the mix of its land uses, and its infrastructure, including roads, drainage systems, water, sewerage, and public utilities (Abatecola et al., 2013; Freij & Peiser, 2003).

Land Registration

A land title is a document attesting to an entity's right to own land (Udoka, 2017). Moreover, a land title is documentary evidence of the right of ownership on a specific plot of land to a person, group, a community, an organization. Ownership affords the owner certain rights, such as the right to build, plant, sow, convey, assign, lease, and do other things that are not contrary to law or public policy. Ownership also gives the owner the right to usufructuary of the land.

The documentary evidence of ownership refers to the Certificate of Title, which is usually insured by a state or municipal government to determine the ownership of real property (Udoka, 2017). Land titles are produced through land registration and instruments that formalize land ownership rights (Dixon, 2002). A piece of land is considered to have been duly registered if its title or right to ownership is recorded in a register maintained by a Land Registry authority in the relevant districts of a country (Dixon, 2002). Land registration, alternatively known as title registration, is undertaken

to make claims to land enforceable and serve as a contract so that applications can be reinforced (Rosenberg & Birdzell, 1986). The process can differ from one jurisdiction to another.

Generally, it involves making a claim of ownership to a particular parcel of land and submitting documentary evidence to support it. Opposing parties are also given the right to question that claim of ownership. In light of these, land registration generally refers to as systems by which matters concerning ownership, possession or other rights in land can be recorded usually with a government agency or department to provide evidence of title, facilitate the transaction and to prevent unlawful disposal which varies according to jurisdiction (Udoka, 2017).

Meanwhile, Udechukwu (2006) explains that land registration's underlying rationale is to confer on landowners or purchasers a title, which the state guarantees. Land registration simplifies conveyance and makes the latter cost-effective, timely, and dependable. Having a validly recognized land title secures one's use of the property, including having the rights to the fruits of the land. Fruits may include those from agriculture or those coming from industrial investments, such as rents and leases. Also, the term property has multiple meanings; however, in the context of real estate management, it is commonly utilized about real property (Kalu, 2001). Real property is a form of property investment that encompasses a range of concepts, including land, buildings, and industries (Kalu, 2001). In light of these, real estate investment occurs when an entity allocates capital to the development or purchase of land or buildings for income generation or self-occupation. Notably, developing buildings or structures always

starts with acquiring or purchasing an appropriate piece of land. To ensure the interests of the owners or purchasers, this piece of land should have a proper title, and the best way to ensure this is to have evidence of registration (Kalu, 2001). Land registration affects the property in different ways.

As mentioned earlier, throughout sub-Saharan Africa, the land has been crucial for economic development, food security, and poverty reduction. However, in many sub-Saharan states, the land has been becoming scarce due to different pressures, including demographic growth (Cotula, Toulmin & Hesse, 2004). Such pressures have intensified competition for land between various entities, including multiple land users like farmers and herders, urban elites, and foreign investors. Besides, socio-economic conditions have evolved in many sub-Saharan African regions, so that customary rules and institutions that traditionally administered land rights have eroded (Cotula et al., 2004), consequently, there have been tensions relative to land ownership. It must be emphasized that these tensions have political importance, mainly since they encompass issues on control through policymaking that seek a more equitable distribution of wealth and power.

In response, over the past two decades, many African states have either crafted new policies and laws or reformed existing ones to restructure land relations (Cotula et al., 2004). This Process ushered in a new era of land legislation that unfolded within the broader context of a restructuring of social relations within African states (Toulmin, 2009). Since the 1990s, many African countries adopted new constitutions designed after the principles of good democratic governance, human rights, and freedoms (Toulmin, 2009). Many such laws also enshrine fundamental principles concerning land relations,

which are then implemented by legislation (Alden Wily, 2003). Structural adjustment led to the expansion of economic liberalization and market instruments across the region. Governments have declined in terms of roles that they play due to policy perspectives and lack of institutional, financial, and human resources. In contrast, society has adopted a more dynamic and proactive stance as it seeks to enlarge its role in land policy design and implementation.

Tenure Security and Land Reform

Across sub-Saharan Africa, states have been reforming land tenure legislation and registration to enhance security for owners and purchasers (van den Brink, Thomas, Binswanger, Bruce & Byamugisha, 2005). Mechanisms have been developed to register individual and collective rights to land and natural resources (Narh, Lambini, Sabbi, Pham & Nguyen, 2016; Peters, 2009). However, such reforms have been fraught with challenges, debates, and unresolved issues.

Tenure Security

Since gaining independence, many African countries have developed and enforced policies and initiatives seeking to improve land tenure security for farmers so that agricultural investment and productivity are enhanced (Cotula et al., 2004; Toulmin, 2009). Giving farmers' security of tenure leads to higher productivity for the people and more revenues for the government. Frequently, these policies overlooked or intentionally ignored existing customary and local institutions, as well as took no account of the distributive issues that underpin tenure security. As a result, intended benefits had not materialized or had been limited at best, with implementation resulting in lost secondary

rights. However, a good number of African governments have been using new approaches for the improvement of tenure security, giving close attention to customary norms and practices and protecting all rights and interests in land (Makana, 2010; Obeng-odoom, 2015). This process can take years to implement if it is again corrupted and manipulated by certain groups of people.

Accessing Land

As mentioned earlier, land tenure in most African states is either customary/traditional or state/statutory (Bottazzi, Goguen & Rist, 2016; Otsuka, Quisumbing, Payongayong & Aidoo, 2003; Yaro, 2010). With customary land tenure, there is no written agreement but rather follows local customs and traditions, making it flexible and negotiable, although location specific (Cotula et al., 2004; Toulmin, 2009). Typically, principles hark back to rights established when the lands were first cleared during colonial times. Conventional systems are administered by a traditional leader, who frequently is the village chief or council of elders (Gardini, 2012; 2013). These systems are not static but evolve on an on-going basis as influenced by cultural interactions, socio-economic developments, and the relevant political landscapes. From the perspective of current land use, these traditions need to be reinvented or reformed because, currently, they lead to conflicting claims from different social groups or entities as owners (Gardini 2012; 2013; Toulmin, 2009).

In comparison, state systems of land tenure are supported by established written laws and regulations and administered by government agencies and informed by judicial decisions (Toulmin, 2009). The underlying principles of state systems of land tenure are

citizenship, nation-building, and constitutional rights. As said earlier, land rights are conferred to owners or purchasers, as evidenced by issued titles or other forms of registration of ownership.

However, in sub-Saharan Africa, these two types of systems often overlap, or a blurring of lines exists (Gardini 2012; 2013). Here, the reference to customary systems has significantly changed over the last decades because governments have been interfering with allowing the implementation of the state system. For example, in South Africa, customary systems are a mix of colonial and apartheid laws. The same tribal authorities were also the government officials reporting to the State President (Cotula et al., 2004). Legal systems for land management are usually operated with room for considerable negotiations. As a result, farmers can access land through a mix of customary and statutory systems with formal and informal institutions. Because of the blurring of lines in processes and systems, it is not uncommon for confusion and conflicts to reign, thereby resulting in tenure insecurity. The conflicts need to be settled. In the process, parties involved tend to tap upon different norms to support their competing claims. They are likely to select the institutional channel that they believe would be favorable to their interests (Cotula et al., 2004). To further exacerbate matters, these occurrences lead to institutional shopping and often, bribery and corruption (Cotula et al., 2004). Researchers on the phenomenon have noted patterns, such as among urban investors, where the general preference is for the legal system using formal written agreements or contracts for their land rights (Cotula et al., 2004; Gardini, 2012; 2013).

Additionally, locals typically turn to the conventional system, seeking representation from tribal or village leaders. However, women and migrants prefer the formal statutory system that guarantees their rights over land compared to customary norms (Olulumazo, 2006).

Land Titling and Registration

For many years now, the solution to the problem of blurring and overlaps has been to eliminate customary systems so that they may be replaced with more modern land tenure (Bottazzi et al., 2016; Yaro, 2010). The underlying rationale has been that only secure private property can sufficiently incentivize land investments and that tenure security may be achieved using land titling and registration. Security of land ownership means that willing investors are sure that their investments will not be wasted because they have the Law to back up their claims. Nevertheless, if the security of ownership is threatened or unsure, people will be hesitant to develop the land or invest. Therefore, several supporting arguments for land registration have been explored. First, registering land leads to the efficient utilization of that land. It enhances tenure security while eliminating barriers to investment, which in turn leads to better long-term management and productivity of the land (Yaro, 2010).

Secondly, land registration provides landowners and farmers with a title to use this as collateral when borrowing money from financial institutions (Yaro, 2010). By extension, this process enhances farmers' access to credit that they can use to improve their lands. Third, land registration informs governments about landholders and the size of properties and fields that notify the system of property taxes (Yaro, 2010).

Because of these arguments supporting land registration, many African states launched initiatives about land registration wherein customary rights are converted into private ownership (Yaro, 2010). However, this practice has not extended to sub-Saharan Africa, where only little land is registered as private property (Gardini, 2013). With the existence of different barriers, for example, land registration facilitates the resolution of land disputes. However, in light of the culture in many sub-Saharan states, the introduction of a central registration system can exacerbate conflicts and lead to land grabbing. For instance, the elite may be attracted to a specific piece of land over which they assert claims, but the land cannot be theirs under customary Law if they know that land registration is impending (Cotula et al., 2004). The masses in these African states also have poor educational attainment and limited access to information and the correct contacts. Eventually, they discover that the land they believed was theirs was registered to somebody else, after all. Moreover, if registration is costly in terms of money and time, smallholders are at higher risk of losing their rights over land than those who have greater access to resources (Cotula et al., 2004). Just as importantly, land registration may tend to penalize holders of secondary land rights, including women and herders, because these rights are not specified in the land register and maybe potentially expropriated (Cotula et al., 2004).

In addition to these, land registration may not sufficiently enhance farmers' access to credit due to high transaction costs and other costs that may constrain credit supply in rural areas (Cotula et al., 2004). Lastly, in cases where transaction costs are high, people may prefer to forego registration so that the land register itself becomes outdated (Cotula

et al., 2004). This is if the potential benefits of land registration are severely constrained (Cotula et al., 2004; Firmin-Sellers & Firmin, 1999; Platteau, 2000).

Land Tenure in Togo

Tenure relations in Togo reflect that of many other states in the region, making it also complex (Olulumazo, 2006, p. 4). Many people from Togo's Savannah area returned to their hometowns after migrating to urban centers due to a 1992 political crisis (Olulumazo, 2006, p. 4). This can lead to complications in tenure relations in that while conservation rules in the savannah were stringently implemented, some of the returnees sought to use their political connections to acquire land within the savannah reserves. Notably, while these "exiles" and true owners of the land were away from the region, social ties that determined access to land under-went change, with some people remaining in the area turning the confused situation to their advantage. Thus, when certain people returned to claim lands, they thought belonged to them; it would not be unusual to discover that others have already claimed these lands.

It is important to note that there are two types of ethnic groups in the area: the Moba/Gourma ethnicity, whose areas of residence are Dapaong in North Togo, and the Anufom that lived around Mango. The Mobas were the original residents of the Savannah area, but the latter sometimes took over the area in 1760 (Olulumazo, 2006, p. 5). In Togo, customary traditions hold that tenure relationships should be based on the right of the first occupancy. This is expressed in every type of ritual ceremony that seeks to honor connections with the god of the land and affirm the claim publicly.

Hence, the right to settle and work in the land could not be undertaken without the Mobas' permission. Furthermore, the Anufom obtained rights to the land when they conquered the Mango area, although they maintained the Mabos' religious connection with the land (Olulumazo, 2006, p. 5). Another form of tenure that has been in place in Togo is the right to clear, which permits new arrivals who ask for plots to cultivate or to build their compounds on the land. These settlers are outsiders who are accorded the right to use the land allocated to them on a more or less permanent basis, depending on their kinship with the original owners, the supply of available land as well as how good the most recent harvest had been.

However, by right, the land granted through this tenure remains the property of the first occupant and his descendants. Apart from those mentioned above, "access to water, fishing resources, and rangeland were regulated under a joint management system" (Olulumazo, 2006, p. 5). People were forbidden from collecting firewood and picking wild produce, and in religious places.

Access to land and natural resources in Togo areas is governed by different forms of tenure, from common resource property, usage or cultivation rights, and gifts, and derived rights in the way of leasing and tenant farming. Alongside customary tenure, there are also legislative provisions, but most of this date back to colonial times, which encompasses ownership title. However, this has not been widely applied in rural areas (Olulumazo, 2006, p. 6). Even after Togo gained its independence in 1960, these laws remained relevant over tenure relations, particularly in urban areas, although they effectively were also tenuous. The blurring of lines between customary and statutory

claims to land had been so conflict-ridden that when a person acquired a piece of land to build a property, that person also receives a lawsuit (Olulumazo, 2006, p. 6). Due to these problems, title ownership reform was undertaken in 1974 reform. However, in contrast with other changes in African states at that time, the Togolese agrarian reform "did not provide for wholesale nationalization of the land" (Olulumazo, 2006, p. 6).

Indeed, customary access patterns were practiced in the same way that acquisitions based on modern Law were accepted. The exact wording of the relevant legislation is that the State guarantees the ownership rights of individuals and communities who hold land title issued under the Law. The State also guarantees the ownership rights of any person or community who can claim to exercise customary rights over the land they use (Olulumazo, 2006, p. 6).

In light of these, Togo has had an ambiguous landholding system. Several land and property reforms have been attempted to address these problems, the most recent having been in 2018 (International Land Coalition, 2018). However, land reforms in the 1970s and 1980s led to an impasse in tenure rights. The intentions of the reforms did not reflect the reality of what was happening in society (Olulumazo, 2006, p. 7). Specifically, these reform efforts introduced new principles that altered the rules governing land use and unsettled end users. For example, farmers did not like the reforms because they deviated from the customary system they favored, and which were flexible. Here, the weaknesses of the judiciary systems are well-documented.

Togo's judicial system does not adequately protect private property and ownership claims (Kohnert, 2017). Notably, the legal system is recognized as one of the new

authorities in land registration. However, in Togo, the executive branch of the government's influence on the issue has been too stable (Kohnert, 2017). Democratic countries follow the separation of the three branches of government: executive, legislative, and judiciary. The judiciary, being co-equal with the executive, must always act independently, deciding questions of law, including those involving land registration problems.

Nevertheless, in Togo, when the executive branch is seen as an interfering body, this means that the judiciary is not considered co-equal. This happens when this body is also tainted with corruption. As a result, corrupt practices may not be addressed adequately.

Meanwhile, public officials in charge of inheritance and property protection laws were ineffective, especially in protecting women's rights concerning land ownership. Women's holdings may be grabbed from them, and they have limited options when it comes to filing cases in courts. In places where these property rights exist, they are not well enforced. Among all the laws relevant to land registration, the enforcement of contracts has been the most challenging (Kohnert, 2017).

Because of the judicial system's weaknesses, and in light of the massive land-grabbing problems in Togo, the judiciary has also been undergoing reform. The legal system also suffers from rampant corruption and is unable to live up to its constitutional role (Kohnert, 2017). Studies into the matter conducted by the World Bank reveal that up to 60% of Togolese citizens have been involved in corruption in court cases (Kohnert,

2017). Corruption in courts can range from bribes to court personnel and judges to using threats and violence to get favorable rulings.

Nevertheless, the complexity of the land tenure system in which traditional and modern law coexists and competes with one another is further worsened by the scarcity of land (Kohnert, 2017). At this point, land-tenure regulations continue to be dominated by traditional African customary laws, which traditional chieftain and local authorities often interpret, especially in rural areas (Kohnert, 2017). The majority of contracts are verbal, and disputes are rampant. It must be noted that roughly 80% of court cases about land-tenure are conflict-ridden (Kohnert, 2017). Only 36% of arable land is governed by a tenure system that ensures long-term security. Poor farmers, women, and migrants have no secure land tenure rights. Land-grabbing has been on an equally massive scale. Land-grabbing has been affecting 25,000 hectares in Togo, as well as 23 cases of lease contracts or large-scale land acquisitions that are problematic because of land-grabbing (Kohnert, 2017).

Bribery and corruption of local officials have been rampant as well, including in the rural areas defined by high agricultural potential, such as “Amou, Ogou, East-Mono, Haho, Kpélé, and Kloto in the plateau region, as well as those on the plain of Mô in the central region” (Kohnert, 2017). Perpetrators of land-grabbing are usually wealthy officials, politicians, and businessmen, who use an entire gamut of methods, such as fostering and driving inter-community conflicts to outright intimidation (Kohnert, 2017).

Recent Reform

The Togolese government established a National Engagement Strategy (NES) to address land tenure problems, including, land-grabbing (ILC, 2018). This is embodied in a new land code passed on June 5, 2018, by the Togolese Parliament. The role of the NES Committee has been far-reaching. Members of NES conducted studies on the land tenure systems in Togo, commencing in September 2012. Based on the results of this study, Togo's policymakers developed a framework document that land actors in Togo used to formulate the NES. After the NES was established, the Committee launched a national conference on land in 2013, where details of the NES were discussed. This led to the creation of a preliminary draft of the State and Land Tenure Code (SLTC), which policymakers assessed and provided recommendations. NES builds upon knowledge regarding the problems faced in the land tenure system, and it now seeks the inclusion of grassroots people's concerns in the draft law before it was finally adopted. To fully assess the draft SLTC, the NES Committee organized a national civil society forum with the SLTC encouraged to be debated. It is important to note that the NES supports the National Land Forum. Experts from different parts of the World discussed experiences about land reform cases from Morocco, Benin, and Senegal to enrich further development of the SLTC (ILC, 2018). Before passing the Law, the NES Committee collaborated with the Konrad Adenauer Foundation in March 2018 to train public officials responsible for implementing and enforcing the SLTC (ILC, 2018).

Before the STLC was enacted, the NES Committee sought feedback from various stakeholders in cities and rural areas to refine the details of the Law. After enactment, the

NES Committee established regional NES hubs to introduce the new legislation smoothly. In two regional headquarters, the NES recruited participants for feedback and finalized the draft of the STLC only after their feedback had been incorporated. The STLC protects the rights of vulnerable people as well. In terms of land tenure, the STLC requires that all lands be titled before changing hands (ILC, 2018). It reconciles customary systems and traditional laws with modern laws and the introduction of the inviolability and unassailability of land titles (ILC, 2018). In terms of governance, provisions were made in the STLC to allow the creation of institutions, which would be responsible for land reform and land management at the national and local levels (ILC, 2018). This approach has grassroots value because it brings the administration of the STLC closer to the people.

Meanwhile, from a technical perspective, the Law creates a multipurpose digital cadaster that systematically identifies, documents, and stores all existing land titles and holders (ILC, 2018). At the societal level, the STLC requires a land regularization system for de facto occupations and secures plots of land through registration at the public authorities' initiative. Currently, the NES Committee continues to work on implementing the STLC to ensure widespread understanding and adoption. The Committee continues to go around Togo to explain the Law, especially in rural areas.

Overall, what can be said about land registration in Togo is that there are laws in place that allow people to register their lands. Land registration is essential as it confers rights and privileges to the owners. Nevertheless, registering lands is not exactly easy and ideal because of how it has been tainted with corruption.

Summary and Conclusions

An analysis of this Law reveals specific gaps in the literature. It is essential to note the existence of scarce recent research and empirical studies on land tenure in Togo. Although there are general references to corruption in Togo, there is hardly any detailed information about corrupt practices in land registration. This gap in literature points to the fact that fraudulent practices can continue to increase because no studies bring them to the forefront. There is also little scientific knowledge about the possible impacts of corruption in land registration, particularly real estate development. With regards to the latter, a thorough search of literature provides very scant information giving the impression that written documentation does not exist. However, the importance of land registration in Togo where there has been a persistent problem in land tenure cannot be emphasized enough because this problem, if left unaddressed, can affect the economy of the country. It may lead to inter-community strife and deepen food insecurity because of the proportion of rural lands involved. Also, in terms of real estate development, corruption can mean higher development costs, which will be passed to local consumers.

Chapter 3: Research Method

The purpose of the study was to gain a better understanding of the impacts of corruption on real estate development in Togo. Although corruption and challenges in real estate development in Togo have been explored in literature, there is scant empirical knowledge about the impacts of corruption on real estate development with consideration of issues that include land tenure, ownership rights, and the overlap between legislation and traditional laws. This chapter discusses the methodology of the study, starting from research design and rationale to the role of the researcher and method which includes participant selection, instrumentation, the procedure for data collection, data analysis plan, trustworthiness, and ethical procedures.

Research Design and Rationale

The study addressed the following research questions:

Research Question 1: How is corruption manifested in Togo's land registration process?

Research Question 2: How has this corruption in the land registration process impacted real estate development in Togo?

The central concepts of the study are corruption and land registration in Togo. Currently, land registration in Togo is highly inefficient and is beset with landownership and land-grabbing conflicts. There are currently two types of laws in place with regards to land registration in Togo. The first is a set of requirements addressing land tenure, land use, and claims to ownership that nevertheless has led to a highly bureaucratic system and procedures, over which state courts are not competent in resolving conflicts (Gardini,

2013). The second is a set of traditional laws administered by village leaders who originally played the roles of conciliators but with time, have been more recognized as the primary authorities governing access to land as well as determining rights to property ownership.

Because of this complex blend of civil code and traditional laws, land registration in the real estate sector of Togo is chaotic (U.S. Department of State, 2014). A potential solution to this problem would be an efficient and effective land registration process (Hanstad, 1998; OECD, 2017; Zevenbergen, 2002). In order to determine what this effective and efficient land registration process would entail, there is a need to study how corruption, a phenomenon that is rampant in many African countries, could be impacting land registration in Togo's rural areas (Mullet et al., 2016; Soumaila, 2017; Talukdar, Mia, & Hossain, 2016; Wendland et al., 2015). It is against this backdrop that the study was undertaken.

Research Tradition

The study's research tradition was interpretivism. The interpretivism tradition is grounded upon ontology that considers reality as subjective, and as such, the researcher interprets and seeks to understand findings according to their own belief and value systems. Interpretivism studies interpret the social world as "culturally derived and historically situated" (Blaxter et al., 2010, p. 61). With interpretivism, different multiple-constructed realities exist such that generalizations are "neither desirable nor possible, that research is value-bound" (Onwuegbuzie et al., 2009, p. 114). Hence, the researcher has sufficient leeway to thoroughly describe and define specific phenomena in a way that

those phenomena may be analyzed according to themes (Shenton & Hay-Gibson 2009). Considering, based on the interpretivist view, that reality is socially and culturally constructed, the researcher becomes aware that truth is always negotiated within cultures, social settings, and relationships with other people. In light of these negotiations, trust and validity are not grounded upon an objective reality. However, to substantiate the subjective quality of data collected in this study, it is still necessary to harness theories from the sciences to provide an objective perspective.

Role of the Researcher

In a qualitative study, the role of an objective observer is quite pertinent, and the observer cum reporter serves as the instrument of research as defined in the qualitative method, compared with the quantitative approach where researchers use or design instruments to collect data (Denzin & Lincoln, 2003). Considering that this study was qualitative, the data collected and analyzed was the participants' realities but were also consistent with my interpretivist perspective. Data analysis was performed through the filters of my perceptions, understanding, and experiences as a researcher, which was informed by my knowledge, beliefs, and skills. Necessary steps were taken to eliminate any chances of personal or professional relationships with the participants and to demonstrate that any foreseeable issues about researcher biases were removed. The only power relations I anticipated to exist were the ones involving the participants and their possible relationships with the village leaders. Any foreseen conflicts of interest involving myself were eliminated. Nevertheless, to prevent any form of bias, an interview

guide was prepared beforehand, which was reviewed by peers for feedback about potential biases.

Methodology

This subsection discusses the method for the study. The conducted research was qualitative in nature, specifically, a single case study.

Population and Sample

The population of the study was comprised of community leaders and members, officials of land registration agency, prospective land title holders, potential property developers, and a member of a vulnerable group. In the case of study designs, sampling tends to be challenging to undertake since the researcher has a broad range of options from which to choose (Mills, 2010). For case study sampling, a case that was information-rich was investigate because, through such situations, significant insights about the phenomenon studied was gained. However, sampling was ensured to be flexible especially about the justification of the sampling choice. Therefore, the research was integrated with an interview component, which is why it had study participants.

Identify and Justify the Sampling Strategy

The sampling strategy was homogenous purposeful sampling, which means that 15 participants were selected according to shared attributes (Williams, 2012). Homogenous purposeful sampling is a form of convenience sampling, which is the appropriate strategy to use when the researcher seeks to understand the collective experiences of a specific group or community (Williams, 2012). Sampling is purposeful because the researcher intends to look for information-rich participants rather than

achieve randomization that is usually the goal of many quantitative studies. Qualitative studies need to have only a few participants because it permits the researcher to obtain a sufficiently deep understanding of the phenomenon being investigated (Creswell, 2005).

Criteria for Participant Selection

Using the homogenous purposive sampling means that participants were selected according to shared traits. These shared traits are (a) member of a tribal group or ethnic tribe in rural Togo; (b) experience with disputes related to land registration involving a village elder; (c) nonkinship with village elders who administer land registration. The last criterion was necessary to eliminate bias in responses to interview questions. It is important to note that with convenience sampling, study participants were recruited according to their availability and accessibility. Usually, convenience sampling is selected because of constraints on time and resources on the part of the researcher (Flick, 2008). In the study, convenience was warranted because of the narrow criteria used for the selection of study participants. It is necessary to highlight that convenience sampling has its weaknesses, particularly in terms of credibility and trustworthiness. These weaknesses were addressed by establishing the shared traits of participants that would help eliminate bias. Thus, not only did the participants have to be members of a tribal community in rural Togo, but they also needed to be unrelated by kin with the village elders administering traditional laws about the land. In having participants coming from different tribes or ethnic groups, data collected may provide comparative perspectives, opinions, and ideas (Weiss, 1995). Having this comparative view offers a more thorough or broader view of the phenomenon being investigated (Weiss, 1995). On the other hand,

the criterion requiring experience with land-related disputes or disputes related to land registration allowed gaining an insight not readily available in any published report or account.

Participants Meeting Criteria

A gatekeeper was engaged to help ensure that participants satisfied established standards. A gatekeeper is a person who can provide access to participants required for a study (Mcfadyen & Rankin, 2017). One cannot eliminate the possibility that tribes, ethnic communities, or village elders would not be receptive of the research on land registration. There are two ways through which a researcher may gain access to the said communities: by disguise, pretense or manipulation of community members, or, through the help of gatekeepers who can formally facilitate access. For the study, the gatekeepers were involved in the administration of land tenure in selected rural areas in Togo, preferably in land registration. They can help identify prospective participants who may be interviewed for the study as well as confirm that, indeed, these participants have experienced land disputes. These gatekeepers can also provide the researcher with access to said participants as well as protect the interests of the study participants. Using gatekeepers in research emerged out of the difficulties in obtaining informed consent from study participants (Gallo et al., 2012). In this study, the gatekeepers not only facilitated access to research participants, but they also helped me obtain informed consent from the selected participants.

Number of Participants

The number of participants was limited to fifteen. Ten of them were engaged for the one-on-one semistructured interview, and the other five formed the focus group interviewees. The underlying rationale here is simple: the goal of the researcher is to obtain sufficiently deep insight into the phenomenon being investigated. Having a large number of participants to interview and the analysis of a large volume of interview responses will prevent the researcher from obtaining such profound insight.

Identifying, Contacting, and Recruiting

The selected gatekeepers for the study helped to identify, contact, and recruit participants. The gatekeepers checked the land registry and determined who have had experiences with land disputes. They also provided me with a list of these prospective participants, after which I gave formal invitations to the gatekeepers. In turn, the gatekeepers contacted and recruited the participants.

Saturation and Sample Size

Saturation refers to that point in data collection where information becomes redundant, thereby negatively affecting the efficient use of resources (Williams, 2012). When data become saturated, themes, elements, and qualities have already been explored through what has been collected from current participants in the sample. Usually, data saturation in qualitative studies occurs when there are more than 12 participants (Williams, 2012). In other words, after 12 sets of data have been collected from 12 participants, responses to interview questions would become redundant, and the researcher will no longer gain insight beyond these (Williams, 2012).

Instrumentation

The instrument that was used for the study is the semi-structured interview. The semi-structured interview method is widely used for research in social studies, education, and other disciplines because it permits the researcher to conduct an in-depth investigation of participants' lived experiences (Mitchell & Jolley, 2009). This was done by interacting and engaging with said participants. With semi-structured interviews, participants are asked fixed questions but are not given response codes in the same way that structured interviews do. For the study, this was an excellent method to use since it permitted the participants to discuss their experiences at length, but their responses could not stray far from the topic because I had prepared an interview questionnaire beforehand. An advantage of using a questionnaire prepared previously is that risk of interviewer bias may be reduced (Mitchell & Jolley, 2009). In addition to these, the use of semi-structured interview questions lessened the complexity in analyzing the participants' responses.

The Basis for Instrument Development

The interview questions were based on literature sources. It means that the items were developed according to what has been learned through research. In other words, insights gained from the literature had served as guide for crafting the interview questions.

Content Validity

Content validity refers to the degree to which an instrument accurately measures what it intends to measure (Patrick, Burke & Gwaltney, 2011). In empirical relations,

content validity is determined by documenting that the construction and content capture the connection between the intended measurement concept and the way participants from the target population understood and discussed that concept (Patrick, Burke & Gwaltney, 2011). Content validity is the measurement used for evaluating whether interview questions are comprehensive and sufficiently reflect participants' perspectives. Moreover, it provides evidence that formatting, instructions, and response options are relevant, and the measure is understandable and acceptable to participants. It is crucial in qualitative studies to establish content validity because it supports the collection of correct and meaningful data, which can help the researcher address research objectives (Brod et al., 2009). The most appropriate way to collect data to support content validity is by performing the qualitative study through direct communication with participants to sufficiently capture their perspective on issues of importance relative to the phenomenon being investigated. Interviews represent one way of collecting such information which, in turn, should be analyzed systematically, qualitatively, and accurately, then adequately documented (Brod et al., 2009).

Data Collection

Data were collected using both primary and secondary sources. The primary source was the interviewed participants. Secondary source included documents, and records of land registration, receipts, protocols, contracts, archival materials, government reports, media pieces, and investigations. Data analysis was completed using coding and thematic analysis cycles.

I was responsible for the collecting the data. Interview participants were scheduled for interviews that lasted from 90 to 105 minutes per session. Permission was obtained from participants for their interviews to be recorded so that their responses could be subsequently transcribed and analyzed. Whenever recruitment resulted in too few participants, a meeting with the gatekeepers was convened to remedy the problem.

Data Analysis Plan

After participants' responses had been transcribed, they were analyzed using at least two coding cycles before meaningful themes were extracted. To perform coding, I undertook a search for patterns in data and ideas that helped explained why those patterns were there in the first place was done (Bernard, 2006). Codes were developed for data obtained from participants at the qualitative interview. Further step was the development of a complete coding table with features of a priori and open codes, categories and themes.

The coding activity enabled me to discern patterns in participant responses (Saldana, 2008). It is important to note here that participants responded to the same questions on the same topic; at the same time, however, they responded according to their perceptions. Thus, their responses were likely to be colored by their values, attitudes, and belief systems about the topic such that their answers could differ or be similar in certain respects. In seeking to determine patterns in coded data to categorize them, it must be emphasized that there were instances when I grouped codes because they were similar, different or identical, and also because there were commonalities in differences (Saldana, 2008). Saldana (2008) explains that qualitative researchers should acknowledge that

certain variables or concepts may confound categorization of codes, although patterns may be discerned from commonalities in differences, and similarities. Patterns may either be in terms of (a) similarity in which things occur in the same manner; (b) difference because they occur in predictably different styles; (c) frequency, as to whether they often or seldom happen; (d) sequence because they happen in a specific order; (e) correspondence in that they occur relative to other activities or events; and (f) causation when one seems to cause another (Saldana, 2008).

Table 1*Coding Scheme for the Semistructured and Focus Group Interview Responses*

A priori Codes	Secondary/Child Code	Data Collection Protocol
Demographic	Age, marital status, size of family, community membership/status, property ownership	1, 2, 3, 4, 5, 6, 7
Ownership rights	Land authorities, Law, Land registry	9, 10, 11, 12
Land acquisition	Traditional/customary constraints, Land title, Land grabbing, Certificate of title	9, 10, 11
Land fracas	The judicial process, Vulnerable group, Grants, Proving ownership	9, 10, 12
Process effectiveness and efficiency	The institutional arrangement, public awareness, customer feedback, Lawful gifts and money, Unlawful gifts and money	14, 15
Developmental challenges	Disincentives, Security of title, Tax, Collateral, Plans, and Permit	13, 14, 15
All-embracing solution	Adequate-compensation, consensus, institutional reform, judicial reform, the institutional war against bribery and corruption	15

Transcription

In qualitative studies, audio or video data such as recordings of interviews, focus groups, or talk in the consultation are usually transcribed into written form for closer research, content analysis, and interpretation. Transcribing could be performed both manually and electronically through computer software designed and manufactured for the purpose. Transcribing appears to be a straightforward technical task, but in practice, it involves judgments about what level of detail to choose (Bailey, 2008).

In this study, I used both manual and electronic transcriptions. There were vital aspects of the interview sessions that were more suitable to be transcribed manually. They include features as facial expressions, body movement and posture, gestures, eye contact, intonation, speaking speed, pauses and sighs.

Evidence of Trustworthiness

Quality, trustworthiness, and credibility are essential to qualitative studies. Critical appraisal and analysis were undertaken to ensure quality and may be facilitated through the use of tools such as Nvivo, Hubset, MAXQDA, Quirkos and Qualtrics. According to Hill and Spittlehouse (2003), quality can be ensured by processes that are used to systematically analyze evidence to obtain dependable outcome as information for decision making. Trustworthiness was achieved by ensuring that the study is credible, transferable, dependable, and confirmable (Erlandson, Harris, Skipper & Allen, 1993). For example, I used strategies that allow meaningful engagement with participants, consistent observations, as well as sufficient numbers of credible resources. Meanwhile,

credibility was achieved by using established case study protocol and triangulation of literature review results, and results of analyses of primary and secondary sources.

Reliability was also enhanced by iterative questioning, peer review of the research draft, a complete description of the phenomenon being investigated as well as, carefully reviewing of literature relevant to the study (Shenton, 2004).

Credibility

To achieve credibility for this qualitative single case study, I involved the participants in activities of member checking and sense making, in-depth engagement and regular review of document and peer debriefing (Houghton, Cassey, Shaw, & Murphy, 2013). Contacts made with participants provided them the opportunity to validate or refute the evolving interpretations of the views and in-depth understanding they shared with me in the course of the interviews. According to Harper and Cole (2012), a researcher achieves credibility by adopting processes which ensures the accuracy of its findings. I have achieved construct validity (Sanders and Rojon, 2014; Tanggaard, 2014; and Zohrabi, 2013) by using semi-structured interviews, and focus group interview to gather data from multiple sources. My data collection strategy has met the requirement of Yin (2014) who stated that maintaining credibility entails that multiple sources of evidence are preferred to a single source of evidence.

While analyzing the data, I took steps that ensured the achievement of both internal and external validity in the research sequence. I was very conscious of my biases from interfering with the work in-progress. I put my values, beliefs, and world views in check so as not to interfere with my data collection, analysis, and interpretation as

described by Klier (2012), Smith and Noble (2014). These conscious activities helped to refine and authenticate the themes and findings that emerged.

Transferability

According to Marshall and Rossman (2016), the readers make the decision whether a study is transferable or not. However, the outcome of a qualitative single case study on corruption in Togo and its impact on real estate development, though it is focused on Togo, could find wide applicability in different parts of the world where the war of attrition over land ownership rights has continued to fester without possible truce in sight. Transferability connotes how research findings and outcomes are useful to the environment, individuals, and a country (Borrego, Douglas, and Amelik, 2011).

Dependability

Dependability as an important element of the rigor of the entire research was ensured through an audit trail. My data were obtained through qualitative interviews of participants at the one-on-one encounter and at focus group discussion with a different set of interviewees within the target population. I did cross-check all interview transcripts with the participants with a view to ironing out any discrepancies in the in-depth understanding they shared with me and whether the interpretations I have made matched with what the participant intended with the responses given in the course of the interviews.

Confirmability

I have ensured confirmability and qualitative objectivity through regular reflective journaling entries. My journal entries are comprised of the reasoning for my decisions

concerning methodology, data analysis, and theme developments in the final results.

According to Houghton et al (2013), the attribute of confirmability of a research is found in the objectivity and correctness of data. The data collection procedure of this research has ensured that participants at the interviews are practically involved in the various aspects of the land disputes. To strengthen the attribute of confirmability, the interviews were conducted at two levels. First is the one-on-one semis-structure interview, followed by a triangulation of data with a focus group interview.

Ethical Procedures

Institutional Review Board permission and the approval number 04-02-20-0605241 was obtained. As soon as the approval number was received, a publication in form of flyers was posted at community centers, office of land administration, estates and libraries. A meeting was held with the prospective participants in private room of a library and in alternative places like civic center. The interaction with the invitees was used to obtain their permission, inputs and time for the research study. The purpose and procedure of the research was explained thoroughly to the prospective participants. They were informed that participation was voluntary, and the information shared in the interview was to be held in high confidence. Those prospective participants that became interested willingly gave their e-mail address for further correspondence.

As further step, expression of interest letter was sent via e-mail to potential participants. It was ensured that no word of coercion was included in the consent request form. There were lines which showed that invitees are free to accept or turn-down the invitation. The informed consent included a line which stated that the form was part of a

process called 'informed consent' to allow the participant to understand the study before deciding whether to take part. The consent form stated in part: this study is voluntary; you are free to accept or turn down the invitation. It further assured the invitees that if they decide to be in the study, they can still change their mind later. That, they could choose to stop at any time. Prior to the meeting of the focus group, each participant was informed in the letter of consent that he/she will meet four other participants for the focus group discussion (FGD) so that they may make an informed decision to participate beforehand. The letter also stated that no one at Walden, ethnic / rural communities in Togo would feel offended if either of them decided not to be in the study.

The participants were reminded that they agreed to a statement of non-disclosure in their letter of consent and that any one of them who cannot uphold the stipulation was ineligible to participate in the study. Confidentiality was ensured by not referring to the participants by name during the interview. Venues of the interview was at the discretion of participants. Further step taken about confidentiality was cooperating with participants to select a rendezvous that was most suitable to their need for privacy.

Measures taking against psychological distress include the avoidance of persons who have been indicted for corruption. Relation harm was not allowed to arise by giving participants clear-cut functions which they performed during data gathering. Legal risk was minimized through ensuring that data and information elicited from participants were not classified and statute barred.

The participants were shielded from economic or physical risk involved in the study because those selected were individuals with stable means of livelihood.

Psychological conditions that may arise due to data collection activity with a participant was managed by having religious counselors and social workers on stand-by. Addresses of Eglise Catholique Saint Kisito Doumassesse and Medico Social Center Baguida, both in Lomé – Togo and including their phone numbers were given.

The audio-recorded interview conversion was saved as electronic files and password-protected in my computer and backed-up in a password-protected hard drive. In addition, storage media such as tape recordings, transcripts, coded data with code keys were arranged for preservation for 5 years' period before destruction. Besides me, no other person would be allowed access to the data until they are destroyed after the time specified. All information has been stored in a secure, password-protected memory device and would be due for destruction after 5 years.

Finally, the entire results, findings and recommendations was summarized in not more than 2 pages and the copies were shared with the participants and community stakeholders by personal delivery.

Summary

The first part of this section detailed the research design, rationale, tradition, and the role of the researcher. It appraised the interpretivism tradition and justified its suitability for the study. It also justified the selection of the qualitative case study method since it facilitated the gaining of insights about the phenomenon that was studied. It affirmed the role of the researcher in a qualitative study as the instrument of data collection. Further to this, the section also discussed the methodology by looking at the aspects of population and sample, sampling strategy, criteria for participant selection,

instrumentation, data collection and data analysis plan. It also included 7 a priori codes that were developed to organize the data that accrued from the semi-structured and focus group interviews that were conducted.

Chapter 4: Results

Introduction

The purpose of this qualitative exploratory case study was to investigate the activities of corruption in land registration and how it has impacted real estate development in Togo. To understand the phenomenon, I conducted semistructured face-to-face interviews via videoconferencing with 10 members of the Togolese community and held a focus group discussion with five additional members of the community. They were all variously connected with disputes over land arising from corrupt practices in land registration. The interviews were conducted from May 4 to May 9, 2020. There were two sessions of one-on-one interviews by videoconferencing per day. Data for the study came from one-on-one interviews by videoconferencing and focus group discussion (FGD), which was also facilitated by the medium of videoconferencing. Sources termed official documents included data from the land registration agency, court cases and verdicts on land disputes from the Ministry of Justice, and police reports. The semistructured interviews and the focus group provided methodological triangulation of data. After reviewing and transcribing the data from each interview session, I loaded the participants' recorded responses into NVivo 11 software, which enabled me to transcribe the interview conversations, assess the data and identify emergent themes.

Research Setting

Togo is one of the 15 West African countries, and it is officially known as the Republic of Togo. The country is bordered by Ghana to the west, Benin to the east and Burkina Faso to the North. The country extends south to the Gulf of Guinea, where its

capital Lome is located. The Togolese Republic covers 57,000 square kilometers, which is the equivalent of 22,008 square miles, making it one of the smallest countries in Africa. The population of Togo is approximately 7.9 million, as well as one of the world's narrowest countries with a width of less than 115km between Ghana and its slightly larger eastern neighbor, Benin (UNDESA, 2020).

In 1884, Germany declared a region including present-day Togo as a protectorate called Togoland. After World War I, rule over Togo was transferred to France. Togo gained its independence from France in 1960. The Togolese Republic was proclaimed on April 27th, 1960. In the first presidential elections in 1961, Sylvanus Olympio became the first president of the country. On January 13th, 1963, president Olympio's government was overthrown in a military coup, during which a group of soldiers assassinated him under Sergeant Gnassingbe Eyadema. The military handed power to an interim government led by Nicolas Grunitzky. In May 1963, Grunitzky was elected president of the Republic. Exactly 4 years later, on January 13th, 1967, Eyadema Gnassingbe overthrew Grunitzky in a bloodless coup and assumed the presidency. President Eyadema suddenly died on February 5th, 2005, after 38 years in power (BBC, 2007). The military immediately installed his son, Faure Eyadema as president. The unconstitutional ascension of the presidency by Faure Eyadema provoked widespread international condemnation, except France (BBC.co.uk, 2011).

Togo is a tropical, sub-Saharan nation, whose economy depends highly on agriculture, with a climate that provides good growing seasons. The coast of Togo, in the Gulf of Guinea, is 56 km long and consists of lagoons with sandy beaches. In the North,

the land is characterized by a gently rolling savanna in contrast to the center of the country, characterized by hills. The south of Togo is characterized by a savanna and woodland plateau that reaches a coastal plain with extensive lagoons and marshes. The highest mountain of the country is the Mont Agou at 986 m above sea level. The longest river is the Mono River, with a length of 400 km. It runs from North to South (Britannica, org, 2020). The climate is generally tropical, with average temperatures ranging from 23 degrees Celsius on the coast to about 30 degrees Celsius in the northernmost regions, with a dry climate and characteristics of a tropical savanna. There are two seasons of rain to the south, the first between April and July and the second between September and November.

While the official language is French, many other languages are spoken, particularly those of the Gbe family. The largest religious group by 2010 estimates consisted of those with indigenous beliefs (35.6%), Christianity (37%), Islam (20%), and others (7.4%). The November 2010 census gave Togo a population of 6,191,155. There are about 40 different ethnic groups, the most numerous of which are the Ewe in the South, who make up 32% of the population. Also found are Kotokoli, or Tem, and Tchamba in the center, and the Kabye people in the North (22%). The Ouatchis is 14% of the population. Other Ethnic groups include the Mina, Mossi, the Moba, and Bassar, the Tchokossi of Mango (about 8%). There is also a European and Indian population that makes up less than 1%. The country is divided into five regions, which are subdivided in turn into 30 prefectures. From North to South, the regions are Savanes, Kara, Centrale, Plateaux, and Maritime.

Togo has severe and longstanding human-rights problems. According to a U.S. State Department report based on conditions in 2015, there is official impunity, harsh and life-threatening prison conditions; arbitrary arrests and detention; lengthy pretrial detention; executive influence over the judiciary; infringement of citizens' privacy rights; restrictions on freedoms of press, assembly, and movement and official corruption (USDS, 2016).

Demographics

The demographic information collected about the participants involved inquiring about age, marital status, and how long the participant has lived in any of the Togolese communities and, as a matter of course, got assimilated in issues surrounding the land acquisition, sale, and disputes. Also captured in the demographics is whether the participant lived in a family house or owns a personal house. If the participant is the house owner, how did he or she acquire the land upon which the house was built? In responses where the participant lives in a family house, what situations warrant his or her inability to build a house of his own? The responses to the demographic inquiries are tabulated below.

Table 2

Participants Demographic Data

Participants (P)	Age (Years)	Marital status	Has been living in	House ownership	How the land was acquired
---------------------	--------------------	-----------------------	---------------------------	------------------------	---

Togo for					
years					
P1	undisclosed	Married	Birth	Personal	Inheritance
P2	60	Married	60	Personal	Purchase
P3	undisclosed	Married	11	Rented	Purchase
P4	52	Married	25	Personal	Neither
P5	undisclosed	Married	Birth	Personal	Barter
P6	65	Married	25	Personal	Purchase
P7	42	Married	Birth	Family	Inheritance & purchase
P8	undisclosed	Married	8	Family	Purchase
P9	48	Married	48	Personal	Inheritance
P10	undisclosed	Married	Birth	Sister's	Purchase
Modal Score	None	NA	Birth	Personal	Purchase

Note: Data from Interview Protocol, 2020.

In Table 2, first column and second row present the age distribution of interview participants. They are the 42 – 52 and 60 – 65 age brackets. Some of the participants did not disclose their age. In line with standard interview practices and research ethics, I did not make an interviewee divulge personal information he or she would not willingly give. Consequently, none of the age intervals that result formed the modal age distribution. Column 1, row 3 of the table indicates the marital status of interviewees and it can be seen that none of the participants is single. Consequently, each of the interviewees was shouldered with the responsibility of caring for a family. The first provision in an African setting was the guarantee for a home to protect the family, and it signified a man's independence from his forbears and his coming of age. This attribute enhanced my chance of getting data from participants who are experienced with owning a home and

share their understanding of what it takes to acquire, purchase and be at the receiving or allotting end in a land deal.

In the 1st column and 4th row of the table, is how long each participant has been resident in Togo. While interviewees P1, P5, P7, and P10 has been living in Togo right from birth and these form the modal group of the distribution, the years achieved by P2, P3, P4, P6, P8, and P10 are 60 plus, 11 years, 25 years, 25 years, 8 years, and 10 years respectively. Column 1, row 5 is information on the nature of house ownership among the interviewees. This information is also useful to the objective of this study. Perman (2010) enumerated 20 areas of social costs of owning a home. More than anything else, the list reflected the environment, values, culture, and level of development of the community hosting the home. The consequent transactions and relations emanating from managing the costs of owning a home provide another means of advancing the individual and family learning curves. In this section of the table P1, P2, P3, P5, P6, P7, and P9 personally own their houses, and they formed the modal group of the distribution. P4 lives in a rented house, P8 lives in a family house, and P10 lives in a sister's house.

Finally, the 1st column and 6th row of the table is where to find information on the mode by which the interview participants acquired the land upon which they built their houses. This section of the table was helpful to the objective of this study to know whether it was by inheritance, purchase, barter, unable to acquire land, or a mixture of two or more of the listed modes of acquisition of land. In the analysis while P2, P3, P6, P8, and P10 acquired their lands by direct purchase and they formed the modal group of the distribution, P1 and P9 had theirs by inheritance. P4 was not able or was yet to

acquire land at the time of the data collection interview, P5 acquired his land by Barter, and P7 had a mixture of inheritance and purchase.

Data Collection

The research question which steered this study was: How is corruption manifested in Togo's land registration process, and how has this corruption in the land registration process impacted real estate development in Togo? The main research problem is the lack of a deep understanding of the impact of corruption on real estate development in Togo. This fits into the neo-institutional economic (NIE) theory to provide the needful impetus for this research. The NIE approach posits that corruption stems from public officials' opportunistic behavior vis-à-vis citizens. They do not have the same power as the said officials or contend with high transaction costs to hold public officials accountable for their corrupt acts (Lambsdorff et al., 2004; and Shah, 2006). The NIE states that citizens are principals, while public officials are agents (Lambsdorff et al., 2004). Togo presents a beneficial empirical study with the country's land registration system ranking among the least efficient in the world and riddled with high land conflicts (World Bank, 2016).

To understand corruption in Togo's land registration process and how it has impacted real estate development, I conducted semistructured interviews via videoconferencing with 10 members of the Togolese community. The interviews were conducted from May 4 to 9, 2020. There were two sessions of one-on-one interviews by videoconferencing per day. I triangulated the information I obtained from them with a focus group interview (FGD), also facilitated by videoconferencing of 5 different

participants. Each interviewee satisfied the criteria of being a member of the Togolese community.

They represented the collection of community leaders and members, officials of land registration agencies, prospective land titleholders, prospective property developers, and members of vulnerable groups. A total of 15 natives were involved, and purposeful sampling allowed me to obtain relevant information by contacting persons who have had relationships and transactions in land ownership, and disputes. Purposive sampling is a technique extensively used in qualitative research to identify and select information-rich cases for the most effective use of limited resources (Patton, 2002). This involves identifying and selecting individuals or groups of individuals that are exceptionally knowledgeable about or experienced with a phenomenon of interest (Cresswell & Plano Clark, 2011).

In addition to knowledge and experience, Bernard (2002) and Spradley (1979) note the importance of availability and willingness to participate, and the ability to communicate experiences and opinions in articulate, expressive, and reflective manner. I emailed consent forms to the participants and selected the first ten participants for one-on-one interview. All the selected ten participants for the one-on-one interview met the study's criteria and had at one time or the other been involved in land claims, transactions, and disputes. After receiving the consent forms, I contacted participants by phone to arrange the interview time and site. Each participant agreed to have the interview recorded. During the interview I conducted over two weeks for the one-on-one and focus group discussion (FGD), I asked each participant 18 interview questions (see

Appendix B) for the one-on-one sessions and 12 questions the FGD. I performed member checking during and after the interview to strengthen the validity of the results. Each interview, conducted in a private area at the mutually agreed venue with the participant, lasted between 90 to 105 minutes. Member checking conducted after asking the last interview question, lasted for about 8 minutes.

I transcribed the recorded interview data personally and replaced each participant name with the codes P1, P2, P3, P4, P5, P6, P7, P8, P9, and P10. After one week, I shared a review of the summarized transcript with each participant at their location to clarify and verify responses. The focus group interview of 5 other natives whose background attested to their vastness in the research problem was simply coded D1, D2, D3, D4, and D5. The use of focus group discussion enhances the methodical triangulation of the data. Triangulation is useful when checking the validity of data and helps confirm and improve the clarity or precision in research findings (Ritchie et al., 2013). Bekhet and Zauszniewski (2012) explained that methodological triangulation enhances the credibility of study results and involves more than one data collection method.

Data Analysis Process

The next step was to load the one-on-one interview data and the FGD data into Nvivo 11 for coding and analysis of themes. Seven relevant categories emerged from the coded data: (a) demographics (b) ownership rights (c) land acquisition (d) land fracas (e) effectiveness and efficiency (f) developmental challenges (g) all-embracing solution. Applying Yin's (2009) five steps strategic analytic approach, I sorted 26 relevant categories into nine major themes:

1. multiple alienations of land,
2. prolonged court cases,
3. normality of gift and bribery,
4. inadequate compensation,
5. culpability in land grabbing,
6. weak criminal justice procedure,
7. perceptions about estate developers,
8. communication gap and inadequate checks, and
9. institutional procedural arrangement of land regulation.

At the one-on-one interview sessions, the first question that I engaged and the participants in the discussion of the problem is Interview Question 7. It enquired in these words: What is your experience about acquiring, selling, and obtaining a certificate of title for land in the Togolese community? P1 responded, "We often advise buyers to build on it immediately to avoid people coming to bother us. They also need to do the papers with the administration known as Titre Foncier." P2 said, "Yes, I have sold some of my lands to other persons. There cannot be a land dispute because all my lands are properly titled and surveyed and registered at the land registry." The reply given by P3, P4, and P7 was simply that they have never personally sold lands. P5 said he sells land most times, stating, "These are the lands I received from landowners as payment for my service." To prevent disputes, he informs the landowners. After working for landowners, some of my colleagues proceed to sell portions of the land to buyers. The words of P6 stated "Yes, I sold land before. I also bought more land that I am planning to resell because land

quickly doubles or triple in value in a few years.” He went on to note that he thought he was just lucky that he’d had no problems after the sale. Anything could happen. P8 in his words, "my family owns lots of land in the villages and several cities of Togo.” To prevent future disputes about parcels of land sold and given as gifts, the family often made sure that the transaction procedure complied with the traditional customs and the operating government laws. For the traditional customs, they ensured that family and village elders are informed and get the approval of the family, who are the custodian of the land. Affidavits of ownership with the chief of family and village fingerprints were prepared and reviewed. Signed records of transfer (Purchase or Gift) were after that handed over to the new owners. The new owners are advised to perform the due registration required to include the parcels of land in the official public records of land transaction deeds. As owners of the land, their responsibilities stop' at the moment they have produced a valid and authenticated transfer of ownership. P9 answered, "Yes, I did all the documentation with the department of land and housing to transfer the Certificate of Occupancy to the new owner." This round was concluded with the response of P10, who said, "I have never sold land, but I recall an incident in which my father's land was stolen from him and sold to someone else.”

By methodical triangulation, the responses of participants P1 to P10 as compared with the discussion of the same item of the interview protocol at the focus group discussion (FGD) level, D1 said it depends on what category of land - land in Togo is categorized into individual private lands in accordance with the law in force, public domain land that belongs to the government, and the public domain that is the unused

lands meant for agricultural development for all Togolese people. A higher percentage of land falls in the last two categories. The last of the three categories cannot be correctly declared as unused lands because they form part of the ancestral land of the many communities who first settled there. Through shifting cultivation and population growth, such lands eventually underuse. The traditional rulers and autochthons of the proximate communities to the lands tend to exercise ownership in the contest with government and migrants. Land sale outside the individual property is created by land markets resulting from proper registration of land and obtaining a certificate of title. This takes a long process and substantial financial outlay due to corruption and bribery practices at the government's land registry agency. Then D2 took his turn and added that the government has often seized vast portions of land with claims that it is for public utility and so no individual or community should expect compensation. D3 contributed that, some family members on their own volition or for the need of money transact the sale of land on a one-on-one basis with buyers without consulting family elders. Such a mode of land acquisition often results in disputes when the family congregates to review the activity of the erring member. There is no way the beneficiary of such transactions can enjoy the security of tenure. The dispute becomes complicated if the buyer secures the law enforcement agency's support and influence in the judiciary. According to D4, people who do not make proper checks when offered land deals do so for the give-away price it is being offered and then find corrupt ways to retain whatever rights they have cunningly acquired. At the same time, D5 rounded up the item when he alluded that lands that often come under illegal deals are the vast unused community lands that fall under the national

domain category. There are no markets for them because they are unregistered. It remains illegal if acquired through purchase from any land grabber except where such land is acquired through the right channels of native and customary land tenure systems. The most common of the land grabbers are influential civil servants and military officers among the citizens.

Question 7, which begins the discussion of the research problems, has three probes. The first probe states, how may disputes arise from the sale of land by individuals, community leaders, and government land agencies? P1 replied that, it's a lot of problems in Dalave community. In the community, it was a dispute between his family and the Adoguidy family. The case was in court for over ten years. It was costly they had to give vast portions of land to Lawyers, Judges, and government officials in order to win the case. Adoguidy family also sold part of the land by the time Dalave won the case half of the land been lost in the transactions. The same portions of land were sold by Dalave and at the same time by Adoguidy family to different buyers. This resulted in many conflicts. According to P2, "issues of land quarrels may arise because of unscrupulous dishonest people. This can be corrected if all lands are properly titled." P3 sees it in this way, "almost everyone, and it is a serious issue" while, according to P4, "the traditional landowners do not have documents of their land." P5's experience heaped the blame on government. That government is the biggest and bears the biggest responsibility because the land registration process is too slow. Sometimes it takes over ten years to get the title. The government agents exploit the delay process to engage in corrupt practices by demanding bribe to hasten the process of land titling to buyers. Surveyors contribute to

the incident of corruption by concealing facts from uneducated landowners. Surveyors select portions of land they like and start selling them without putting the landowner in the picture. When registering such land deals, the buyer runs into a problem which the surveyor is powerless to solve since the surveyor is not the real owner. The landowners' children and grandchildren constitute another aspect of the problem.

Such descendants often pick on land already sold by their parents resell it to unsuspecting buyers, especially when the land remains undeveloped by the first buyer. Some buyers knowingly do not make adequate check if the land is cheap and hopes to claim ownership if they can quickly establish their structures. P6, P7, P8, P9, and P10 responses to this probe narrated that it is a general problem in Togo particularly in and around Lome. Almost every land, especially empty land, is a source of conflict in Lome. Many lands do not have title. Sometimes, it is difficult to identify the real owners. Often, many families claim the same land. This is the source of disputes. There have been several land-related quarrels in the communities. These quarrels were due to failure to reach agreement on ownership of lands among family members after the death of one and many elders who were guardians of the communal family lands. It is also due to the inheritance dispute between children or trustees. Another aspect of the problem is that many lands are sold without the consent of the entire family. The lands in the communities are family-owned. The problem arises from the same family members who already have disputes among themselves as to who inherited what and who was not included in the distribution of the lands after parents passed away. Within such disagreements are lands

sold by one family member, then the same parcels of land are resold to another buyer by another member of the same family leading to more complex disputes.

At the FGD session, the discussants' cross-breaded ideas on the prompt as follows: D1, one aspect of the dispute is between migrants and autochthons due to government policy that recognizes those that first put land to use as the owner. D2, even lands categorized as public domain, are still in dispute with traditional owners because, at the time of their acquisition, the government did not pay adequate compensation. The native owners are not ready to cooperate with the government until they are reimbursed within the market value of the expropriated lands. D3, in a country where there is a high executive influence over the judiciary, the natives have been embittered by the government's arbitrary takeover of community lands. They list such new acquisitions under the public domain. D4 so many cases exist where people use their influence in the land administration department to secure a certificate of title over lands only for the native owners to refuse to accord such land titles any recognition. Then disagreement escalates into dangerous conflict. D5, because of the enormous financial outlay in registering land and the long delay which sometimes extends to 10 years, traditional landowners do not register their land, which creates obstacles for acquiring such lands under formal markets. The informal market is essentially what takes place under customary land tenure. This has many challenges for the security of tenure due to disputes within families and between communities.

The second probe in Interview Question 7 sought participants' perspective on what measures to prevent the incident of ignorantly paying for land already sold to

another person. While P1 could not make a significant contribution to this item, P2 responded that "a buyer needs to properly investigate from the community where the land is located and the land department if the parcel of land has been previously sold to someone." Why the price may be ridiculously low. In the words of P3, "it is a new generation issue as money now receive top priority." He also recalled what was reported about the old times when land was not meant to be sold, it was given, but now, it becomes business. While P4 could not make a significant contribution to this probe, P5 to P10 gave responses that stated that resulted in this narration. The delays involved in registering land with land agency give room to dubious landowners to sell and resell the land to more than one buyer. There was a scenario in which after purchasing 75 acres of land, it took the participant ten years to obtain the certificate of title for half of the land because in the course of delay in obtaining title to the land, half of it had been sold to another buyer who claimed the surveyor sold it to him without any notice of the subsequent deal communicated to the owner. He loses the land after all the expenses he had incurred. In another scenario, a participant bought 16 plots of land for which he obtained the title after 10 years. Then a day came when he was visited with lawyers and the police to present a new government plan to him. They told him that the traditional owners who sold the land to him 15 years earlier, lost the title to the land in a verdict of the court. By the new plan approved by government, a part of the plots becomes access road, and the remaining portion went to the winner of the court case. The incidents of purchasing land already sold to somebody else also involve the government and influential citizens close to government. They do it intentionally because they could

influence corrupt judges to rule in their favor when it gets to the court. Both the sellers and buyers are known to act in bad faith. There are statutory and standard procedures to follow in order not to pay for already purchased land ignorantly. Due to bad faith, such procedures are overlooked. It is well known that many of the dubious land sellers intentionally sell the same parcel of land to more than one person since the litigation period at the courts would be prolonged till parties involved either dies, incapacitated or disinterested in the ongoing litigation. "The people behind the bad act of selling land that belongs to someone else to unsuspecting buyers are certain bad individuals in the native communities."

The above one-on-one interview responses were methodically triangulated at the FGD level. The discussants shared the following understanding: D1, a buyer needs to properly inquire about the genuineness of the intended land transaction from the natives and also intimate the land administration about it; D2, majority of such dubious transactions are mostly linked to ridiculously low price for the land and activities of land grabbers; D3, ever since the commodification of land cases of double sale of the same parcel of land has been rampant. This is against traditional practice where land is given to those who need based on proper assimilation with community tradition and custom and the promise of good behavior; D4, it is well known in the unethical practices of the land registry that in the event of multiple claimers in land sale, registration of title is given to the one of them who has big bribe to offer to the land administration officials; D5, such dubiousness gets entrenched in the society due to the long time it takes to obtain the title for the land secured by purchase. Within the delay period, a new offer of the land for sale

is made by either the original seller or a land grabber who is aware of the transaction for which the purchaser is yet to obtain the title.

The third prompt in Interview Question 7 enquired as follows: How have gifts of money or other valuable assets been playing a significant role in the land acquisition? To this probe, P1 said, "gift of money or other valuables will remain a factor if the land is not properly registered." He also added that, government officials will do nothing to issue you title to the land without gratification. Sometimes, even after giving gratification, they still will not process the land title. People use gifts and bribery to get the certificate of title. Refusal of the actual owner to give up ancestral land precipitates land disputes. while P2 states it as "exchange of gifts and money has provided incentives for land grabbing because they know you cannot peacefully develop the land without settling them." The contributions of P3, P4, P5, P6, P7, P8, P9 and P10 to this prompt, made no significant difference as the experience they shared can be narrated thus, the same land can be given or sold to several persons. Gift and money enabled the would-be buyer to obtain land at under-value price. When the challenge of multiple registrations arises for the same parcel of land, preferential registration is given to the applicant that offers the highest bribe. With bribery and corruption striving, dubious persons can register lands they cannot claim real ownership, real estate investment in such situation of land acquisition becomes too risky to venture into since the lives of investors beside the possible loss of colossal money are at stake. Proper and speedy service of land titling at the department of land is predicated on your willingness to part with money given as bribe. Bribe money helps to facilitate title acquisition, the gift of money created many

disputes between the government and the traditional rulers because each party wants to have the biggest slice of the pie, and thus there is the ongoing mistrust and trickery between these parties. “Bribery and corruption weaken and destroys the existence of a vibrant and competitive real estate market.” This creates a distortion in the fair valuation of land assets.

The gift exchange is a real problem. Land grabbers, most of the time, get to acquire land of very significant value at below actual market value and thus can resell it at a much higher price when the land deeds are done in their name. It becomes a vicious cycle.

The question that followed from the foregoing is Interview Question 8, which was framed to elicit from the participants, how has native/customary authority and the central government been coordinating the control and distribution of land? While P1, P2, P3, P4, P5, P6 and P7 could not make significant contribution to this item, P8 responded that “the designation of eminent domains by the government is arbitrary, especially in the case where there is no monetary compensation to the rightful community owners of the land.” Consequently, the local community does not agree, and this becomes a case that will drag on for years. Because registration of land with the government requires an outlay of a significant amount of money, most unused lands are not registered. However, all eminent domains reserved for the government for public use are registered. The response from P9 states it as “the traditional landowners, and government department in charge of land often disagree over who should have the land.” Many have said the land originally belongs to the traditional landowners. Government department usually come and acquire

the land with an excuse that it will be used for the benefits of the community, such as building schools and other public projects. As soon as the government takes over ownership, the lands are sold to the highest bidders who often use it for different purposes. However, P10 personalized the dichotomy between native authority and government over land use and regulation when he narrated a personal experience and said, "Personally, when my father's land was taken, the other people won because they had ties to the government and had money." He went to say that the is where some of his older sisters were born. His parents lived there once until the house caught fire and was destroyed. Then, his father could not rebuild, but that land was taken from him, just because someone could.

By regular triangulation of data, the FGD participants analyzed prompt 3 of Interview Question 7 as follows: D1, gifts, and money have been used to secure land. Many instances of it exists. When the land is not correctly registered, gifts of assets or money will be used to appease the aggrieved about the transaction and also for land administration officials to do the needful. D2, the gift of assets or money, may not have a significant place inland transaction if the standard procedure. It is the effort to cover up for certain violations in the process that makes people resort to giving bribes. D3, the gifts, and bribe are often the sources of disputes because traditional landowners are disturbed by the need to leave landed assets behind for their future generation. At the same time, the government arrogantly exercises its power of expropriation to the chagrin of native custodians of ancestral lands. D4, land grabbers are incentivized by the gift in assets and money. It then turns as a means to a lucrative business and would go the

enormous complex of securing the favor of law enforcement agencies and the judicial officers. D5, the gift in assets or money, is the cause of the alteration in the expected fair estimation of land resources. It encourages land grabbers to obtain land at below-market prices only to sell it at higher monetary value when the deeds are done in their names.

The first prompt in interview question 8 states that despite the demarcation of areas of authority between native and government land regulators, disputes over land resources have not abated. To this probe, P1 said, "there are many people who do not trust the government, or they do not agree with the idea of public use." He went on to say that in Lome II area, thousands of acres are seized by the government for public buildings. The traditional owners went to court for years before getting compensation. According to P2, "the government wants to regulate and acquire land for their general use whereas such lands can be family lands for which government is not willing to pay adequate compensation." While P3, P4, P5, and P6 did not significantly contribute to this prompt, P7 said, "Actual owners are often made to lose lands due to their lack of title over the land while the grabbers are smart to register the lands." That, government/justice department takes sides with those who have acquired title over the land. The government often gets into a dispute with owners of land when the government tries to grab the land for the claim of public use without paying adequate compensation to the original owners. P8 states it as "the land grabbers are mostly government officials and well-connected and deep-pocket businesspeople who can influence court decision in their favor." While the laws exist to protect landowners, they cannot bring the land grabbers to Justice because of the corruption and abuse of power that prevail in the country.

At the FGD level, prompt 1 of question 8 elicited these contributions: D1, the native/customary authority, and the government exercised control over land in a legal pluralism system. We are experiencing layers of tenure systems where the local tenure system overlays national legislation. D2, the state has neither been able to alter local tenure systems where the local tenure system is overlaid by national legislation. D3, my perception of how the coordination of control by the two authorities should ensure that the native authority has the right to original owners of land while the state has derivative right through its legislation on land. The former and not the latter ought to exercise the superior title save when the need arises for the government to exercise its power of expropriation of native lands for public projects and utilities.

The second probe of interview question 8 states: are there ways the justice system and law enforcement agency can ensure an amicable settlement of land disputes? P1 responded that unless the land is adequately registered the justice system and law enforcement agency will have a herculean task in resolving the disputes thereabout. P1 further added, "the police should arrest and prosecute land grabbers and the court, after trial, they should award appropriate punishment to such offenders." P2 states that disgruntled family members or thugs are among those that band into land grabbers. He went on to say that they can be brought to Justice by the prosecution. Ideally, the unused lands should be registered, but those entitled to their ownership find the land registration cost too high to afford. So, they wait until a buyer comes forward. P3 says the way out is "severe jail terms and fines could deter offenders by the justice system." While P4, P6, and P7 did not make a significant contribution to this prompt, P5 said, "the police, judges

and government officials need to cooperate and make land grabbers face Justice.” That, they should prevail on government agents not to impose an extra fee on land registrants outside the official charge for the cost of land registration. Interviewees P8, P9, and P10 respectively stated their experience informed proposals to include police and the judges not taking sides with people who could present titles to parcels of land. Thus, disputed lands with titles of ownership should be investigated concerning circumstances surrounding their acquisition. If the context of its acquisition is a cover-up for land grabbing or the unruly display of might is right on the grounds of official privileged position or status in society, the court of Justice should rule in favor of the underprivileged in society. All parcels of land fraudulently deprived of their rightful owners in the name of possession of a certificate of title to the land in dispute should be fully recovered for their owners by the court of Justice.

What P1 to P10 contributed to Prompt 2 in the preceding was triangulated at the group discussion level. The discussants said: D1, the dispute will not abate so long as the government abuses its power of expropriation of land without adequate recompense to the native owners. Such action deprived the natives of their means of livelihood; D2, a painful experience in the conflict between government and natives over land resources, is the long delay of litigations involving the government. In Togo, it is well known that the executive has immense influence over the judiciary. This more than any other factor reduces the confidence custodians of natural land assets have in the rule of law. During such times, the direct beneficiaries of compensation either dies or their economic lives are brought to complete ruination and attempts to redeem their lots become unfeasible

due to inflationary variables impacting the national economy. D3 yes, I agree with the last discussant that peaceful rapport between the traditional institution and the state as pertains to issues of land control in a manner that can be seen as giving room for Justice can thrive in the fulfillment of the obligations of the land acquirer under tenure, socio-political and current market value dimensions of land assets expropriated. D4, there is a growing commodification of rights and increased competition between various land users in rural and urban areas, rooted in the country's social, economic, and political realities.

By methodical triangulation, the FGD level took the form, D1, the justice system, and law enforcement often rule in favor of the privilege of people in society. They are not known to deliver what represents Justice. They often compound the disadvantages of vulnerable members of society. I can assert that if the land grabber is connected to prominent people in government, he will escape Justice; D2, the law prescribed, is for disputants to take the matter to court. In the sequence of the criminal justice process, the police are expected to arrest the offender when a report about the trespass or other offenses that pertain to land control is lodged at the police station. In the ordinary course of his duties, the police are expected to charge the offenders to court; D3, in this country, litigation precedents revealed that Justice belongs to the most powerful and wealthy. The justice system and law enforcement have been penetrated with corruption and bribery practices. This Munster would make it difficult for those who are not well connected to get Justice.

Moreover, given this outcome, your expectation of amicable settlement of land disputes may never translate to reality; D4, amicable solution is possible if the police, the

judge and government are ready to enforce the law whenever culpability is firmly established against land grabbers; and D5, officials of the criminal justice process have by their conducts impressed the citizens with the belief that laws and judicial process subsist to protect well-connected and wealthy land claimants. Consequently, an amicable settlement of land disputes may never be achieved through them until there is a reform in the entire institutions that could inject a new set of patriotic Togolese through these institutions.

What follows the preceding paragraph is the administration of question 9 of the interview protocol. It enquired by the words: real estate developers have not been accessing enough lands to develop, in what ways have other stakeholders contributed to their challenge? To this inquiry, P1, P3, P4, P5, P7, could not give a valid answer, but P2 states it as "it is a good experience when you give land to those who have money to build Estates because it helps to create jobs and develop the community." He proceeded to say he do not believe that gifts or money that estate developers' parts with while securing land for building discourages them from buying land because they are capable of providing adequate security. More so, they have government backing for investing in the economy." P6's response appears to acknowledge the critical role of estate developers when he said, "as I stated previously, thanks to the rich people who bought the lands, we have a nice City with Hotels, Pharmacies, and nice residences and shopping centers." That, the traditional landowners sold the land and moved to the farms. The certificate of title for land secured by purchase is an important document that real estate investors must have to be protected by the law and scare land grabbers from the property. That, on such

property can be seen the clear display of certificate of title number. According to P8, buying vast land to build real estate assets requires dealing with a significant number of community members and unavoidably with competing interests. Thus, it is difficult to get a deal done in a short time. There is also the concern of losing investment in cases of double selling. P9 described the challenge this way, "my community thinks it is not right for us to give out large portions of our land to people who have money to build estates." To P9, there is the clear fear of depletion of arable land for farming.

The gift or money that exchanges hands discourages many wealthy people from securing vast expanse of land for estate development. The frenzy for money has made the land to become too expensive to acquire enough for a particular investment purpose. Because land grabbers are often on the wait to exploit investors, the wealthy buyers entertain a doubt about the deal's geniuses. They sometimes would rescind their decision to buy. However, P10 has a different view from P9. According to P10, there is the case of a rich investor from the far North of the country who identified a highly impoverished community people and bought the most useful and expansive portions of the community land. The natives interpreted this as taking advantage of vulnerable people and dispossessing them of their most valuable resources.

Triangulating the above data, D1 said many people, especially the rural farming communities, do not feel secure with the effects of the high rate of urbanization. The result of the commoditization and commercialization of land makes access to land to be increasingly more determined by economic ability rather than membership of the land-owning community. The native farmers find this outcome very contemptible to their

survival; D2, while I am not averse to urbanization, for the purpose of your research, I must tell you the sentiment of some of my native folks, the perception of the natives about real estate developers is that it is a way of ceding many farmlands to strangers. Many wealthy persons with the capital to secure significant farmlands that will become the location of estates are not from the host community. Already much ancestral land has been lost through state policy that strengthened possession of lands by migrants. Besides, such infrastructures are not within the affordable means of the natives who have much to lose in terms of economic trees, herbs, and other forest resources. D3, Togo is small in terms of land expanse. When estate developers indicate interest for large parcels of land -- resentment is the first reaction from natives because they often interpreted it as a directive from the government with whom they already have unending litigations over ancestral lands. In this instance, public enlightenment is needed; an area of land administration management is not doing enough. Furthermore, D4 some enlightened natives share the opinion that if the communities cannot develop or urbanize the lands, those who have the capital to do so should be allowed possession of the lands. -- they pointed to the economic value chain that results from such developmental projects.

The foregoing leads to interview question 10, which enquired as follows: the process of legal acquisition of land and security of land title has been riddled with soliciting for gratification by officials saddled with the responsibility. It was immediately linked to the probe, which states: how can the heightened demand for gifts in money and other valuables be minimized or completely eradicated in the land registration process? The responses from participants took the forms that were aptly captured. P1 answered

that "traditional landlords should register the land; obtain the certificate of title before they sell it." P2 contributed that, the attitude of expecting and receiving money and other gifts in a wrong manner discourages people with money from establishing estates.

However, a way out is to partner with the government and buy genuine lands in government-controlled plots or partner with banks and financial institutions to buy lands and build estates that will positively impact community needs. P3, P4, and P5, P6 P7 did not make a significant contribution to this prompt. However, P8 responded with a very insightful answer, which can be understood as there are many factors involved in buying and selling lands. Usually, sellers and their intermediaries will give money and/ or gifts to traditional and local authorities to assist them in concealing the illegitimacy of the transactions at hand. In other few cases, land grabbers will try to bribe their way into acquiring the land. If the laws are applied strictly and equitably, there will be no need to give bribe to ensure the timely and complete processing of land exchange that will finalize in obtaining land deed or title (Titre Foncier).

According to P9, "the buyer will face multiple problems from the community and not limited to reselling buyer's land to another person." Besides, the buyer will often be pestered by asking him/her to pay money at every stage of the estate development, from foundation to completion. However, if the buyer legally acquires the certificate of title and starts the development of the land, the property can be protected from traditional rulers, officials of the government in charge of titled lands and land grabbers. P10 sees it slightly differently and said, "the problem is your registration paper works will remain to drag for months or years simply because you refused to gratify officials of land registry."

At the FGD level, question 10 and its lone prompt elicited these contributions: D1, in October 2019, government and the state's institution announced the Fifth Review under the Extended Credit Facility Arrangement- in the document. I could see a conscious and deliberate effort at creating frameworks for tackling the scourge of corruption and bribery practices in commercial transactions and public services. Such actions will positively impact the problem of seeking gratification in land registration by public officials.

D2 recalled that new criminal code was adopted in 2015- non-transparent pre-financing of public investment projects was phased out in 2017. Our challenge could lie with the inadequate implementation of these frameworks. Otherwise, the public expects to see their impact extended to the problem of corruption and bribe-taking in the land registration function of government. D3, the governance, and anti-corruption legal frameworks should be enforced, and the new institutions should become fully operational. D4, the anticorruption agency (HAPLUCIA) was launched in 2017; a new AML/CFT law was adopted in 2018, and the first two commercial courts to deal with business conflicts were made fully operational -- with time, the desired changes will begin to manifest. D5, recently-- government put in place mechanisms and procedures to facilitate land registration. If the new framework can be sustained, there will be an improvement in the land management system. I am aware that the ongoing reforms are well articulated in the National Development Plan (NDP) in-order to bolster private investment -- measures of these kinds if continuously implemented and not abandoned halfway could eventually bring about the elimination of practices of seeking for gratification in the land registration process.

Finally, the one-on-one interview session rounded up with question 11 which enquired whether an approach which seeks to solve the challenges of disputes and seeking gratification in land registration process would consider the factors of overlap of customary and non-customary land laws, traditional rulers, land registry department of government, the judiciary and law enforcement agency, and fraudulent claims of land grabbers.

Question 11 was attached with a probe which states: how can each of these factors be addressed to achieve an all-embracing solution to the problems identified? This question enumerated five critical challenges that are at the root of any all-embracing solution to the corruption in land registration in Togo and its constraining impact on real estate development.

As far as the issue of native/customary authority on land is concerned, P1 contributed that traditional landlords should register the land; obtain the certificate of title before selling it to buyers. P2 suggested that the solution to the challenges from traditional rulers is the need to consult with them and make sure that the lands they have are genuine. The layout is registered with the government before buying the land from them and make them sign an agreement of non-embarrassment from their families. P3 suggested the convening of community leaders. According to P3, "Town Hall meeting should be called to explain to rural people the importance of registering land in their real values." P4 suggested that an arrangement should be made for a certain percentage payment from land proceeds be given to the traditional landowners when their land is sold by someone who bought the same land from them in the first place. P5 and P6 could

not make a significant contribution to this item. P7 proposed that purchasing of land and gift-giving should go with the acquisition of title to lands. P8 contributed that traditional rulers' roles and authority should be established without any overlap with the legislative statute on land. They should be responsible for clearing all disputes over community-owned lands. Because of authority in the localization of the administration, the traditional rulers should be the purveyor of the validity and authenticity of ownership of land in the community before authorizing the sale of land by any community member. P9 opined that the solution lies in making it the first step of the process for any member of the community that is in the process of selling land to notify the community leaders. P10 rounded it up with a statement to the effect that, "the first step to sale and purchase of land would be establishing legal ownership of any land that is passing from one ownership to another."

As proposals for a solution to the challenges bedeviling land registration and security of certificate of title acquired continues, the next concern is the government agency in charge of land registration and titling. P1 said, Land registration is a public service and not a private business, the authority responsible should stop the practice of receiving bribe money. P2 contributed that challenges from government land agency can be solved if they ensure that members of the public deal with the right officials in the position of authority and not through third parties. P3 submitted that land registration officials of government should cultivate ethical practices and avoid being corrupted. P4 proposed an innovative registration procedure that replaces the old method by making the registration process paperless. It should be computerized and accessed by verification

online by customers. P5 and P6 did not make a significant contribution to tackling the challenge from the land registration agency. P7's contribution is that people should be encouraged to register their lands. The participant's suggestion fell short of how the process would be undertaken. P8 was full of words and alluded to the need to change the mindset of public administration agents to embrace accountability and transparency in the management of the common good. Maybe by increasing the wages of the public servants, maybe by adopting a public-private partnership to establish a single window desk for the processing of all transactions related to buying, selling, and transferring of land and real estates. P9 sees it as the existence of a need for government agency to make it mandatory for all traditional landowners to register their land with the government. P10 rounded up this item by proposing that the duration and steps needed to take the registration of land to be stipulated. There should be a non-adjustable time frame within which registration papers should be completed. Those who helped buyers to jump the line should be identified and prosecuted.

The interviewing cycle then turned attention to the failings of the judiciary and law enforcement agencies. P1 said, "The police and the court should go after land grabbers and imprison them." To P2, the right-counter measure would be "the police and the courts can set examples by effectively trying the land grabbing cases and seeing to it that offenders are jailed." P3 said severe punitive fines and jail terms be administered against offenders in land grabbing. From the perspective of P4, the solution could be found if "land grabbers are banned for life from any further transaction on land." P5, P6, and P7 did not make a significant contribution to this item; P8 suggested that police and

court should hold land grabbers accountable for their misdeeds. They need to send the message that there are consequences in violating the laws and that nobody is above the law. P9 response was the police and court should jail land grabbers because they are the main problem. P10 rounded up this item in a few words when he said, "arrest and prosecute if a case is found to have gone through short-cuts."

Progressing from the foregoing, the next iteration is the transcript of participants' response to finding a solution to the government's apparent inability to rein in its unruly officials. Whose corrupt practices has become endemic and crippling the institution of land registering and appropriately certifying those who possess the legal ownership or claims to land? P1 responded, "the government has much work to do, and Togo is trying with the new law on land registration." But many hold the view that nothing can be achieved with corrupted public officials in the land registry department, police and the judiciary. P2 expressed the belief that people who unlawfully receive money resulting in land grabbing and quarrels should be taken into custody by the police. P3's contribution was, in a few words, "first educate them about the consequences of their behavior, and secondly, the guilty ones must face the law. Let there be examples." P4 described how the government could allow private companies to run land business. The companies should engage their lawyers, architects, and surveyors. Those who have land to sell should transact it through private companies. Government is only to exercise regulatory control over the companies through issuing the license and exercising power to withdraw the licenses where there is a violation of regulatory canons. To this item, P5 and P6 did not make a significant contribution, but P7 states that "government should subject all the

stakeholders to the same provisions of the law." P8 said, "Government should recover all bribe monies from the corrupt official and then jail them." P9 submitted that the ideal thing to do is to "jail all bribe receivers. At the same time, P10 rounded up the item with the proposal that, anyone who intends to obtain a land should do due verification and be given a receipt of verification that the land does not belong to another person who has not initiated any move to dispose of it.

At the group discussion session of Question 11 and its lone prompt, the conversation led to the following outcome: D1- about native land authorities. The problem could be tackled if there is a statutory and local government framework for discouraging abuse of powers by chieftaincies. Develop decentralized institutions for land administration. This is where the newly created State and Land Tenure Code (SLTC) is of immense relevance if its mandate is implemented in good faith. Purge the staff of corrupt members, make replacements with adequate human and material resources, and incorporate structures for current land information management systems. These suggestions of mine are in line with what is being tried under the new land code and its implementation structures embodied in the NES and SLTC. With regards to the corruption among officials of land administration, the reform of land registration is long overdue. At present, we have an arrangement under the new land code that, if well implemented, the state can enforce governance and anti-corruption legal frameworks and operationalize the institutions that were set up in recent years, including the new Commercial Courts. D2, --- yes, statutory reforms as contained in the new land code, and state's structural mechanisms embodied in NES and SLTC should also tackle and give no

further room to incidents of conversion of property and capture of revenues by chiefs and influential people. The police and the criminal justice process will have no choice other than to shape up and perform their duties as expected under the reforms of the new land code and enabling structures -- the authorities have taken several measures in recent years to improve governance. A new criminal code has been adopted; non-transparent pre-financing of public investment projects has been scrapped. The anti-corruption agency (HAPLUCIA) has been reinvigorated in the last year. The weak criminal justice procedure that had prevailed will henceforth be supplanted by the first two commercial courts to deal with business conflicts. D3, --- there should be a regular dialogue between the state representatives and native land authorities on why they must adjust to the new trend of allowing National Institutions and Business Interests to override local land rights. All Togolese will eventually embrace the platform provided by the National Engagement Strategy and the state and land tenure code with regular public enlightenment. D4, --- Legal pluralism is in operation and is responsible for the large informal sector and accompanying insecurity of tenure. A bane of the informal sector's land deals is the attendant corruption and bribery practices involving officials of the chieftaincies, the police, and the ineffective criminal justice process, which tends to shield land grabbers from the retribution of Justice. A ray of hope for an all-embracing solution is flickering from NES, a state institutional mechanism for addressing land tenure problems and land grabbing. Attempting a popular solution would necessitate the enforcement of governance and anti-corruption legal frameworks. It also calls for operationalizing the institutions that have been set up in recent years, including the SLTC

and the new Commercial Courts. D5- corrupt officials, both at the chieftaincies and state levels, have been exploiting the gaps in land administration infrastructure, which usually underpins land markets' efficient operations. --- land registration cadastral and adjudication systems are not well developed; boundaries are not well surveyed. ---- This may involve developing appropriate innovative tools and standards for recording land rights and registration, including surveying and mapping, to make the process affordable and dependable. This is where I expect NES and SLTC to be active to bring the disputes overland to the bare minimum. The table below forms the summative contents of the coding scheme and it has been shown in detail in Appendix I.

Table 3

Coding Scheme

A priori codes	Open codes	Categories	Themes	Participants' Identifier	Excerpts
Demographic	Sources of dispute	Prolonged court process, Multiple alienations of land, inheritance disputes, trustees vs. beneficiaries discord, corruption and bureaucracy in land administration, absence of registration in customary land tenure.	Prolonged court cases, multiple alienations of land	P1	“The case was in court over 10 years - - the same portions of land were sold by us and same time by Adoguidy family to different buyers.”
				P2	“Issues of land quarrels may arise because of unscrupulous people.”
				P3	“Almost everyone and it is a serious issue”
				P4	“the traditional landowners don’t have documents of their land”
				P5	“government agents exploit the delay process to engage in corrupt practices.”
Ownership rights	Duplicious sale	Pursuit of money, seeking for influence and making atonements	Normality of gift and bribery, culpability in land grabbing	P3	“It is a new generation issue as money now receives top priority.”
				P5	“the delays involved in registering land with the agency gives room to dubious landowners to sell and resell same parcel of land to more than one buyer”

Evidence of Trustworthiness

Credibility

In order to achieve credibility for this qualitative single case study, I interviewed the interviewees in activities of member checking and sense-making, in-depth engagement, and regular review of the document and peer debriefing (Houghton, Cassey, Shaw, & Murphy, 2013). Contacts with interviewees provided them the opportunity to authenticate or contradict the developing interpretations of the knowledge and in-depth understanding they pooled with me in the course of the interviews. Harper and Cole (2012) asserted that a researcher achieves credibility by adopting processes that ensure his findings' accuracy. The results of this study are the outcomes of data analysis obtained at two levels of interviews.

First was the session of the one-on-one interview during which highly involving 20 questions were administered to the participants. Second, the first interview data was methodically triangulated by a Focus Group Discussion (FGD) with five different participants. I shall achieve construct validity (Sanders & Rojon, 2014; Tanggaard, 2014; Zohrabi, 2013) by using semi-structured interviews and focus group interviews to gather data from several sources. The study recorded a total of 15 interviewees. My data collection strategy shall meet the requirement of Yin (2009), who stated that maintaining credibility entails that multiple sources of evidence are referred to as a single source of evidence.

While analyzing the data, I took steps that ensured the achievement of both internal and external validity in the research sequence. I was very conscious of my biases from

interfering with the work-in-progress. I strived to put my values, beliefs, and world views in check so as not to interfere with my data collection, analysis, and interpretation, as described by Klier (2012), Smith and Noble (2014). These conscious activities helped to refine and authenticate the themes and findings that eventually emerged.

Transferability

The readers decide whether a study is transferable or not, and this finds support in Marshall and Rossman (2016). However, the findings of a qualitative single case study on corruption in land administration management in Togo and its impact on real estate development, besides being focused on Togo, could find broad applicability in different parts of the world, where Fracas and Litigations over land ownership rights have continued to fester without possible truce in sight. Transferability connotes how research findings and application are useful to the environment, individuals, and a country (Borrego, Douglas, and Amelik, 2011). Togo is in dear need of a solution to the country's system of land registration ranking among the least efficient in the world and riddled with a high level of land conflicts (World Bank, 2016). A study that could provide stakeholders with requisite information and knowledge by which the land registration process can be rid of corruption and disputes and; promote real estate development for social change would find broad transferability.

Dependability

Dependability refers to the consistency and reliability of the research findings and the degree to which research procedures are documented, allowing someone outside the research to follow, audit, and critique the research process (Moon et al., 2016).

Dependability is an essential element of the rigor of the entire research has been ensured through an audit trail. My data was obtained through multiple data sources, which I regularly cross-checked at the levels of the one-on-one interview and focus group discussions (FGD). I validated all interview transcripts with the participants having the understanding of ironing out any discrepancies in the in-depth understanding they pooled with me, and whether the interpretations I have made matches what the participant intended with the responses given in the course of the interviews.

Confirmability

I secured confirmability and qualitative objectivity through a regular reflective journaling entry. My journal entries are made-up of the reasoning for my decisions concerning methodology, data analysis, and theme developments that I shall discuss in the expected results. According to Houghton et al. (2013), the attribute of confirmability of research is found in the objectivity and correctness of data. The data collection procedure of this research has carefully arranged an outcome where participants at the interviews are practically involved in the various aspects of the land disputes. To strengthen the attribute of confirmability, the interview has been conducted at two levels. First is the one-on-one semi-structured interview, followed by a methodical triangulation of data with a focus group discussion (FGD).

Results

The categories of issues this study envisaged exploring in the qualitative single case research during the interviews included demographics, ownership rights, land acquisition, land fracas, process effectiveness and efficiency, developmental challenges, and an all-

embracing solution. However, themes that emerged from the one-on-one interview of 10 participants and the focus group discussion (FGD) with five different participants were sorted, enumerated, and shall be discussed below.

Major Themes

The major themes that emerged about activities of corruption in land registration and how it impacts on real estate development in Togo are multiple alienations of land, prolonged court cases, normality of gift and bribery, inadequate compensation, culpability in land grabbing, weak criminal justice procedure, perceptions about estate developers, Communication gap and inadequate checks, and Institutional procedural arrangement of land regulation.

Emergent Theme 1: Multiple Alienation of Land

Multiple alienations of land have created situations where a single expanse of land has so many persons who claim various portions of the same land. This result supports the finding of Kanfiegue (2018). The scholar reported that Togo is defined by complex 'bundles of right' by which various stakeholders, such as men and women, migrants and first comers, elders, and young people holding asymmetrical power relationships, claim varying rights the same parcel of land. Land alienation is a concept of property law where it is explained as the voluntary act of an owner of some property disposing of the property (Busby, 2009). According to P5, in response to interview question 7, "yes, I sell land all the time. These are the lands I received from landowners as payment for my service." In response to the prompt, P5 cited an instance in the community when a dispute between his family and Adoguidy family arose. They had to give vast portions of land to Lawyers,

Judges, and government officials to win this case. Adoguidy family also sold part of the land. By the time his family won the case, they had lost half of the land. The same portions of land were sold by his family and at the same time by Adoguidy family to different buyers. This exacerbated the conflict between both families. The words of P6 are "yes, I sold land before." He narrated how he went further to buy more land that he continued to resell because land quickly doubled in value in a few years. He was just lucky; it was not a problem after the sale. Anything could happen. In response to prompt 3, question 7 of the interview protocol, P5 said, "when the challenge of multiple registrations arises for the same parcel of land, preferential registration is given to the applicant that offer the highest bribe." P6 added that "with bribery and corruption striving, dubious persons can register lands they cannot claim real ownership." From P8, "real estate investment in such a situation of land acquisition becomes too risky to venture into since the lives of investors besides the possible loss of colossal money are at stake."

The problems recounted by participants in theme 1 were those created under the old land code that has been in place since the 1974 land code. At the time of this research, a new land code had been promulgated by the Togolese national assembly in middle 2018. Its impact on the way land is alienated will eventually spread to the parts of the country.

Emergent Theme 2: Prolonged Court Cases

Litigation over land claims is intentionally prolonged in order to pervert the course of Justice. This tends to indict the judiciary that failed to ensure the due process and conclusion of the criminal justice process. A clog in the wheel of the criminal justice process is intentionally created with the aid of the police and officials of land

administration management. In some cases, the judge gets involved in the perversion of Justice. According to P1, when a land dispute broke out in the Dalave community between his family and Adoguidy family, the case was in court for over ten years. At the end of the litigation, there were not enough parcels of land left for either of the belligerent families, as significant portions of the land had been shared among judges, land administration officials and lawyers in the struggle by both families to be the favored to win the case?

Emergent Theme 3: Normality of Gift and Bribery

A very serious challenge faced by land administration management in Togo is the expectation of gift in cash or other assets for any service rendered to prospective land buyers or registrants. In the testimony of P1, gift of money or other valuables will remain a factor if the land is not properly registered. Besides, the government officials will do nothing to issue you title to the land without gratification. Sometimes, even after giving gratification, they still will not process the land title. People use gifts and bribery to get the certificate of title. Refusal of the actual owner to give up ancestral land precipitates land disputes. At the same time, P2 states it as "exchange of gifts and money has provided incentives for land grabbing because they know you cannot peacefully develop the land without settling them". The contributions of P3, P4, P5, P6, P7, P8, P9 and P10 to the normality of Gift and Bribery made no significant difference, as they gave the narration that the same land can be given or sold to several persons. Gift and money enable the would-be buyer to obtain land at under-value price. When the challenge of multiple registration arises for the same parcel of land, preferential registration is given to the applicant that offer the highest bribe. With bribery and corruption striving, dubious persons

can register lands they cannot claim real ownership. Real estate investment in such situation of land acquisition becomes too risky to venture into since the lives of investor beside the possible loss of colossal money are at stake. Proper and speedy service of land titling at the department of land administration is predicated on your willingness to part with money given as bribe. Bribe money helps to facilitate title acquisition. The gift of money created many disputes between the government officials and the traditional rulers because each party wants to have the biggest slice of the pie, and thus there is the ongoing mistrust and trickery between these parties. According to Transparency International (2011), the form of corruption in land administration includes bribery of land administration officials and law enforcement authorities, fraud and production of false land claim documents.

Emergent Theme 4: Inadequate Compensation

Granted that for the reason of public projects that will benefit society, governments have the power of compulsory acquisition of land. This power is also referred to as expropriation, eminent domain, compulsory purchase, land acquisition and resumption (FAO, 2008). P1 narrated how in Lome II area, thousands of acres were seized by the government for public buildings; the traditional owners went to court for years before getting compensation. P2 submitted that, the government wants to regulate and acquire land for their general use whereas such lands can be family lands for which government is not willing to pay adequate compensation. In response to question 8 of the interview protocol, P8 stated that the designation of eminent domains by the government is arbitrary,

especially when there is no monetary compensation to the rightful community owners of the land.

Consequently, the local community does not agree, and this becomes a case that will drag on for years. Because registration of land with the government requires an outlay of a significant amount of money, most unused lands are not registered. However, all eminent domains reserved for the government for public use are registered. The response from P9 states it as the traditional landowners and the land administration management often disagree over who should have the land. This is because the land originally belongs to the traditional landowners. Government department usually come and acquire the land with an excuse that it will be used for the benefits of the community, such as building schools and other public projects. As soon as the government takes over ownership, the lands are sold to the highest bidders who often use it for different purposes.

The foregoing manner of expropriation of land by the Togolese government is an insight into how the power of compulsory acquisition can be abused. Unfair procedures for the compulsory acquisition of land and inequitable compensation for its loss can reduce land tenure security, increase tension between the government and citizens, and reduce public confidence in the rule of law (FAO, 2008). Unclear, unpredictable, and unenforceable procedures create opportunities for corruption (FAO, 2008).

Emergent Theme 5: Culpability in Land Grabbing

The most challenging problem confronting the security of tenure in the right to land in Togo is the trend where blameworthiness for land grabbing lies at the doorstep of those who have responsibility for upholding the customs and tradition of the people,

implementation of state laws, enforcement of laws and the arrest and prosecution of lawbreakers. As part of his response to question 8, prompt 1, P1 narrated how in Lome II area, thousands of acres were seized by the government for public buildings, the traditional owners went to court for years before getting compensation. According to P7 actual owners are often made to lose lands due to their lack of title over the land while the grabbers are smart to register the lands. The government/justice department takes side with those who have acquired title over the land. Government often gets into dispute with owners of land when the government tries to grab the land for claim of public use without paying adequate compensation to the original owners. P8 also shared close observation and puts it as, "the land grabbers are mostly government officials and well-connected and deep-pocket businesspeople who can influence court decision in their favor."

Corroborating the challenge of land grabbing, Transparency International (2011) reported that among the forms of risk factors in management of state own lands include manipulation of compulsory land acquisition and compensation processes by government officials and investors; and irregular conversion of property and land classification status by government officials (TI, 2011).

Emergent Theme 6: Weak Criminal Justice Procedure

Among the incentives for the various alienation of land, land grabbing by stakeholders and this include government and its officials and corruption and bribery practices at the levels of land administration, customary land tenure and management of state own lands, is the weakness of the criminal justice process. While responding to Question 8, Prompt 2 of the interview protocol, the participants were bitter and with

expression of deep frustration poured out their minds as follows: “the police should arrest and prosecute land grabbers and the court, after trial, they should award appropriate punishment to such offenders” (P1). “Disgruntled family members who band into land grabbers can be brought to justice by prosecution” (P2). "Offenders could be deterred by severe jail terms and fines by the justice system" (P3). The police, judges and government officials need to cooperate and make land grabbers face justice and they should prevail on government agents not to impose extra fee on land registrants outside the official charge for the cost of land registration. Interviewees P8, P9 and P10 respectively stated their experience informed proposals as police and the judges should stop taking sides with people who could present titles to parcels of land. Thus, disputed lands with title of ownership should be investigated concerning circumstances surrounding their acquisition. If the context of its acquisition is a cover-up for land grabbing or the unruly display of might is right on the grounds of official privileged position or status in society, the court of Justice should rule in favor of the underprivileged in society. All parcels of land fraudulently deprived of their rightful owners in the name of possession of a certificate of title to the land in dispute should be fully recovered for their owners by the court of Justice.

Emergent Theme 7: Perceptions about Estate Developers

Citizens' sensitivity to real estate developers and other investors with the need for vast acres of land is mixed. The divergence in acuity is dispersed and dichotomized by the disparity between Urban Society and the Rural Society of Togo. While one set of participants shared an experience representing the feeling of specific urbanized stakeholders, another group of interviewees captured what it feels among Rural Dwellers.

In the former, P2 narrated that it is a good experience when you give land to those who have money to build Estates because it helps create jobs and develop the community. I do not believe that gifts or money that estate developers part with while securing land for building discourages them from buying land because they are capable of providing adequate security. More so, they have government backing for investing in the economy. P6 contributed that, kudos be given to the rich people that bought the lands, the community now have a beautiful City with Hotels, Pharmacies, magnificent residences, and shopping centers.

Contrary to the insight shared by P6, P9 contributed that the communities think it is not right for them to give out large portions of their land to people, who have money to build estates because they will no longer have land for farming, and they are afraid of losing their community to strangers. P10 narrated the case of a rich investor from the far North of the country who identified a highly impoverished community people and bought the most useful and expansive portions of the community land. The natives interpreted this as taking advantage of vulnerable people and dispossessing them of their most valuable resources.

Emergent Theme 8: Communication Gap and Inadequate Checks

The inadequacy of communication between officials of land administration management and members of the public keeps the latter in the dark about genuine land markets and leaves them vulnerable to land grabbers and the myriad of vicissitudes associated with land transactions. P4 proposed innovative registration procedure that replaces the old method by making the registration process paperless. It should be

computerized and accessed by verification online by prospective land buyers. P7's contribution is that people should be encouraged to register their lands.

There is lack of effective mechanism of raising the awareness of members of the public and helping them with statistics on registered lands and land market trends. Consciousness of what evaluative processes need to be followed before going into negotiation with sellers in the land markets. P2 suggested that government land agency could ensure that members of the public deal with the right officials in position of authority and not through third parties.

Adequate background check is not done by many prospective land buyers and developers', and consequently results in challenges of lack of security of tenure. The participants observed that this oversight has often been caused by mischief in some cases and ignorance in others. In response to prompt 2 of question 7, P2 contributed that a buyer needs to properly investigate from the community where the land is located and the land department if the parcel of land has been previously sold to someone and why the price may be ridiculously low. To the understanding of P7, incidents of purchasing land already sold to somebody else also involve the government and influential citizens close to government. They do it intentionally because they could influence corrupt judges to rule in their favor when it gets to the court. P8 observed that, both the sellers and buyers usually act in bad faith. There are statutory and standard procedure to follow in order not to ignorantly pay for already purchased land. Due to bad faith, such procedures are overlooked.

Emergent Theme 9: Institutional Procedural Arrangement of Land Regulation

At the core of the ineffectiveness and in efficiency in land administration management in Togo is defective institutional arrangement. Due to the unbridled corruption and bribery practices of land administration officials, there is deliberate unclear institutional responsibilities and decision mechanisms; absence or lack of clarity of regulations for leasing land or exercising eminent domain; and lack of effective compliant, grievance and oversight mechanisms. In response to prompt 1 of interview question 7, P5 described the problem in more in-depth terms as the government bears the biggest responsibility because the land registration process is too slow. Sometimes it takes over 10 years to get title. The government agents exploit the delay process to engage in corrupt practices by demanding for bribe to hasten the process of land titling to buyers. Surveyors contribute to the incident of corruption by concealing facts from uneducated landowners. Surveyors select portions of land they like and start selling them without putting the landowner in the picture. At the point of registering such land deals, the buyer runs into problem which the surveyor is powerless to solve since the surveyor is not the real owner. In answer to prompt 2 of interview question 7, participants: P5, P6 and P7 gave responses which stated that, delays involved in registering land with land agency give room to dubious landowners to sell and resell same parcel of land to more than one buyer. A participant recounted a scenario in which after purchasing 75 acres of land, it took him 10 years to obtain the certificate of title for half of the land because in the course of the delay in obtaining title to the land, half of it had been sold to another buyer who claimed the surveyor sold it to him without any notice of the subsequent deal communicated to him. He

said he loses the land after all the expenses he had incurred. In another scenario, a participant bought 16 plots of land for which he obtained title after 10 years.

Prior to the introduction of the new land code in middle 2018, standards were not followed right from the contact between the original owner of the land and the interested buyer. Besides, the new land code and new state institutions known as NES and SLTC are still making efforts to gain impact, and this would take quite a number of years since old ways are difficult to change. There tends to be a dominance of informal land markets than the formal markets that are evolved and sustained through proper land registration under an effective and efficient land administration management. This will be the eventual trend if the new land code and NES and SLTC roles become widely embraced and rooted in Togo's land administration and management.

Adhering to due process is the only way a long and enduring solution can be found to all the manifold problems and challenges put forth by land administration management in Togo. This is the core contribution of interviewees to question 11 and its lone prompt in the qualitative interview protocol. With regards to the native/customary authority on land, P1 said, "traditional landlords should register the land, obtain the certificate of title before selling it to buyers." P2 observed that there is need to consult with them and make sure that the lands they have are genuine and the layout is registered with government before buyers could enter into deal with them. Buyers can insist that they sign an agreement of non-embarrassment from their families. With respect to officials of state responsible for land matters, P2 states it as they should ensure that members of the public deal with the right officials in position of authority and not through third parties. P3 submitted that, land

registration officials of government should cultivate ethical practices and avoid being corrupted; P4 is of the view of making the registration process paperless. It should be computerized and accessed by verification online by customers. To solve the failings of the Judiciary and Law enforcement agency, P1 said, “the police and the court should go after land grabbers and imprison them.” To P2, the right-counter measure would be the police and the courts can by effectively trying the land grabbing cases and seeing to it that offenders are jailed. P3 said severe punitive fines and jail terms be administered against offenders in land grabbing. In the perspective of P4, the solution could be found if land grabbers are banned for life from any further transaction on land. To rein-in corrupt and unruly officials whose corrupt practices has become endemic and crippling land administration management, P3’s contribution was in a few words, “first educate them about the consequences of their behavior and secondly the guilty ones must face the law. Let there be examples.” In the words of P4, what to do is for “the government to allow private companies to run land business. The companies should engage their own lawyers, architects, and surveyors.”

Major Research Questions and Emergent Themes

The major research questions have been given adequate treatment in the themes that emerged in the study. What follows is the analysis and matching that can be discerned from the foregoing thematic result.

Question 7: What is your experience about acquiring, selling and obtaining certificate of title for land in Togolese community?

According to theme 1, there is high incidence of multiple claims on the same parcel of land. In response to challenges of multiple registrations, officials of land administration would give preferential registration to claimants that offer them the highest bribe. In Theme 2, it was revealed that the process is fraught with prolonged court hearing, carefully schemed to pervert the course of justice. There may not be enough portions of land for the litigants to own at the time verdict is eventually given, as much of it would have been alienated and sold to fund the ongoing litigation. The new interest holders swell the number of those already existing on the land and would nonetheless enter their own cycle of dispute.

Question 8: How has the native/customary authority and the central government been coordinating the control and distribution of land?

In **theme 3**, it was revealed that all activities of the state concerning land is handled by the land registration agency whose officials often expect gift in cash or other assets from the various interest holders on land that have business to do with the agency. Theme 3 further elucidated on how exchange of gifts and money provided the incentives for land grabbing. Gift and money to government land officials enable the would-be buyer to obtain land at under-value price. Theme 4 revealed inadequate compensation to native authority for land expropriated and this has been at the foundation of Natives bitterness against government. Theme 4 also exposed an aspect of the coordination of land control with government. Lands acquired by government on claim for public utility and so, would be reluctant to pay compensation to native owners, eventually get sold to highest bidders and

used for purposes that are personal. Government officials and influential citizens are at the top of list of culprits of land grabbing.

Question 9: Real estate developers have not been accessing enough lands to develop. In what ways have other stakeholders contributed to their challenge?

Theme 6 identified lack of independence of the judiciary as a serious factor. The police are reluctant to arrest land grabbers, in the judiciary are endless litigation over land thereby not creating peaceful and secure land tenure to incentivize real estate developers. According to **theme 7**, perceptions about real estate developers are mixed. Those who are not comfortable with loosing farmlands to real estate developers have developed deep resentment for them. There are those who commend property developers for facilitating the process of urbanization and creating the situation for skills requirement and deficiency and this prompts government to begin the process of establishing vocational education centers where the skills could be acquired. In **theme 8**, the inadequacy of communication between officials of land administration and members of the public keeps the latter in the dark about genuine land markets. This tends to make property developers vulnerable to land grabbers and the myriad of vicissitudes linked to land transactions. Defective institutional arrangement is at the core of the challenge in the view of theme 9. In **theme 9**, it was revealed that sometimes it takes over 10 years to get title. That, government agents exploit the delay process to engage in corrupt practices by demanding for bribe to hasten the process of land titling to property developers. This is a serious challenge and can be very impactful.

Question 10: The process of legal acquisition of land and security of land title has been riddled with soliciting for gratification by officials saddled with the responsibility?

Theme 3 summarized it as ‘normality of gift and bribery’ and that it is the heaviest challenge faced in state’s land administration in Togo. That, when state officials are faced with resolving disputes over multiple alienations of land, preferential registration is given to the applicant that offer the highest bribe. What follows is the refusal of the family with right of ownership to divest their interest in the land and this precipitates land dispute. The theme further revealed that the gift of money created many disputes between government officials and native land authorities because each party wants to have the biggest slice of the pie, and hence the ongoing mistrust and trickery between the alternate land authorities.

Question 11: An approach which seeks to solve the challenges of disputes and seeking gratification in land registration process would consider the factors of overlap of customary and non-customary land laws, traditional rulers, and land registry department of government, the judiciary and law enforcement agency, and fraudulent claims of land grabbers.

Theme 9 summed up the solution in innovative institutional procedural arrangement of land regulation. Such arrangement begins with the enactment of a new land code to supplant the old code of 1974 and this has been achieved by the current Togolese parliament led by Dama Dramani. However, the code is still in its gestation period in terms of implementation and impact. The findings of this study are the maladministration of land rights and interests that spanned the period 1974 – 2018 (44 years). It would take the new land code quite considerable time and unusual political will of the ruling elites to right the

wrongs of 44 years. However, the code has been strengthened with institutional framework in bodies as National Engagement Strategy (NES) and State and Land Tenure Code (SLTC).

Summary and Transition

This chapter presents the research data obtained from the interview of 10 participants in the one-on-one interview and a FGD with five other participants for the methodical triangulation of data. There is a nexus between the data gathered and the primary research questions: how corruption manifests in Togo's land registration process and how this corruption in the land registration process impacted real estate development. Togo? The method selected for the research is the qualitative single case study with in-depth interviews with members of the Togolese communities. They have relevant experience in a land transaction, litigation, and real estate development. This chapter comprised the findings of my research study, demographics of participants, data collection activities, data analysis synopses, evidence of trustworthiness, and the study outcomes. Furthermore, I sorted the themes and categories that were discovered and applied during the data analysis phase.

The interview transcripts, observations, and reflective journal entries were analyzed and coded to identify emerging themes in the research. The themes that emerged include (a) multiple alienations of land (b) prolonged court cases (c) normality of gift and bribery, (d) inadequate compensation, (e) culpability in land grabbing, (f) weak criminal justice procedure, (g) perceptions about estate developers, (h) Communication gap and inadequate checks, and (i) Institutional procedural arrangement of land regulation.

Chapter 5 will present the discussion, conclusions, and recommendations based on the results of this research study. The sections of Chapter 5 shall also include interpretation of findings, limitations of the study, and implications for social change. Furthermore, I will also add reflections on my personal experience with the research process.

Chapter 5: Discussion, Conclusions, and Recommendations

The purpose of this qualitative single case study was to investigate the phenomenon of corruption in the land registration process in Togo and how it creates disincentives for real estate development. In abstract terms, this study investigated the consequences of the interaction of certain variables in human transactions and relations. The study was based on a qualitative single case study. The study is anchored knowledge regarding the cultural contexts of the participants and nNIE theory. NIE theory is from the perspective of economics and seeks to focus on the societal and legal norms and rules that underpin economic institutions (Powell, 2007). On the other hand, the cultural model may be used for explaining corruption as part of the African culture. Indeed, scholars and researchers have explored the relationships between culture and corruption (Gelbrich, Stedham & Gähke, 2016; Lanier & Kirchner, 2018). My study involved two sets of participants who are citizens of the Republic of Togo with experience in land disputes, land litigations, and real estate development. Based on the qualitative interview protocol, tape-recorded interview conversations of research participants at a one-on-one level (10 interviewees) and an FGD (five members) and both facilitated by videoconferencing, was transcribed, categorized and thematically analyzed with the aid of NVivo 11 version.

Dama Dramani, president of the national assembly of Togo stated, in June 2018, "This new land code is a tool that is much adapted to current realities. It should enable judges to handle better-related conflicts preventing multiple sales and other cases that end up in courts." June 2018 ushered in a new land code after 44 years (1974-2018) of operation with the old land code that had created the conditions for the findings made by

this study. Embodied in the new land code are institutions as National Engagement Strategy (NES) and State and Land Tenure Code (SLTC). These governing structures are meant to address land tenure problems, land grabbing, and reaching out to and protecting the rights of vulnerable people (ILC, 2018). This was a welcome development. But in the first 18 months of operating with the new land code, not much change had been made to the deep seated problems created by the former code in the previous 44 years. There was a need for more public awareness about ongoing reforms, the 2018 land code, NES, and SLTC interventions. Special arrangements needed to be made to disseminate information about the reforms to the rural areas. Complicating measures of reform, in 2018 the organization, Transparency International (2018) ranked Togo the 129th out of 180 countries on the corruption index, 180 being the most corrupt.

Indeed, 80% of court cases in Togo pertain to land ownership claims and tenures (BTI, 2018). Currently, the problem of land grabbing in Togo covers 25,000 hectares, including 23 cases of lease contracts or large-scale land acquisitions (BTI, 2018). The findings are underlined by corruption and bribery practices in Togolese land administration management, multiple alienations of land which validated the earlier finding of Kanfiegue (2018), prolonged court cases, lack of standard procedure, normality of gift and bribery which is in tandem with the NIE theory (Roden, 2010; Uberti, 2016) and the cultural model (Meredith, 2006), inadequate compensation, culpability in land grabbing, weak criminal justice procedure, perceptions about estate developers, adhering to due process, insufficient background checks, ineffective communication, lack of public awareness, and defective institutional arrangement.

The land administration institution is weak and widely fails to deliver on its mandate; it does not function well due to inadequate technical and human capacities, outdated equipment, and low infrastructure base. The institution suffers from vested interests, rent-seeking behavior, and corruption, compounded by land use as a tool of political patronage. The institution is associated with a lack of transparency, accountability, and excessive and expensive bureaucracy characterized by delays in the delivery of land administration services.

Interpretation of Findings

The frameworks that underpin this study are a cultural model and NIE theory. Combined, these theories can effectively explain the findings. NIE theory is from the perspective of economics and seeks to focus on the societal and legal norms and rules that underpin economic institutions (Powell, 2007). On the other hand, the cultural model may be used for explaining corruption as part of the African culture. Indeed, scholars and researchers have explored the relationships between culture and corruption (Gelbrich, Stedham & Gäthke, 2016; Lanier & Kirchner, 2018). Hence the emergence of themes such as prolonged court cases, normality of gift and bribery, culpability in land grabbing, and weak criminal justice procedures are features predicted by these theoretical frameworks. Litigation over land claims is intentionally prolonged to pervert the course of justice. A barrier of the criminal justice process is deliberately created with the aid of the police and officials of land administration management. In some cases, the judge gets involved in obstructing justice. Court cases drag for over 10 years with the expectation that the

oppressed may become disinterested or no longer able to bear the legal cost or in extreme events, dies.

From the light shed by the cultural model, in Africa, giving gifts is a positive attribute, especially if gifting is done in exchange for service rendered (Meredith, 2006). Indeed, it is a tradition wherein a gift was often given after the service is provided as a sign of gratitude. The size of the gift varied with the importance of the person giving and receiving the service (Meredith, 2006). Before modern times, the offer of gift before the formalization of land ownership in most sub-Saharan African countries was the norm. Land transfers made by oral grants were deemed valid when grantees expressed appreciation with items such as kola nuts and alcoholic drinks (Bentsi-Enchill, 1964 in Richmond J. Ehwi and Lewis A. Asante, 2016). Although this practice gave certainty to land transfer between parties, it was fraught with challenges such as the fading memory of witnesses, misplacement of proof of evidence, and the death of witnesses, all of which resulted in frequent inter-clan clashes and endless litigation (Bentsi-Enchill, 1964; Ollnu, 1962).

A challenge that has remained with public administration and rears its ugly head inland administration management in Togo is the expectation of a gift in cash or other assets for any service rendered to prospective land buyers or registrants by government officials. Corruption in Togo is very high, and Togo ranks 129th out of 180 countries (TI, 2018). In Togo, there is top executive influence over the Judiciary; infringement of citizens' privacy rights; restrictions on freedoms of press, assembly, and movement and official corruption (USDS, 2011). Bureaucratic corruption increases when a government prevails in the running of the economy (Hanson, 2009).

Theme 1 is multiple alienations of land emanating from customary land tenure, disorderly and illegal practices on the land. This study discovered that the practice of paying for services of lawyers, land surveyors- and bribing judges, the police, and land administration management officials with portions of the land won at litigations tends to exacerbate the problem of asymmetrical power relationships. This authenticates the earlier finding of Kanfigue (2018) that, Togo is defined by complex 'bundles of right' by which various stakeholders, such as men and women, migrants and first comers, elders and young people holding asymmetrical power relationships claim varying rights over the same parcel of land.

The existence of bundles of right over an area of land carries with it very unpleasant implications. These include undefined boundaries, unclear rights and titles, undocumented transactions, and disputes, which sometimes escalate into full-fledged conflicts (AU-AFDB-ECA, 2011). There is a growing commodification of rights and increased competition between various land users in rural and urban areas, rooted in the country's social, economic, and political realities. The direct consequences of high population growth rate and inheritance systems are the fragmentation of land into sub-economic units that cannot sustain livelihoods in many instances (AU-AFDB-ECA, 2011).

In Togo are small numbers of pieces of lands that are registered through a highly bureaucratic system and procedures that relegate state courts to relative insignificance in conflict management, particularly in rural areas (Gardini, 2013). Standards are not followed right from the contact between the original owner of the land and the interested buyer. There tends to be a dominance of informal land markets than the formal markets that

are evolved and sustained through proper land registration under effective and efficient land administration management. There are statutory and standard procedures to follow in order not to pay for already purchased land ignorantly. Due to bad faith, such methods are overlooked. It is well known that many of the dubious land sellers intentionally sell the same parcel of land to more than one person since the litigation period at the courts would be prolonged till parties involved either dies, incapacitated, or disinterested in the ongoing litigation. A potential solution to this problem would be an efficient and effective land registration process (Hantad, 1998; OECD, 2017; Zevenbergen, 2002).

The result indicated mixed feelings in natives' perceptions of real estate developers. It was one of the emergent themes. While one set of participants shared an experience representing the feeling of specific urbanized stakeholders, another group of interviewees captured what it feels among rural dwellers. In the former, it is an excellent experience to give land to those who have money to build estates because it helps create jobs and develop the community. Thinkers in the school of the latter look at real estate developers with disdain for constituting the incentive for converting inherited farm and agricultural lands to urban uses, resulting in loss of livelihoods and undue tension between the urban developers, custodians of the land and the indigenous users of the land. But De Soto is believed to have argued that informal settlements are better characterized as a planet of wealth inhabited by dormant entrepreneurs waiting to become rich (Obeng-Odoom, 2013).

In Togo, a 1974 law classified land into three categories: individual private lands owned according to land laws and regulations in force; land owned by the state as part of its public domain; and national domain lands which are neither owned by the state or

individuals and consist of all unused lands meant for agricultural development for the benefit of the Togolese people. Customary rights were recognized in so far as they related to land that was put to use. Unused land still became part of the public domain (AU-AfDB-ECA, 2011). The native landowners not only complain of delay in paying compensation for lands expropriated from them by the government but most times, what government eventually paid falls below the market value of land demarcated as eminent domain. The situation gives insight into how the power of compulsory acquisition is being abused in Togo. Criminal procedures for the compulsory acquisition of land and inequitable compensation for its loss can reduce land tenure security, increase tension between the government and citizens, and reduce public confidence in the rule of law (FAO, 2008). This is captured in one of the relevant theories to this study, Neo-institutional economic (NIE). The NIE approach posits that corruption stems from public officials' opportunistic behavior vis-à-vis citizens who do not have the same power as the said officials or contend with high transaction costs to hold public officials accountable for their corrupt acts (Lambsdorff, Taube, & Schramm, 2004; & Shah, 2006). The NIE states that citizens are principals while public officials are agents (Lambsdorff et al., 2004). Unclear, unpredictable, and unenforceable procedures create opportunities for corruption (FAO, 2008).

Another angle to the challenge in land administration management in Togo is the trend where blameworthiness for land grabbing lies at the doorstep of those responsible for upholding the customs and tradition of the people, implementing state laws, enforcement of laws, and the arrest and prosecution of lawbreakers. Participants in this study revealed that

actual owners are often made to lose lands due to their lack of title over the land, while the grabbers are smart to register the lands. The government/justice department takes sides with those who have acquired title over the land. The government often gets into a dispute with owners of land when the government tries to grab the land for the claim of public use without paying adequate compensation to the original owners. Corroborating the challenge of land grabbing, Transparency International (2011) reported that among the forms of risk factors in the management of state own lands include manipulation of compulsory land acquisition and compensation processes by government officials and investors; and irregular conversion of property and land classification status by government officials (TI, 2011).

Change of use of compulsorily acquired lands without reference to the acquisition's purpose has led to discontent among landowners (AU-AFDB-ECA, 2011). Sometimes the position of migrants has been strengthened by state policy as happened in Cote d'Ivoire, where it was declared by presidential decree that "land belongs to those who cultivate it." Similar principles have been practiced in Togo and Mauritania. While such policies tend to strengthen the security of tenure for migrants, they tend to create tension and likely conflict between autochthons and the migrants as has happened in Cote d'Ivoire and in the Senegal Valley in Mauritania (AU-AfDB-ECA, 2011).

Among the incentives for the various alienation of land, land grabbing by stakeholders, including government and its officials and corruption and bribery practices at the levels of land administration, customary land tenure, and management of own state lands, is the weakness of the criminal justice process. On the one hand, small numbers of

pieces of land are registered through a highly bureaucratic system and procedures that relegate state courts to relative insignificance in conflict management, particularly in rural areas (Gardini, 2013). Protection of real estate is complicated because inheritance laws are blends of civil code and traditional requirements, a phenomenon known as legal pluralism. Consequently, inheritances are often challenged (US Department of State, 2014). Property disputes are further exacerbated by judicial opacity. Togo's judicial system is resource-constrained and heavily influenced by the presidency (US Department of State, 2014). According to BTI (2018), 80% of court cases in Togo pertain to land ownership claims and tenures. Mbaku (2007), while submitting his findings, asserted that the majority of African governments have weak laws and regulations so that corruption can take root and spread.

Citizens' sensitivity to real estate developers and other investors with the need for vast acres of land is mixed. The divergence in acuity is dispersed and dichotomized by the disparity between the Urban Society and the Rural Society of Togo. While one set of participants shared an experience that represents the feeling of specific urbanized stakeholders, another group of interviewees captured what it feels among Rural Dwellers. The adequate background check is not done by many prospective land buyers and developers and consequently results in challenges of lack of security of tenure. The participants observed that this oversight has often been caused by mischief in some cases and ignorance in others. The inadequacy of communication between officials of land administration management and members of the public keeps the latter in the dark about genuine land markets. It leaves them vulnerable to land grabbers and the myriad of vicissitudes associated with land transactions.

There is a lack of effective mechanisms to raise the awareness of members of the public and help them with statistics on registered lands and land market trends. The consciousness of what evaluative processes need to be followed before going into the negotiation with sellers in the land markets. At the core of the ineffectiveness and inefficiency in land administration management in Togo is the defective institutional arrangement. Due to the unbridled corruption and bribery practices of land administration officials, there are deliberate unclear institutional responsibilities and decision mechanisms, absence or lack of clarity of regulations for leasing land or exercising eminent domain, and lack of adequate, compliant, grievance and oversight devices.

Finally, the themes: multiple alienation of land, prolonged court cases, normality of gift and bribery, inadequate compensation, culpability in land grabbing, weak criminal justice procedure, perceptions about estate developers, communication gap and inadequate checks, and institutional procedural arrangement of land regulation have significantly been given mirror images in the two theories that underpins this study, viz; cultural and neo-institutional economics (NIE) frameworks. In the light of the Neo-institutional economic theory, economic dynamics are among the factors that lie in the background of multiple alienation of land. In the land dispute between Adoguidy and Dalave communities among a myriad of its kind, due to its prolongation for over 10 years, each community sold portions of the disputed land in order to raise fund for the cost of litigation. At the termination of litigation, what the victorious community got was less than half the disputed land. At the group discussion stage, participants submitted that land sale outside individual property is created by land markets that result from proper registration of land and obtaining of

certificate of title. This takes a long process and huge financial outlay due to corruption and bribery practices at the land registry agency of government. The group discussion also focused on some family members who for the need of money transact sale of land on one-on-one basis with buyers without consulting family elders. Such mode of acquisition of land often result in disputes when the family congregate to review the activity of the erring member. Land is the main economic resource of the natives and every cost beyond their customary expenditure tends to be tied to its exchange. Natives' perception about real estate developers has its link to NIE given a section of them that say, "because we will no longer have land for farming and we are afraid of losing our community to strangers."

Within the framework of the cultural model are normality of gift and bribery, inadequate compensation, culpability in land grabbing, weak criminal justice procedure, and institutional procedural arrangement of land regulation. As per Mbaku (2007), public officials may perpetuate corrupt practices, including nepotism or embezzlement, to further common goals. Mbaku (2007) also asserted that a probable link between the theme on weak criminal justice to cultural model is that the majority of African governments have weak laws and regulations so that corruption can take root and spread. In African countries, resource allocation is politicized allowing civil servants to take the place of the market as the primary resource allocator (Shabbir & Anwar, 2008).

Bureaucratic corruption increases when a government prevails in the running of the economy (Hanson, 2009). Togo, since after the overthrow of president Sylvanus Olympio on January 13, 1963 has been under military dictatorship until the recent EU secured mild democratization under Faure Eyadema (BBC.co.uk, 2011). Buttressing the underpinning of

the cultural model, U.S. State Department report on Togo in 2015 states, there is executive influence over the judiciary; infringement of citizens' privacy rights; restrictions on freedoms of press, assembly, and movement and official corruption (USDS, 2016).

Limitations of the study

This study is not without limitations. The principal subject of this study is the Republic of Togo in West Africa. The colonial legacy left West Africa with three main language groupings: Anglophone, Francophone, and Lusophone. Togo falls into the second of these language groupings. Consequently, the participants at the data-gathering interview could express themselves in virtually only the French language. It then requires the interviewer and researcher to be able to translate their answers given in French to English. However, this limitation was overcome by the bilingual skill of the interviewer and researcher whose background of language was acquired schooling in Togo (French) and the United States of America (English). It was with less effort that I correctly translated what the interviewees said during the question-and-answer session to their equivalent language in English. Another limitation was caused by the outbreak of the Corona Virus (COVID-19), which imposed social distancing on my interactions with study participants. Rather than meet at a one-on-one interview and Focus Group Discussion (FGD) for the regular triangulation of data from the one-on-one session as earlier mutually agreed through the informed consent form, an alternative arrangement via skype and videoconferencing was arranged to overcome the constraint.

This alternative approach denied me the benefits, satisfaction, and naturalness of meeting interviewees' on an one-on-one basis, where gesticulations and non-verbal acts of

participants' form parts of the means of accurately understanding and interpreting data. Indeed, the kind of relaxation and mutual assurance achievable by meeting people personally may not be faithfully replicated by technology. However, the atmosphere did not hinder the respondents from sharing their experience on how corruption in the land registration process impacted real estate development in Togo.

Recommendations for Action

In line with the reforms that have been ongoing in the last 18 months, as reflected in the new land code of June 2018, the establishment of NES and SLTC, Government of Togo and stakeholders in the problems identified by this study should do all within their powers to address all the issues identified by this study. The need for an all-embracing solution to the corruption and bribery practices in land administration management has been amplified by the statement credited to Dramani (2018): "this new land code is a much-adapted tool to current realities. It should enable judges to handle better-related conflicts preventing multiple sales and other cases that end up in courts." Block all avenues to various alienation of land. This is at the root of the problem of complex and unsymmetrical power relations over land. A statutory bar within the land code (2018), could be very effective. It has its different facets in native and customary land tenure systems due to reliance on oral grants that are fraught with challenges such as the fading memory of witnesses, misplacement of proof of evidence, and the death of witnesses, which resulted in frequent inter-clan clashes and endless litigation.

Estate developers could seize the opportunity of such massive land transformations and development projects to rehabilitate unskilled youths of host communities through skill

acquisition programs. Such frameworks of activities would satisfy the need for local inputs and corporate social responsibility that have been affirmed to engender peaceful co-existence with local communities and their goodwill. Among the skills, such youths could be assisted to acquire include Draughtsman ship, Land-scraping techniques, City planning, land surveying, construction site planning, physical limitations, and environmental impacts.

Land registration should be decentralized; here comes the relevance of the new SLTC (ILC, 2018). The government should assist authentic landowners with upfront registration fees that can be reimbursed to the government in the form of soft loans. According to AU-AFDB-ECA (2011), less than 1 percent of land in Cote d'Ivoire, Ghana, and Nigeria are titled, dysfunctional, or non-existent and a large informal sector. The insecurity of tenure is high. There is a need to standardize the geodetic reference system in West Africa. It is a way of freeing all undeveloped lands from the squabbles that result in their being grabbed by non- owners for the simple reason that they are not registered lands. Waiting for a buyer to come forward before registering land as it would afford the landowner means registering the land tends to create a delay in the registration period. When the land grabbers strike in the course of the waits, it further compounds the already existing disputes on the land, and the eventual fracas sometimes leads to loss of lives.

Henceforth, land reforms in Togo should avoid its past failure to integrate local practices and traditional institutions in the implementation chain and link between policy and land legislation and decentralization. Kudos to the objectives of NES and SLTC that looks forward to addressing land tenure problems, land grabbing, and protection of vulnerable people's rights, including the requirement that all lands should be titled before

changing hands. The reforms should address the issues of security of tenure, decentralization of land administration structures, land-related disputes and conflicts, rural-urban links, and the place of land in broad development policies and strategies. Models of land registration by decentralization in coastal sub-Saharan states as exemplified by land reform cases from Morocco, Benin, and Senegal to enrich further development of the SLTC be accessed and studied by Togolese land administration department. It is expected that such measures would reduce the current land registration cycle period of 10 years with its vast financial outlay to the barest minimum.

The government should revisit cases of communal lands acquired from the natives for which adequate compensation was not paid at the time of their expropriation and commence the process of market-value settlement to release bottled-up hate and resentment for the institution of the state. Natives who have been jailed for refusing to vacate their ancestral land for eminent government domain should be granted pardon and rehabilitated. The government should take decisive steps to stop the practice where victorious land litigants use portions of their recovered lands to pay lawyers. This research has discovered surveyors and other specialists who render service to landowners as forms of payments to compound incidents of various alienations of the same parcel of land with its attendant undefined boundaries, unclear rights and titles, and undocumented transactions and disputes which sometimes escalates into a full-fledged conflict. In the event of traditional landowners relinquishing their ownership of vast expanse lands to real estate investors who now commercialize the acquired space into real property investment, such farmers who then suffer the loss of livelihoods should be assisted by the

government to resettle on new agricultural lands. The study recommends further training of the Land Administration Management in handling the digitization process, institutionalizing anti-corruption and anti-bribery practices, and introducing a well-functioning customer feedback system.

Government efforts must aim at addressing the problems that exacerbate inequality between the urban and rural areas, make the rural areas more attractive to retain the youth, and also deal with the imbalance in access and control of the land to deal with the feminization of rural poverty.

Recommendation for Further Study

This study investigated the impact of corruption in the land registration process on real estate development in Togo. Future researchers should study the effect of the new land code (2018), and the twin institutions of NES and SLTC, which by this date, has operated for close to 18 months, on land administration management in Togo.

Furthermore, it is recommended that future researchers should look beyond Togo and select one or more other sub-Saharan African countries and replicate the research design and methodology applied in this study. Would there be similar or divergent results? It would be useful for empirical knowledge and theory improvement to know the outcome. Finally, future researchers should beam searchlights on how the phenomenon of corruption and bribery practices in land administration management could impact on Autochthons' loss of means of livelihood and farmers' access to land and the level of agricultural productivity in any selected state in sub-Saharan Africa.

Implications for Social Change

Before this study, there was no deep understanding of the impact of corruption, land disputes, and entanglement of native and customary land tenure with state statutory provisions on land use, a phenomenon is known as legal pluralism Togo. The deep seethed problem was exacerbated by state policy in many sub-Saharan African countries, which declared that land belongs to those who cultivate it. Similar principles have been practiced in Togo and Mauritania (AU-AfDB-ECA, 2011). While such policies strengthen the security of tenure for migrants, they tend to create tension and likely conflict between autochthons and the migrants.

Henceforth, under this study, Stakeholders would have access to the information and knowledge required to rid the land registration process of corruption, inject effectiveness and efficiency into the institution of land administration management and create the appropriate incentives for real estate development Togo. The root of the problem is multiple alienations of land in violation of both native customary law and state land tenures. It occurs at the levels of the individual to individual, individual versus community, corporate bodies versus communities, profession to profession, and instances include payment made to lawyers, surveyors, law enforcement agents, and some officers of the Judiciary.

Based on the findings and recommendations for action in this study, an end would be put to the exchange of professional services for land assets. The numerous and complex claims over the same parcels or expanse of land would either completely cease or

drastically thinned down. Individuals would then benefit from the change. The change will extend to members of the families, communities, professions, and occupational sectors.

Curbing corruption in the land registration process in Togo has an immediate benefit of bringing to the bare minimum the deep seethed conflicts over land, deaths due to land fracas, and the chances of land grabbers succeeding their criminal activities. Curbing corruption and bribery practices would also achieve the immediate reward of injecting effectiveness and efficiency into the land registry agency of government. Consequently, lands would be certificated appropriately, and with the assurance of security of land tenure, investors would come forward to invest in property. As some of the participants attested, "it is a good experience when you give land to those who have money to build Estates because it helps to create jobs and develop the community." Another said, "thanks to the rich people that bought the lands, we have a nice City with Hotels, Pharmacies, nice residences, and shopping centers."

Corruption eradication has the long-term benefit of helping the government earn revenue to develop the entire society. According to Transparency International (2015), widespread bribery is associated with higher maternal mortality and more children dying before they reach the age of five. In developing countries, one out of every two people has to pay a bribe to access essential services like education, health, and water. The social impact of freeing the land for real estate development is so weighty. Real estate developers convert ideas into real property. They influence society by shaping and planning how we live, play, and work in our communities. Developers do their research and hire a firm to provide an independent market analysis as to what would be the highest and best land use

for a particular parcel or several acres of land. For the most part, developers tend to provide housing or commercial buildings that would be beneficial for varied communities and create jobs. Also, local governments benefit from what developers develop because property and sales tax generated from their project goes directly to the city.

Conclusions

Reforms in land administration management and the ease of doing business have been ongoing in Togo since the adoption of new codes in June 2018. But it is coming after 44 years of deep seethed problems wedged into the socio-economic and cultural lives of Togolese. The last 18 months of trials with new land code are yet to usher in the desirable total overhaul, as more time would be needed. The wounds and the scars inflicted in the last 44 years are still deep and scary. The way out is the implementation of the ongoing reforms to the letter. African states have been churning out good laws and policies, where the problem lies is implementation. No class of the Togolese society is left out of the land disputes. It includes government and its unruly officials, the chieftaincies, family heads, individuals in the extended families, officials of the justice system, personnel and officers of the law enforcement department, land surveyors, lawyers who require parcels of land as part of the payment for legal services rendered to land claimers. The mounting beehive of informal and formal land transactions and relations more than anything else creates the disproportionate power relations over parcels of land, and this was aptly described by Kanfiegue (2018) as bundles of right by which various stakeholders, such as men and women, migrants and first comers, elders and young people holding asymmetrical power relationships claim varying rights over the same parcel of land.

Land grabbing is not a phenomenon attributable to some persons noted for criminality or miscreants in the Togolese society. However, astonishingly and regrettably, land grabbing starts with and includes the government and its unethical officials. In the maxim of 'might is right,' they dispossessed the weaker, vulnerable, and unsung members of the community of their ancestral lands. Perpetrators of land grabbing are usually wealthy officials, politicians, and businessmen, who use an entire gamut of methods, such as fostering and driving inter-community conflicts to outright intimidation (Kohnert, 2017) Government department usually come and acquire the land with an excuse that it will be used for the benefits of the community, such as building schools and other public projects. As soon as the government takes over ownership, the lands are sold to the highest bidders who often use the land for different purposes. Unfair procedures for the compulsory acquisition of land and inequitable compensation for its loss can reduce land tenure security, increase tension between the government and citizens, and reduce public confidence in law rule. From the FAO's (2008) findings, unclear, unpredictable, and unenforceable procedures create opportunities for corruption.

The Togolese government and people are not doing enough in terms of arrest and prosecution of land grabbers, application of the institutional approach to curbing corruption and bribery practices, injection of effectiveness and efficiency into land administration management, and implementation of enduring institutional reforms in the land registration parastatal, the police, and criminal justice measures pertaining to land disputes and litigation.

Good governance in land administration is in dire need in Togo. It includes the formal institution of government and traditional and informal arrangements and deals with responsible leadership, clarity of laws and procedures, transparency, accountability, equity, effective and efficient bureaucracy, dispute resolution, professional ethics, and corporate governance. Good governance in land administration promotes the security of tenure and sustainable and equitable economic development (AU-AfDB-ECA, 2011).

Reflection

There is a growing commodification of rights, which are rooted in the social, economic, and political realities of the country, and increased competition between various users of land in both rural and urban areas. Togo was initially a German colony and later colonized by the French. The French and British colonial land policy was to promote private ownership of land, as the customary land rights were considered a constraint to economic development. However, whatever system was adopted, the colonial powers were unable to radically alter local tenure systems as a recent development in Francophone countries demonstrates. Neither were the customary laws harmonized with the colonial policy. What rather emerged were different layers of tenure systems where the local tenure systems were overlaid by national legislation, brought in by colonial powers, which were based on different principles and geared towards a different set of interests. The result is a complexity of land tenure systems, none of which is completely dominant, creating a situation of legal pluralism in which different incompatible rules overlap.

Traditional methods and principles themselves are not homogenous even in one country, which adds to the complexity of the land tenure arrangements in sub-Saharan

Africa. By middle 2018, the Togolese national assembly promulgated a new land code that replaced the old land code of 1974. The new bill breaks down into 736 articles, which set the foundations for a more modern institutional land management framework. With it, it will be easy for any rightful owner to defend their property. The new code takes into consideration both socio-economic and cultural challenges recorded in Togo, correcting inconsistencies inherited from the previous code.

The document aims at making land transactions safer but also tackles land speculation and expropriation. But the concern of Togolese is how well it will be its implementation. Can it be shielded from political interference? Everyone awaits the verdict of time.

References

- Abdulai, R.T. & Antwi, A. (2009). Traditional landholding institutions and individual of land rights in Sub-Saharan Africa. *World Review of Science, Technology and Sustainable Development* 2(3), 1-19.
<https://doi.org/10.1504/WRSTSD.2005.007690>
- Abdulai, R. T. (2006). Is land title registration the answer to insecure and uncertain property? Rights in sub-Saharan Africa? *RICS Research Paper Series* 6(6), 6-29.
<https://wlv.openrepository.com/handle/2436/28832>
- Achim, M. (2016). Cultural Dimension of Corruption: A Cross-Country Survey. *International Advances in Economic Research*, 22(3), 333–345. <https://doi-org.db24.linccweb.org/10.1007/s11294-016-9592-x>
- Adeyinka, R.B. (2020). *Transparency in Land Title Registration: Strategies to Eradicate Corruption in Africa Land Sector*. OAU, Ile-Ife, Nigeria.
[https://alsf.academy/sites/default/files/2020-05/ADEYINKA-Transparency in Land Title Registration-1334 b.pdf](https://alsf.academy/sites/default/files/2020-05/ADEYINKA-Transparency%20in%20Land%20Title%20Registration-1334%20b.pdf)
- Adjekophori et al., (2020). The Nexus Between Land Administration System and Land Market Development in Delta State, Nigeria. *British Journal of Environmental Sciences*.
- Alam, M. S. (1995). A theory of limits on corruption and some applications. *Kyklos*, 48, 419-435.
- Alas, R. (2006). Ethics in countries with different cultural dimensions. *Journal of Business Ethics*, 69, 237-247. <https://doi.org/10.1007/s10551-006-9088-3>

- Alden Wily, L. (2000). Land tenure reform and the balance of power in Eastern and Southern Africa. *ODI Natural Resource Perspectives* 58, 1-4.
- Alden Wily, L. (2003). *Governance and land relations: A review of decentralisation of land administration and management in Africa, land tenure and resource access series, dry lands programme*. IIED.
<https://pubs.iied.org/sites/default/files/pdfs/migrate/9304IIED.pdf>
- Alemann, U. (2008). *Political corruption in Europe: Causes, consequences, and challenges*. IDI.
- Atuobi, S. M. (2007). *Corruption and state instability in West Africa: An examination of policy options*. KAIPTC Occasional Paper no7. https://www.kaiptc.org/conflict_prevention/details.asp
- AU-AfDB-ECA Consortium (2011). *Land Policy in Africa: West Africa Regional Assessment, Addis Ababa, Ethiopia*.
<https://repository.uneca.org/ds2/stream/?#/documents/5d2b695f-f733-5cdb-be23-9e68769d98c9/page/1>
- Bertelsmann Stiftung's Transformation Index. (2018). *Togo Country Report*.
<https://www.bti-project.org/en/reports/country-reports/detail/itc/TGO/>
- Blaxter, L., Hughes, C. & Tight, M. (2010). *How to Research*. McGraw Hill.
- Bottazzi, P., Goguen, A., & Rist, S. (2016). Conflicts of customary land tenure in rural Africa: Is large-scale land acquisition a driver of 'institutional innovation'? *The Journal of Peasant Studies*, 43(5), 971-988.
<http://dx.doi.org.proxylib.csueastbay.edu/10.1080/03066150.2015.1119119>

- Brod, M., Tesler, L.E., & Christensen, T.L. (2009). Qualitative research and content validity: Developing best practices based on science and experience. *Quality of Life Research* 18(9), 1263–1278. <https://doi.org/10.1007/s11136-009-9540-9>
- Campos, E. J., & Pradham, S. (2007). *The many faces of corruption. Tracking vulnerabilities at the sector level*. World Bank.
- Collins, J., & Uhlenbruck, K. (2004). *How firms respond to government corruption: Insights from India*. In *Academy of Management Proceedings (Vol. 2004, No. 1, pp. A1-A6)*. Academy of Management.
- Cotula, L., Toulmin, C. & Hesse, C. (2014). *Land tenure and administration in Africa: Lessons of experience and emerging issues*. International Institute for Environment and Development.
- Creswell, J. W. (2003). *Qualitative inquiry & research design: Choosing among five approaches* (2nded.). Sage Publications.
- Creswell, J. W. (2005). *Research design: Qualitative, quantitative, and mixed methods approaches*. Sage Publications.
- Darke, P., Shanks, G., & Broadbent, M. (1998). Successfully completing case study research: Combining rigor, relevance and pragmatism. *Information Systems Journal*, 18 (4), 273-289.
- Denzin, N.K. & Lincoln, Y.S. (2003). *Collecting and Interpreting Qualitative Materials*. SAGE Publications.

- Dickerman, C. et al. (1989). Security of tenure and land registration in Africa: Literature review and synthesis.
<https://ageconsearch.umn.edu/record/12762/files/lcwp137.pdf>
- Dixon, M. (2002). *Principle of land law*. 4th edition. London: Cavendish Publishing Limited
- Duminy, J., Andreasen, J. & Lerise, F. (2014). *Planning and the Case Study Method in Africa: The Planner in Dirty Shoes*.
- Ehwi, R. J. & L. A. Asante (2016). Ex-post Analysis of Land Title Registration in Ghana since 2008 merger: Accra Lands Commission in Perspective. Sage Open.
- Erlandson, D. A., Harris, E. L., Skipper, B. L., & Allen, S. D. (1993). *Doing naturalistic inquiry: A guide to methods*. Sage Publications.
- FAO Land Tenure Studies (2009). Compulsory Acquisition of Land and Compensation.
- Felkins, L. (2009). *Introduction to public choice theory*.
<http://perspicuity.net/sd/pub-choice.html>
- Flick, U. (2008). *Designing qualitative research*. Sage Publications.
- Freeman, R. E., Wicks, A., & Palmer, B. (2004). Stakeholder theory and "the corporate objectives revisited." *Organization Science*, 15(3), 364-369
- Gallo, A. et al. (2012). What is the role and authority of gatekeepers in cluster randomized trials in health research? *Trials*, 13(116), 1-14. <https://doi.org/10.1186/1745-6215-13-116>
- Gardini, M. (2013). Land and conflicts in Togo.
https://boa.unimib.it/retrieve/handle/10281/44889/67044/phd_unimib_725079.pdf

- Gardini, M. (2012). Land transactions and chieftaincies in Southwestern Togo. *Africa Spectrum*, 47(1), 51-72.
- Gelbrich, K., Stedham, Y., & Gäthke, D. (2016). Cultural discrepancy and national corruption: investigating the difference between cultural values and practices and its relationship to Corrupt Behavior. *Business Ethics Quarterly*, 26(2), 201–225.
<https://doi-org.db24.linccweb.org/10.1017/beq.2016.29>
- Giorgi, A. (2008). The minimizing of subjectivity in mainstream psychological research. In K. Nielsen, S. Brinkmann, C. Elmholdt, L. Tanggard, P. Musaeus, & G. Kraft (Eds.), *A qualitative stance: Essays in honor of Steiner Kvale* (pp. 157–166). Aarhus Universitetsforlag.
- Giorgi, A. (2009). The descriptive phenomenological method in psychology: *A modified Husserlian approach*. Duquesne University.
- Giorgi, A. (2012). The descriptive phenomenological psychological method. *Journal of Phenomenological Psychology*, 43(1):3-12.
- Global Security Org. (2018). Togo – Corruption.
<https://www.globalsecurity.org/military/world/africa/to-corruption.htm>
- Hanson, S. (2009). Corruption in sub-Saharan Africa. *Council of Foreign Relations*.
<http://www.internationalreportingproject.org/stories/detail>
- Hanstad, T. (1998). Designing land registration systems for developing countries. *American University International Law Review*, 13, (3) 647-703.
- Hill, A. & Spittlehouse, C. (2003). What is critical appraisal? *Evidence-Based Medicine* 3(2), 1-8.

- Hofstede, G. (2011). Dimensionalizing cultures: the Hofstede model in context. *Online Readings in Psychology and Culture*, 2(1). <https://doi:10.9707/2307-0919.1014>
- Jabbara, J. G., & Dwivedi, O. P. (2005). *Administrative culture in a global context*. Whitby, de Sitter
- Judge, W. (2008). *Antecedents of national corruption, an institutional perspective*. Paper presented at the AIB-SE USA annual meeting Knoxville, TN.
- Kalu, I. U. (2001). *Property valuation and appraisal*. Owerri: Nigeria. Bon Publications.
- Kanfigue, N. (2018). Togo land grabbing. <https://community.namati.org/t/togo-land-grabbing/42363>
- Klitgaard, R. E. (2004). *Leadership under systemic corruption*. Talk given to Mekong Delta Countries, in Vientiane, Laos.
- Kohnert, D. (2017). Togo: Political and socio-economic development (2015 – 2017). https://mpra.ub.unimuenchen.de/81176/1/MPRA_paper_81176.pdf
- Lambsdorff, J. G. (2007). *The Institutional economics of corruption: Theory, evidence and policy*. Cambridge University Press.
- Lambsdorff, J.G., Taube, M., Schramm, M. (2004). *The New Institutional Economics of Corruption*. Routledge.
- Lanier, C., & Kirchner, M. (2013). Cultural Receptivity: Predicting consumption in the international beverage market. *Global journal of business research*, 7(4), 61–70.
- Lanier, C., & Kirchner, M. (2018). Corruption and culture: Empirical analyses of long-term indulgence and corrupt systems. *Review of Business*, 38(2), 30–43.

<http://db24.linccweb.org/login?url=http://search.ebscohost.com/login.aspx?direct=true&db=bth&AN=129631256&site=ehost-live>

- Lawal, G., & Tobi, A. (2006). Bureaucratic corruption, good governance and development: The challenges and prospects of institutional building in Nigeria. *Journal of Applied Science Research*, 2(10), 642-649
- Makana, N. E. (2010). Peasant response to agricultural innovations: Land consolidation, agrarian diversification and technical change. The case of Bungoma district in Western Keny, 1954-1960. *Journal of Third World Studies*, 27(1), 155-170.
- Mbaku, J. M. (2007). *Corruption in Africa: Causes, consequences, and cleanups*. Lanham, MD: Lexington Books.
- Mcfadyen, J. & Rankin, J. (2017). The role of gatekeepers in research: learning from reflexivity and reflection. *GSTF Journal of Nursing and Health Care (JNHC)* 4(1), 82-88. <http://dl6.globalstf.org/index.php/jnhc/article/view/1745>
- Meredith, M. (2006). *The state of Africa: A history of fifty years of independence*. Free Press
- Mills, A. J. (2010). *Encyclopedia of case study research* (Vol. 1). Sage Publications.
- Mitchell, M. L., & Jolley, J. M. (2009). *Research design explained*. Independence, KY: Cengage Learning.
- Mullet, E., LópezLópez, W., Kpanake, L., Mukashema, I., Armange, R., Kamble, S. Neto, F. (2016). Functional measurement in the field of ethics in politics. *Universitas Psychological*, 15(3), 147–172.

- Narh, P., Lambini, C. K., Sabbi, M., Pham, V., & Nguyen, T. T. (2016). Land sector reforms in Ghana, Kenya and Vietnam: A comparative analysis of their effectiveness. *Land*, 5(2), 8.
- Ndikumana, L. (2006). "Corruption and Pro-Poor Growth Outcomes: Evidence and Lessons for African Countries," Working Papers wp120, Political Economy Research Institute, University of Massachusetts at Amherst.
- OECD, (2017). Effective ownership registration.
<https://www.oecd.org/investment/toolkit/policyareas/investmentpolicy/effectiveownershipregistration.htm>
- Obeng-odoom, F. (2015). Understanding land grabs in Africa: Insights from Marxist and Georgist political economics. *Review of Black Political Economy*, 42(4), 337-354.
<http://dx.doi.org.proxylib.csueastbay.edu/10.1007/s12114-015-9209-2>
- Odhiambo, M. O. (2015). Land Policies and their Implications for Smallholder Agriculture in Africa: A Review of Policies in Six Countries.
<http://doi197.220.255.230:8080/jspui/bitstream/123456789/367/2/land-policies-and-their-implications-for-smallholder-agriculture-in-africa.pdf>
- Olulumazo, A.K. (2006). Improving tenure security in northern Togo: A means to address desertification. <http://pubs.iied.org/pdfs/7418IIED.pdf>
- Omoniyi, G. O. (2017). "Urbanization, Land Rights and Development: A Case Study of Waterfront Communities in Lagos, Nigeria." *Master's Theses*. 1066.
<https://repository.usfca.edu/thes/1066>

- Onike, R. (2008). Corruption and leadership in Nigeria.
<http://www.searchwarp.com/swa383838.htm>
- Onwuegbuzie, A., Johnson, R., & Collins, K. (2009). Call for mixed analysis: A philosophical framework for combining qualitative and quantitative approaches. *International Journal of Multiple Research Approaches*, 3(20), 114-139.
- Otsuka, K., Quisumbing, A. R., Payongayong, E., & Aidoo, J. B. (2003). Land tenure and the management of land and trees: The case of customary land tenure areas of Ghana. *Environment and Development Economics*, 8(1), 77-104.
<http://dx.doi.org.proxylib.csueastbay.edu/10.1017/S1355770X03000056>
- Parahoo, K. (2014). *Nursing research: Principles, process and issues*. Palgrave Macmillan.
- Park, H. (2003). Determinants of corruption: A cross-national analysis. *Multinational Business Review*, 11(2), 29-48.
- Platteau, J.-P. (1996). The evolutionary theory of land rights as applied to Sub-Saharan Africa: A critical assessment. *Development and Change*, 27(1), 29–86.
- Peters, P. E. (2009). Challenges in land tenure and land reform in Africa: Anthropological contributions. *World Development*, 37(8), 1317-1325.
<http://dx.doi.org.proxylib.csueastbay.edu/10.1016/j.worlddev.2008.08.021>
- Powell, W. (2007). The new institutionalism. *International Encyclopedia of Organizational Studies*. Sage.
- Roden, J. (2010). The international anti-corruption crusade: Neo-liberal institutional structures, moralization, and social capital. *Undercurrent*, 7(1), 12–22.

<http://search.ebscohost.com.db24.linccweb.org/login.aspx?direct=true&db=a9h&AN=55608182&site=ehost-live>

Rose-Ackerman, S. (1978). *Corruption: A study of political economy*. Academic Press.

Rosenberg, N. & Bridzell, L. E. (1986). *How the west grew rich: The economic transformation of the Industrial World*. I. B. Tauris and Company Limited.

Saldana, S. (2008). *An introduction to codes and coding* (Chapter 1).

http://www.sagepub.com/upm-data/24614_01_Saldana_Ch_01.pdf

Saruchera, M. (2004). *Securing land and resource rights in Africa: Pan-African perspectives*. PAPLRR.

Shleifer, A., & Vishny, R. (1993). *Corruption*. *The Quarterly Journal of Economics*, 108(3), 599-617. <http://www.jstor.org/stable/2118402>

Scott, W. R. (2008). *Institutions and organizations*. Sage

Shah, A. (2006). *Corruption and decentralized public governance*.

<https://openknowledge.worldbank.org/bitstream/handle/10986/8805/wps3824.pdf?sequence=1>

Shenton, A. K. (2004). *Strategies for ensuring trustworthiness in qualitative research projects*. *Education for Information*, 22(2), 63-75.

Shenton, A., & Hay-Gibson, N. (2009). *Dilemmas and further debate in qualitative method*. *Education for Information*, 27(1), 21-37.

Smith, Paul (2006). "Chapter 19. Looking backwards and forwards at cultural studies". In Miller, Toby. *A Companion to Cultural Studies*. Malden, Mass: Blackwell Publishers.

Volume #? 331–40

- Soumaila, I. (2017). The determinants of investment efficiency in West African economic and monetary union (Waemu). *Journal of Developing Areas*, 51(1), 49–61.
- Talukdar, M. M. H., Mia, A.-A., & Hossain, M. Z. (2016). Corruption and citizen economic capacity: The equation. *Management Research & Practice*, 8(2), 54–66.
- TOGO: Fifth Review under the Extended Credit Facility Arrangement – Press Release; Staff Report; and Statement by the Executive Director for Togo
- Toulmin, C. (2009). Securing land and property rights in Sub-Saharan Africa: The role of local institutions. *Land use Policy*, 26(1), 10-19.
doi:<http://dx.doi.org.proxylib.csueastbay.edu/10.1016/j.landusepol.2008.07.006>
- Toulmin, C., & Hesse, C. (2004). *Land tenure and administration in Africa: Lessons of Experience and Emerging Issues*. London: International Institute for Environment and Development.
- Transparency International & FAO (2011). Corruption in the Land Sector, Working Paper No. 04. <http://www.fao.org/3/am943e/am943e00.pdf>
- Uberti, L. J. (2016). Can Institutional Reforms Reduce Corruption? Economic Theory and Patron-Client Politics in Developing Countries. *Development & Change*, 47(2), 317–345. <https://doi-org.db24.linccweb.org/10.1111/dech.12222>
- Udechukwu, C. E. (2006). *Introduction to estate management*. Lagos: Treem Nigeria Limited.
- Udoka, I.S. (2017). Effect of land titles registration on property investment in Nigeria. *International Journal of Advanced Studies in Economics and Public Sector Management*, 5(2), 2354-4228.

US Department of state, 2011

Van den Brink, R., Thomas, G., Binswanger, G., Bruce, J. & Byamugisha, F. (2005).

Consensus, confusion, and controversy: Selected land reform issues in Sub-Saharan Africa. *World Bank Working Paper No. 71*. Washington, DC: World Bank.

Van Der Molen, P.; A. Tuladhar (2007). Corruption and Land Administration. International Federation of Surveyors, the Netherlands.

Wendland, K. J., Pattanayak, S. K., & Sills, E. O. (2015). National-level differences in the adoption of environmental health technologies: a cross-border comparison from Benin and Togo. *Health Policy & Planning*, 30(2), 145–154.

Weiss, R. S. (1995). Learning from strangers: The art and method of qualitative interview studies. Simon and Schuster Inc.

World Bank. (2016). Togo systematic country diagnostic.

<http://documents.worldbank.org/curated/en/179631474899157168/pdf/Togo-SCD-Final-2016-09222016.pdf>

Wren-Lewis, L. (2013). Corruption in Land Administration: Roles for Donors to Minimize the Problem.

Yadav, G. J. (2005, September). *Corruption in developing countries: Causes and solutions*.

A paper presented at Global Blues and Sustainable Development: The Emerging Challenges for Bureaucracy, Technology and Governance, a conference of the International Political Science Association (IPSA) Research Committee 4 (Public Bureaucracies in Developing Societies) and 35 (Technology & Development), Tampa, FL.

Yaro, J. A. (2010). Customary tenure systems under siege: Contemporary access to land in northern Ghana. *Geo-Journal*, 75(2), 199-214.

<http://dx.doi.org.proxylib.csueastbay.edu/10.1007/s10708-009-9301-x>

Yin, R. K. (2009). *Case study research: Design and methods*. Sage Publications.

Zevenbergen, J. A. (2002). *Systems of land registration: Aspects and effects* (Order No. C811649). Available from ProQuest Dissertations & Theses A&I. (305496163).

Appendix A: Interview Protocol

- I. Introduce self to the participant (s).
- II. Present the consent form, go over contents, and answer questions and concerns of participant (s).
- III. Participants sign consent form.
- IV. Give participant copy of consent form.
- V. If using a recording device, turn on the device.
- VI. Follow the procedure to introduce participant (s) with pseudonym/coded identification; note the date and time.
- VII. Begin the interview with Question number 1; follow through to the final question.
- VIII. Follow up with additional questions.
- IX. End interview sequence; discuss member checking with participant (s).
- X. Thank the participant (s) for their part in the study. Restate contact numbers for follow up questions to clarify responses and my interpretation of their answer, and address concerns from participants.
- XI. End protocol.

Appendix B: Initial Protocol/Interview Questions

Research Question

How is corruption manifested in Togo's land registration process? And how has this corruption in the land registration process impacted real estate development in Togo?

Interview Questions:

1. May I know how old you are?
2. Are you married?
3. How long have you been living in this community/town?
4. Do you live in your personal house or family-own house?
5. (if personal) how did you acquire the land?
6. (if family owned) why have you not made effort to acquire your own land?

Follow-up Interview Questions

7. What is your experience about acquiring, selling and obtaining certificate of title for land in Togolese community?

Probe:

- (a) How may dispute arise from the sale of land by individuals, community leaders and government land agency?
- (b) Some people have ignorantly paid for land belonging to another person (s). What are the measures to prevent this wrong?

(c) How has gifts of money or other valuable assets been playing significant role in land acquisition?

8. How has the native/customary authority and the central government been coordinating the control and distribution of land?

Probe:

(a) Despite the demarcation of areas of authority between customary and government land regulators, disputes over land resources has not abated.

(b) Are there ways the justice system and law enforcement agency can ensure amicable settlement of land disputes?

9. Real estate developers have not been accessing enough lands to develop. In what ways have other stakeholders contributed to their challenge?

Probe:

(a) What can land registry agency of government do in order to facilitate easy access to land for real estate developers?

(b) In what ways have land grabbers contributed to the frustration of real estate developers?

10. The process of legal acquisition of land and security of land title has been riddled with soliciting for gratification by officials saddled with the responsibility.

Probe:

How can the heightened demand for gifts in money and other valuables be minimized or completely eradicated in land registration process?

11. An approach which seeks to solve the challenges of disputes and seeking gratification in land registration process would consider the factors of overlap of customary and non-customary land laws, traditional rulers, land registry department of government, the judiciary and law enforcement agency, and fraudulent claims of land grabbers.

Probe:

How can each of these factors be addressed to achieve an all-embracing solution to the Problems identified? Let us take them one after the other.

Thank you

Appendix C: Focus Group Protocol and Interview Question

- I. Introduce self to participant(s).
- II. Present the consent form, go over contents, and answer questions and concerns of participant.
- III. Participant(s) sign consent form.
- IV. Give participant copy of consent form.
- V. If using a recording device, turn on the device.
- VI. Follow the procedure to introduce participant(s) with pseudonym/coded identification; note the date and time.
- VII. Begin the interview with the first question; follow through to the final question.
- VIII. Follow-up with additional question.
- IX. End interview sequence, discuss member checking with participant(s)
- X. Thank the participant(s) for their part in the study. Restate contact members for follow-up questions to clarify responses and my interpretation of their answer, and address concerns from participants.
- XI. End protocol

Appendix D: Initial Protocol/Interview Questions

Research Question:

How is corruption manifested in Togo's land registration process? And how has this corruption in the land registration process impacted real estate development in Togo?

Interview Questions:

1. What is your experience about acquiring, selling and obtaining certificate of title for land in Togolese community?

Probe:

(d) How may dispute arise from the sale of land by individuals, community leaders and government land agency?

(e) Some people have ignorantly paid for land belonging to another person (s). What are the measures to prevent this wrong?

(f) How has gifts of money or other valuable assets been playing significant role in land acquisition?

2. How has the native/customary authority and the central government been coordinating the control and distribution of land?

Probe:

(c) Despite the demarcation of areas of authority between customary and government land regulators, disputes over land resources has not abated.

(d) Are there ways the justice system and law enforcement agency can ensure amicable settlement of land disputes?

3. Real estate developers have not been accessing enough lands to develop. In what ways have other stakeholders contributed to their challenge?

Probe:

(c) What can land registry agency of government do in order to facilitate easy access to land for real estate developers?

(d) In what ways have land grabbers contributed to the frustration of real estate developers?

4. The process of legal acquisition of land and security of land title has been riddled with soliciting for gratification by officials saddled with the responsibility.

Probe:

How can the heightened demand for gifts in money and other valuables be minimized or completely eradicated in land registration process?

5. An approach which seeks to solve the challenges of disputes and seeking gratification in land registration process would consider the factors of overlap of customary and non-customary land laws, traditional rulers, and land registry department of government, the judiciary and law enforcement agency, and fraudulent claims of land grabbers.

Probe:

How can each of these factors be addressed to achieve an all-embracing solution to the problems identified? Let us take them one after the other.

Thank you

Appendix E: Location of Togo



Togo /country location, source: Country Profile/ bbc.com

Appendix F: Coding Scheme

Apriori codes	Open codes	Categories	Themes	Participants' Identifier	Excerpts
Demographic	Sources of dispute	Prolonged court process, Multiple alienations of land, inheritance disputes, trustees vs. beneficiaries discord, corruption and bureaucracy in land administration, absence of registration in customary land tenure.	Prolonged court cases, multiple alienations of land	P1	“The case was in court over 10 years - - the same portions of land were sold by us and same time by Adoguidy family to different buyers.”
				P2	“Issues of land quarrels may arise because of unscrupulous people.”
				P3	“Almost everyone and it is a serious issue”
				P4	“the traditional landowners don’t have documents of their land”
				P5	“government agents exploit the delay process to engage in corrupt practices.”
Ownership rights	Duplicitous sale	Pursuit of money, seeking for influence and making atonements	Normality of gift and bribery, culpability in land grabbing	P3	“It is a new generation issue as money now receives top priority.”
				P5	“the delays involved in registering land with the agency gives room to dubious landowners to sell and resell same parcel of land to more than one buyer”
				P6	“I was involved in a scenario in which after purchasing 75 acres of land, it took me 10 years to obtain the certificate of title for half of the land.”

Land acquisition	Money and Assets	Bribery and Corruption, incentive for land grabbing, under-valued price, preferential registration, exacerbation of disputes	Normality of gift and bribery, culpability in land grabbing	P1	“Government officials will do nothing to issue you title to the land without gratification.”
				P2	“Exchange of gifts and money has provide incentives for land grabbing”
				P4	“Gift and money enable the would be buyer to obtain land at under-value price”
				P5	“Preferential registration is given to the applicant that offer the highest bribe”
				P10	“The gift of money created many disputes between the government and the traditional rulers because each party wants to have the biggest slice of the pie”
Land fracas	Dual land Control	Dissatisfaction Of native community, Monetization of land by state, state’s favoritism	Inadequate compensation, defective institutional arrangement, perceptions about estate developers,	P1	“In Lome II area thousands of acres are seized by the government for public buildings, the traditional owners went to court for years before getting compensation.”
				P2	“Government wants to regulate and acquire land for their own general use whereas such lands can be family lands for which government is not willing to pay adequate compensation.”
				P7	“Actual owners are often made to lose lands due to their lack of title over the

					land while the grabbers are smart to register the lands.”
				P8	“The designation of eminent domains by the government is arbitrary - compensation from state is at below market-value for land expropriated.”
				P9	“State takes over land on the excuse of public projects, as soon as they take over ownership; the lands are sold to the highest bidders who often use the land for different purposes.”
				P10	“Personally, when my father’s land was taken, the other people won because they had ties to the government and had money.”
Process effectiveness and efficiency	Rule of law for justice	Land code, incorruptible law enforcement, independent and impartial judiciary	Adhering to due process, inadequate background checks, ineffective communication	P1	“Unless the land is properly registered the justice system and law enforcement agency will have a herculean task.”
				P2	“The police should arrest and prosecute land grabbers and the court, after trial, they should award appropriate punishment to such offenders.”
				P3	“Offenders could be deterred by severe jail terms and fines by the justice system”
				P5	“The police, judges and government officials need to cooperate and make land grabbers face justice.”
				P8	

				P9	“Police and the judges should stop taking sides with people who could present titles to parcels of land.”
				P2	“Police and the judges should stop taking sides with people who could present titles to parcels of land.”
Developmental challenges	Commercial use of land	Job creation and community development,	Perception about real estate developers, lack of public awareness	P6	“Courts should overrule a cover-up for land grabbing or the unruly display of might is right on the grounds of official privileged position.”
				P8	“It is a good experience when you give land to those who have money to build Estates because it helps to create jobs and develop the community.”
				P9	“Thanks to the rich people that bought the lands, we have a nice City with Hotels, Pharmacies, nice residences and shopping centers.”
				P10	“Buying large expanse of land to build real Estate assets requires dealing with a significant number of community members with conflicting claims.”
All-embracing solution	Resolution of land disputes	Elimination of bribery and corruption, challenge of legal pluralism, market-	Weak criminal justice process, defective institutional arrangement	P1	“My community thinks it is not right for us to give out large portions of our land to people who have money to build estates because we will no longer have land for farming”
				P2	“The natives interpreted this as taking advantage of vulnerable people and

value compensation
for expropriated
lands

- P3 dispossessing them of their most valuable resources.”
“Traditional landlords should register the land; obtain the certificate of title before they sell it.”
- P4 “Land registration officials of government should cultivate ethical practices and avoid being corrupted.”
“Town Hall meeting should be called for to explain to rural people the importance of registering land in their real values.”
- P7 “Making the registration process paperless. It should be computerized and accessed by verification online by customers’.”
- P8
- P9 “Traditional rulers’ role and authority should be clearly established without any overlap with legislative statute on land.”
- P10 “If the laws are applied strictly and equitably, there will be no need to give bribe in order to ensure the timely and complete processing of land exchange.”
“Government agency to make it mandatory for all traditional landowners to register their land with the government.”

“There should be a non-adjustable time frame within which registration papers should be completed. Those who helped buyers to jump the line should be identified and prosecuted.”
