

The Promise and Limits of Land Titling and Registration

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1. What Is Land Titling and Registration?

- Titling confers or recognizes a land right in a particular person and identifies the parcel of land in which he or she holds that right
- Registration makes a note of the title or a transfer of the title in a reliable record of rights in land and puts others on notice that the title exists
- What does land registration in the US look like?
- What does it accomplish? Notice and Priority.

2. Systematic Titling and Registration Emerge as an Growth Strategy

- Title Registration: Torrens 1895: legally conclusive
- Systematic Title Registration: parcel survey and title registration door-to-door, as opposed to on-demand
- Systematic Title Registration as a post-conflict strategy: Sudan (1900), Buganda (1920), and Kenya (1950)
- Convergence with Property Rights Reform in Africa: STR as reform of customary land tenure for economic growth: Kenya (1950), Malawi (1972)

3. The Modern “Land Administration Project”

- The Thailand Land Registration Project (1985)
- The growth rationale: credit/investment/productivity
- The equity rationale: securing the poor, reducing corruption
- The “Vision Thing”: Nation-wide titling and registration in East Asia
- ‘New’ contexts: Post-Socialism, Post-Conflict
- De Soto: The Urban Context, and the formalized poor as beneficiaries of rising urban land values

4. The Promise: Anticipated Impacts of Land Titling and Registration

- Greater security of land tenure and the associated incentive impacts
- Greater security in land transactions
- Improved credit access due to availability of land collateral
- Increased investment in and on land
- Increased incomes from land
- Increased land values

5. Issues raised by empirical studies

Empirical studies of impacts show very mixed results. Realizing the promise depends on a number of factors:

- Are land rights to be registered relatively freely marketable?
- Is there a rule of law environment, so that registered rights can be enforced?
- Do beneficiaries have registered titles will help them pursue?
- Are formal sector lenders interested in lending to them?

6. Issues raised by empirical studies

- Will beneficiaries register subsequent transfers and so create a sustainable system?
- Can customary land rights be registered as is?
- For the poor, to what extent is a marketable title a double-edged sword?
- Are there simpler, decentralized models of land registration, or group registration models that would meet current needs?

7. Asking the Right Questions

- Are preconditions for an effective land titling and registration effort present?
- Considering that, are the proposed geographical focus and timing of land titling appropriate?
- Does the titling and registration respond to felt needs of land users?
- Are the proposed survey and registration models and technologies cost-effective in the particular environment?
- Is a baseline assessment proposed that will allow reliable measurement of impacts?