

**Title:** Land Reforms and Land Rights Change: An Ethnographic Case Study of Land Stressed Groups in the Nkoranza South Municipality of Ghana.

**Key Words:** Land reforms, land rights, national land policy, customary land secretariats and commodities, gifts and sacred objects.

## INTRODUCTION

A major resource in the production mix and a foundation of the wealth of developing countries is land and it is widely argued that properly designed property rights have the potential to unpack the value of land and enhance socio-economic development (de Soto, 2000; Economic Commission for Africa (ECA), 2004; The World Bank, 2002). The relevance of land to socio-economic development of nations is even made much clearer by Bruce when he states that:

“The role of land tenure—property rights in land—has been a major preoccupation in development discourse from the time of giants like Adam Smith and Karl Marx through to today’s luminaries, such as Hernando de Soto. In spite of their substantially different perspectives, none of these worthies ever doubted the critical importance of land and property rights in the development process” (Bruce, 2006, p. 1).

Land’s acclaimed importance can only be realised when proper policy directions and implementation mechanisms lead to improved and secure access to land for the greatest number of land users. Achieving this has been the domain of land reforms ... “the generic term for modifications in the legal and institutional framework governing land policy” (Food and Agriculture Organisation (FAO), 2003, p. 69). The pursuit of land reforms, however, is surrounded by theoretical and conceptual positions which posit methodological supremacy over each other.

There is that group of theorists (Cooter, 1982; de Soto, 2000; Demsetz, 1967; The World Bank, 2002, 2013) who see individualised systems of land ownership as the most appropriate way of making land available in a secure and productive manner. Others such as (Banik, 2008; Commission on Sustainable Development (CSD), 2008; Morsink, 1999) rather argue that land can be made much more productive and secure if the distribution of the benefits and burdens are entirely left to the bureaucratic governmental machinery. And yet still a third group (Dolšak & Ostrom, 2003; Ostrom, 1990; Ostrom et al., 2002) posits that the productive potentials of land are better harnessed when the governance processes are determined by communally defined structures and institutions.

Some other works (Anafo, 2013; Chigara, 2004; Davy, 2009, 2012; Deininger, 2003; Manji, 2006) have rather advocated for integrated, contextualised, organismic and “polyrational” approaches to land reforms as opposed to the “silo” approaches being mooted. The arguments of these individuals are centred around the fact that such integrated approaches offer better options for the attainment of welfare, efficiency and equality and empowerment, the goals of land reforms as proclaimed by Platteau (1996) and Agarwal (2003).

Whatever the case may be, land reforms are receiving greater attention by the governments of many developing countries (Bruce, 2006). Africa has had its fair share of these reforms and Ghana the focus of this paper has since 2004 been implementing a Land Administration Programme (LAP) that seeks “to stimulate economic development, reduce poverty and promote social stability by improving security of land tenure, simplifying the process for accessing land and making it fair, transparent and efficient, developing the land market and fostering prudent land management” (Ghana Government, 2003, p. 3). This paper explores the extent to which the implementation of the LAP in Ghana, combined with other perennial factors such as changing inheritance rights and population growth are altering the rights to land in Ghana, using the Nkoranza South Municipality as a case study.

Land rights are examined within the perspectives of access, use or withdrawal, management, exclusion and alienation.

“*Access* refers simply to the right to enter the area. *Use, or withdrawal, rights* refer to the right to obtain resources, such as timber, firewood or other forest products, and remove them from the forest. *Management* refers to ‘the right to regulate internal use patterns or transform

the resource' (Agrawal & Ostrom, 2001, p. 489), which could include tree planting, timber management or conversion to agriculture. *Exclusion* is the right to decide who can use the resource and who is prevented from doing so. *Alienation* is usually understood as the sale or lease of the land, which also includes the sale of these other rights. The last three rights are seen as decision-making rights and are, therefore, particularly significant for tenure reforms" (Larson, Barry, Dahal, & Colfer, 2010, p. 12).

The Paper is divided into four sections. The first section explores the worldview of land by the people of Nkoranza. Section two discusses recent developments in land policy and land reforms in Ghana and how the national policy space as being implemented has altered land governability in the Nkoranza South Municipality. Within this same section, the private/individualist notion of land reforms is explored as the theoretical underpinning to Ghana's reform policy. Again, the changes to land rights particularly for migrant farmers, women and pastoralists emanating from land reforms and other related variables are also examined. The third section summarises the drivers of land rights change in Nkoranza, arguing that they are made up of internal and external factors. This paper, generally argues that land reforms in the Nkoranza South Municipality of Ghana have been driven by both evolutionary and neo-liberal forces. The neo-liberal forces are an unnecessary and unsolicited intervention by the government of Ghana which could have adverse negative consequences for the livelihoods of the poor.

### **THE RESEARCH SITE**

This research was conducted in the Nkoranza South Municipality, located in the Brong Ahafo Region of Ghana over a 3 months period (June – August, 2013). A district, municipal or metropolitan area in Ghana is used to refer to a single unified settlement or a number of dispersed settlements coming together to form one politico-administrative unit. They are a creation of the 1992 Constitution of the Republic of Ghana for the purpose of local government administration.

Sampling to select the study district started with a desk study to identify districts across Ghana that exhibited characteristics of rurality, (i.e. agrarian with a good mix of tenant farmers and pastoralism), had undergone some land reforms and located in the rural regions of the country. Five districts were initially identified to include Dormaa Municipal Assembly, Ejura-sekyeredumase Municipal Assembly, Nkoranza North Municipal Assembly, Savelugu/Nanton Municipal Assembly and Builsa District Assembly.

The districts were further assessed and Savelugu Nanton Municipal Assembly and Builsa District Assembly were eliminated on the grounds that the researcher could not speak the local dialects of these areas. This was important because of the need to have first-hand understanding of the issues without recourse to an interpreter. Three separate preliminary field visits were carried out to the remaining districts to undertake reconnaissance to enable the selection of the most suitable. In the end, the Nkoranza South Municipality was chosen because it exhibited dominance in the areas of migrant farming activities; good mix of pastoralism and farming; and the active involvement of women in agriculture when compared to the other districts. Having chosen the study area, the research sought to have a fair coverage of the study district in a holistic manner. As a result, data collection was conducted along the four agricultural operational zones of the district, namely: Dotobaa operational zone; Nkwabeng operational zone; Nkwanta operational zone and Ayerede operational zone. Within each operational zone, respondents were then selected based on availability, readiness and willingness to partake in the research.

Nkoranza South Municipality is centrally located within the Brong Ahafo Region of Ghana covering a total land area of 1,100km<sup>2</sup> and is composed of an estimated number of 126 dispersed settlements. It is located within the transitional belt of Ghana and exhibits both savannah grassland and forest characteristics. The rainfall pattern is double-maxima ranging between 800-1,200mm annually and the presence of forest ochrosols support the cultivation of permanent tree crops as well as food crops (Nkoranza South Municipal Assembly (NSMA), 2010).

Nkoranza Municipality has a total population of 100,929 of which 50,071 are males and 50,858 are females. The population grows at an annual rate of 2.3 percent and has a migrant component of 30 percent or more. Bono is the main language of the people of Nkoranza and agriculture is the predominant occupation employing 64.4 percent of the active labour force. Common agricultural practices include the cultivation of commercial tree crops such as cocoa, cashew, teak and mango. The major food crops cultivated include maize, cassava, yam, groundnuts, cowpea and tomatoes and animals commonly reared are cattle, sheep, goats and poultry (Nkoranza South Municipal Assembly (NSMA), 2010).

## **METHODS**

This study was conducted using a qualitative research paradigm to enable an understanding of the socially constructed, experientially based, as well as the local and specific nature of the extent to which land reforms impacts the land rights of poor land users. In this regard an ethnographic case study approach, construed as a merger of case study and ethnographic methods for detailed socio-cultural analysis of a phenomenon was employed to have the study carried out. Data was gathered from the following sources:

- Migrant farmers, pastoralists and women farmers (37 in number) were interviewed to understand the extent to which land reforms impacts their rights to land. Migrant farmers and pastoralists were interviewed because they are non-members of the landowning communities and have traditionally depended on arrangements such as land gifts, sharecropping and access to communal fallow lands for their agricultural practices. Women were also interviewed because in many African communities, their place and recognition in society and for that matter land access is mostly tied to their marital status. Also interviewed were two (2) chiefs, the Municipal Town and Country Planning Officer, the Municipal Magistrate Judge, the Coordinator of the Customary Lands Secretariat, the Municipal Stool Lands Officer and the Municipal Director of Agriculture to understand the land governance systems in place.
- Observation was also used as a structured tool to enable an appreciation of how much land was being used and for what purpose. This was associated with the taking of photographs of various land use categories and changes, which were further fed into interviews and other secondary data collection exercises.
- Documents ranging from the municipal medium term development plan (2010 – 2013), the annual progress report of MoFA, the spatial planning schemes, land deeds/title registries and other departmental reports were also scrutinised as a way of triangulating the data.

The unit of analysis is that category of land users that can be classified as land stressed households. They are migrant households, pastoral households and women farming households. They are land stressed because their land use rights are uncertain and undefined and therefore subject to changes beyond their control. The data from the study were analysed qualitatively (transcribing data, analysing photographs and investigating documents) involving a thorough assessment of various thematic areas.

## **THE CONCEPTION OF LAND IN NKORANZA**

The people of Nkoranza have a conception of land that is well situated within the Akan tradition and cultural practices. Land is perceived as a spiritual asset, cultural resource, economic status symbol, social capital and divine creation. The local and or traditional understanding of land is an important ingredient in the determination of the most appropriate reform interventions to be implemented in any given area.

Within the study area land is first and foremost perceived by the people as a divine creation. During interviews there were the recurrence of such phrases as “*land belongs to God*”; “*land is a creation of God for the use of mankind*”; and “*God owns the land, we are temporary caretakers*”. There were also other categories of people who perceived land in divine terms but related it to traditional African spiritual practices. These individuals discussed land as an ancestral heritage requiring annual purification in the form of pouring of libation to ancestors. They pointed out that within their socio-cultural setting; land is referred to as “*Asaase Yaa*” (i.e. earth goddess). In that respect, members of the society are mandated annually to provide yam, chicken and drinks to pour libation to their “earth

goddess.” These are done to ensure that *Asaase Yaa* continues to produce bumper harvests from Her bellies to support livelihoods. By perceiving land in this light, certain conducts are also considered abominable. These include working the “*earth goddess on her natal days, having sexual intercourse in the forest, visiting certain water bodies during menstrual periods of a woman, spilling innocent human blood on the earth goddess*” among others. Indulging in any of these acts is considered detestable and requires the purification of the earth goddess in the form of pouring of libation to avert calamities befalling the community (Field interviews, June – August, 2013).

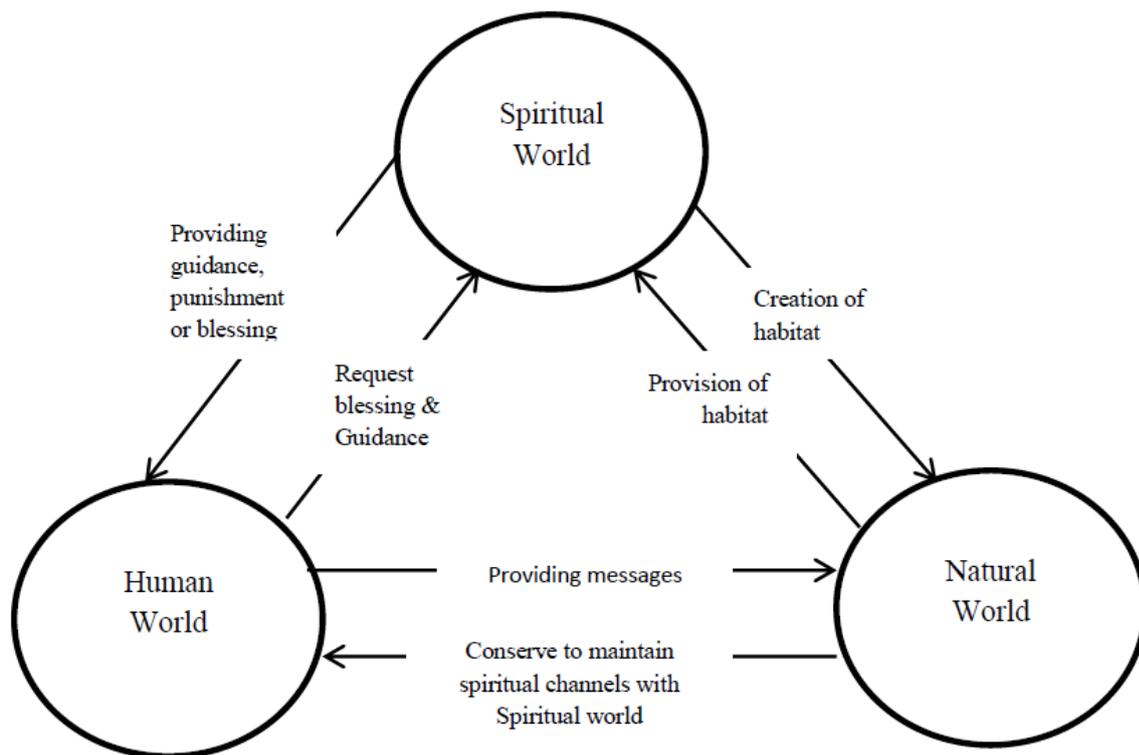
Land is not only a divine or spiritual resource but also a socio-economic asset and status symbol. It was variously described as “*agyapadee*” (i.e. property) bestowed on humanity by God. Land is also observed under this notion as a “*symbol of wealth and a livelihood support to families in the form of food, meat and energy.*” In this respect the people of Nkoranza perceive land as an inheritance from their ancestors meant to support their economic wellbeing and portray the might of Nkoranza. (Field interviews, June – August, 2013).

Land is also understood by the people of Nkoranza to connote an ancestral heritage. It is believed to have been handed down to the present generation by their ancestors who were the first to settle on the virgin land. Expressions such as land symbolises “*our first settler status*”; it is our “*ancestral heritage*” and it is a “*heritage of the local people and a symbol of the traditional authority*” emanated from interviews within the study area (Field interviews, June – August, 2013).

The local understanding of land sits well within the understanding of the worldview of most indigenous African societies. Worldview, is used to refer to the set of assumptions, perceptions and meanings that people employ to explain reality and their place and purpose in this world (Mkhize, 2004). The understanding of land as espoused by the people of Nkoranza is situated within the general African worldview that land, water and other gifts of nature are not just economic resources and factors of production but are also resources within the sanctity of nature (Millar, 2004).

The local views expressed are also quite well situated within the traditional Ghanaian understanding of land as belonging to a triad – the living, the dead and the yet unborn. The point is made by Mbiti (1991) and Mkhize (2004) that in many Ghanaian societies the universe, which invariably can be termed land, has dualistic meaning – the physical and the spiritual, although the two are said to be paradoxically one unit.

These nuanced and interwoven understanding of land by the people of Nkoranza influences their actions and relationships with nature generally and land in particular. Indeed the worldview of land by the people of Nkoranza is that of a communal property bestowed on them by divinity to be used wisely and held in trust for generations yet unborn. This worldview of land by the people of Nkoranza is similar to that expressed in Gonese (1999) of the Shona Cosmovision as cited in Millar (2004, p. 3).



**Fig 2: The Shona Cosmivision**

Source: Millar (2004, p. 3)

Figure 2 above shows that there is a clear linkage between the human, the natural and the spiritual worlds on matters of land. The human world through anthropogenic activities provide messages to the natural world, which is met by an appropriate response, either through catastrophes requiring action or increased yields. But humans in our activities also seek blessings and guidance from the spiritual world, and expect and or actually do receive appropriate responses in the form of blessings or punishments based on our conduct. The spiritual world is the creator of the habitat of the natural world but yet as per our beliefs reside therein with us.

People are at the centre of the cosmivision and are therefore expected to exhibit the kind of conduct that makes it possible for them to avoid punishment and receive blessings from the spiritual world, while maximising their welfare from the natural world. They are also to ensure the provision of the right messages to the natural world that would lead to conservation of the channels to the spiritual world. This understanding of land shaped rights to land in the past, in the Nkoranza South Municipality, with chieftains acting such that they avoid punishment but receive blessings from the ancestors by ensuring fairness and transparency in the allocation of such a vital communal resource.

### **THE NATIONAL LAND POLICY AND LAND ADMINISTRATION REFORMS**

Land administration reforms have been pursued at one point in time or the other during colonial and post-colonial periods in Ghana. These have been covered in detail in some other studies. In this paper, however, a review of the on-going land reform initiatives is made to bring to the fore the goals envisaged in the land reform agenda of Ghana.

Land administration reforms as being undertaken in contemporary Ghanaian societies became relevant after the National Land Policy (Ministry of Land and Forestry (MLF), 1999) identified general indiscipline in the land market; indeterminate boundaries of customary owned lands; compulsory acquisition by government of large tracts of land which have not been utilized; inadequate security of tenure due to conflicts of interest; difficult accessibility of land; a weak land administration system; lack of consultation with land owners and chiefs in decision-making for land allocation; lack of consultation, coordination and cooperation among land development agencies; and

inadequate consultation with neighbouring countries in the management of international borders among others as the major challenges facing land and natural resource governance in Ghana.

It was then argued that the identified problems have undermined local and international investor confidence in land, natural resources and other sectors of the national economy. Therefore, restoring investor confidence in the land and natural resource sector of Ghana required the provision of tenure security to the diverse users of land resources. The Land Administration Project (LAP) was therefore born in 2002; implementation starting in 2004 with the aim of stimulating socio-economic growth by improving security of tenure, simplifying the processes of land acquisition, developing the budding land market, and enhancing land management through improved land titling, registration, valuation and information systems based on clear, coherent and consistent policies and laws supported by appropriate institutional framework (Ghana Government, 2003).

Another organization which has been actively working in partnership with the LAP to improve land administration in Ghana is the Millennium Development Authority (MiDA). The MiDA was set up by the Government of Ghana when it accessed its share of the Millennium Challenge Account (MCA), a proposal of President George Walker Bush, which received bipartisan support of the American Congress in 2004. The MiDA was set up to ensure increased agricultural production and productivity of higher-value cash and food crops in three (3) designated areas of Ghana (northern agricultural belt, southern horticultural area and Afram basin) with the view to enhancing the competitiveness of such crops on the local and international markets. MiDA has the goal of improving access to rural lands with secured titles within the LAP framework by ensuring a clear definition of property rights through improved titling (Karikari, 2006).

The goals of land reforms are made much clearer in the National Land Policy document and the Project Appraisal Document (PAD) of the LAP. The Government of Ghana seeks to stimulate the national economy and reduce poverty by improving security of land tenure, simplifying the process for accessing land and making it fair, transparent and efficient; developing the land market and fostering prudent land management. These objectives are to be achieved through the implementation of a medium to long term land administration reforms. The first phase of the LAP was therefore rolled out in 2004 with the broad aim of developing a sustainable and well-functioning land administration system that is fair, efficient, cost effective, decentralized and that enhances land tenure security. In this regard, the following objectives were envisaged:

- a) harmonize land policies and the legislative framework with customary law for sustainable land administration;
- b) undertake institutional reform and capacity building for comprehensive improvement in the land administration system;
- c) establish an efficient, fair and transparent system of land titling, registration, land use planning and valuation; and
- d) issue and register land titles in selected urban and rural areas as a pilot to test (b) and (c) above and innovative methodologies, including community level land dispute resolution mechanisms (Ghana Government, 2003).

The LAP as initiated in 2004 is the framework governing land administration reforms in Ghana. Within the implementation process, Customary Land Secretariats (CLSs) were piloted in selected customary land areas of Wa central, Wa Sagmaalu, Tabiase, Paga, Bongo, Bolgatanga, Sandema, Bole, Techiman, Drobo, Dormaa Ahenkro, Kumasi, Nkawie, Toase, Ejisu, Odumase, Anum, Sogakope, Amamole, Asebu, Gbawe, Haatso and La. Customary Land Secretariats were tasked to provide database on land ownership as a way of eliminating conflicts, enhancing security, broadening rights to land via formal transactions and generally encouraging both national and international investments in land. The CLSs are engaged in a form of deed registration which is then linked to the overall national land titling process through the Lands Commission. There are currently 37 CLSs scattered across Ghana of which the Nkoranza CLS is one. The CLSs are specifically tasked to perform the following functions:

- keep and maintain accurate and up to date records of land dealings in the locality;

- provide information about the land owning community to the public;
- receive all correspondence on behalf of the land management/allocation committees;
- serve as a link between applicants, landowners and other stakeholders;
- prepare accounts of all income and expenditure on local land transactions;
- prepare periodic reports on all activities of the secretariat;
- keep records of all fees and charges associated with land grants; and
- promote the use of Alternative Dispute Resolution (ADR) to resolve conflicts

This is the national framework within which land administration reforms are being undertaken. A critical look at the measures indicates that the system of reforms is largely influenced by global commodity demands and national policy biases with its overemphasis on making land readily and easily available to investors. It should, however, be stated in the light of emerging evidence that the reforms need some tinkering of its over emphasis on codifying laws and making land dealings clear and safe. This has become necessary because while these goals are laudable, clarity and safety may be achieved at the expense of equity and human wellbeing. Indeed while the land reforms have recognised and legitimised the position of land custodians and allodial title holders, little attention is paid to indigenous usufructuaries and customary land access rights.

### **THEORETICAL UNDERPINNINGS OF THE NATIONAL LAND POLICY**

According to Demsetz (1967) three dominant theoretical positions govern land reforms. They are the communal/egalitarian position, the private/individualist view and the state/hierarchists notion. Under communal/egalitarian tenure, the community wields the power to determine who exercises communally owned rights over land. In exercising these rights, the community can deny the state and other individual citizens the right to interfere with the rights of persons enjoying communally owned rights. Private/individualists land tenure, on the other hand, empowers an individual citizen to exclude others from exercising the owner's private rights. The community and or state recognise and respect the exclusionary rights of the private owner. Under state/hierarchists tenure, the state, reserves the right to exclude anyone from the use of a right through the recourse to accepted political procedures (Demsetz, 1967). In this study the private/individualist view to land reforms is thoroughly reviewed as the theoretical underpinning to the goals envisaged by Ghana's land policy and administration reform initiatives. The community/egalitarian notion and the state/hierarchists idea lie outside the scope of this study.

The debates on market-oriented land reforms have received much scholarly attention in recent times due to high profile works by Hernando de Soto and the World Bank (Blotcher, 2006; Davy, 2009; Ubink, Hoekema, & Assies, 2009). de Soto, seen probably as the most prominent proponent of land title formalization in contemporary times, recommends that to move out of poverty, the poor would have to move out of the extra-legal and unproductive environment under which they operate to the legal environment where they would have the framework within which their assets can be turned into capital. He observed that without a complex system to define and protect the rightful ownership of property, capital is dead as the property cannot be mortgaged as collateral for loans, and it is not attractive to investors because it lacks the basic ingredients of property such as fungibility and ease of enforcing ownership among others (de Soto, 2000).

The World Bank (2002, 2013) supported the views of de Soto by arguing that poor people in the developing world, without formal title to their land are unable to use it as collateral to access credit. The private/individualist notion has been around for quite some time though.

Boserup (1981), for instance argued that the growing need to privatize and individualize land derives from the increasing commercialization of agriculture. Her claim was reinforced by Braun and Kennedy (1994) who suggested that creating an enabling platform for the integration of the smallholder sector into the larger exchange economy ought to be seen as a successful development trajectory and that the "developing world cannot afford the presumed inefficiencies of resource allocation (especially of human and land resources) that subsistence agriculture entails" (ECA, 2004, p. 41).

The private/individualists notion has been around for even much longer. It is a notion rooted in the Gareth Hardin's school of "the tragedy of the commons" who argued that resources held and used in common by a group of people are prone to degradation as everyone tries to draw from the resource in a limitless manner in a world that is limited (Hardin, 1968). Indeed Larsson (1991) traces its origin to 3000 B. C, crediting its application to contemporary land reform initiatives to the days of Sir Robert Torrens who first applied it in Australia in the mid-1880s.

The private/individualists' view has, however, come under heavy criticisms (Adams, Cousins, & Manona, 1999; Blotcher, 2006; Cao, 1999; Eicher & Baker, 1982; Maxwell & Wiebe, 1998; Moyo, 2000) on the basis that the market is not a neutral mechanism for the maximization of ends which are seen as exogenous to the market. Again, they indicate that private/individualists notion to land reforms is promoting the triumph of market values which are based on self-interest behaviours and competition, over non-market values and norms which promote the collective good of society as well as civic virtues.

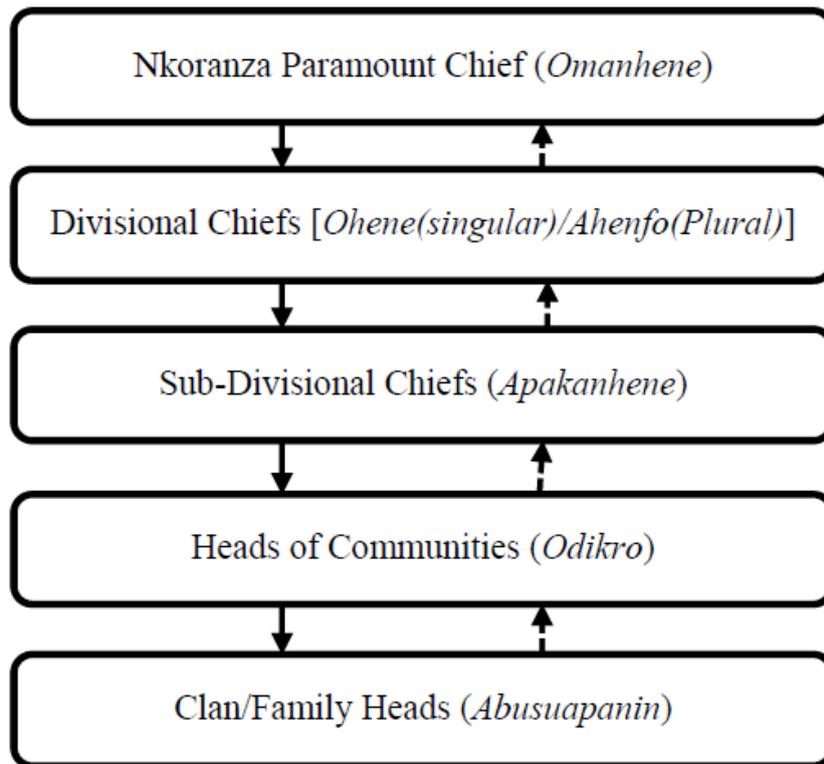
A cursory review of the goals and objectives sought by the land administration reforms in Ghana, fairly positions it within the private/individualist view. The central theme of the national land policy is that the current efforts are capable of ensuring equity in land allocation and land holding in order to maintain a stable environment for sustainable social and economic development. The argument is made that equitable access and secure land tenure are to be realized by a system of title registration, while the poor will be protected from becoming landless by ensuring that government pays fair and adequate compensations when it acquires land in the public interest (Ministry of Land and Forestry (MLF), 1999).

Aryeetey, Ayee, Ninsin, and Tsikata (2007) have criticised the policy on the grounds that it perceives migrant farmers as a problem of the land tenure system thereby proposing steps to minimize the conditions that encourage the incidence. They indicate that the policy attributes the phenomenon of encroachments on private and public lands on migrant farmers while failing to offer any alternatives for the protection of migrant farmers from the excesses of landlords. Bugri (2004) also criticises the policy for its overreliance on title registration as the measure to enhance land tenure security and encourage investment in the land sector. This, he argues is contrary to lessons learnt from the experiences of Kenya and other countries that have experimented with title formalization. In a similar vein, Whitehead and Tsikata (2003) have questioned the implications of title registration for the multiple interests in land as well as the derived and secondary rights, suggesting that registration would rather make those rights even more insecure.

### **The Nkoranza Customary Land Area and Administration Reforms**

The Nkoranza Customary land area is the largest traditional area in the Brong Ahafo Region. It covers a total land area of about 9.075 square miles. The Customary land area share boundaries with Abease/Atebubu to the East, Techiman to the West, Mo and Gonjaland at the Black Volta to the North and Offinso, Ashanti to the South. Four political and administrative districts are within the customary land area. These are Nkoranza South Municipal Assembly, Nkoranza North District Assembly and Kintampo North Municipal Assembly and Kintampo South District Assembly (Personal interview with Customary Lands Coordinator, August, 2013).

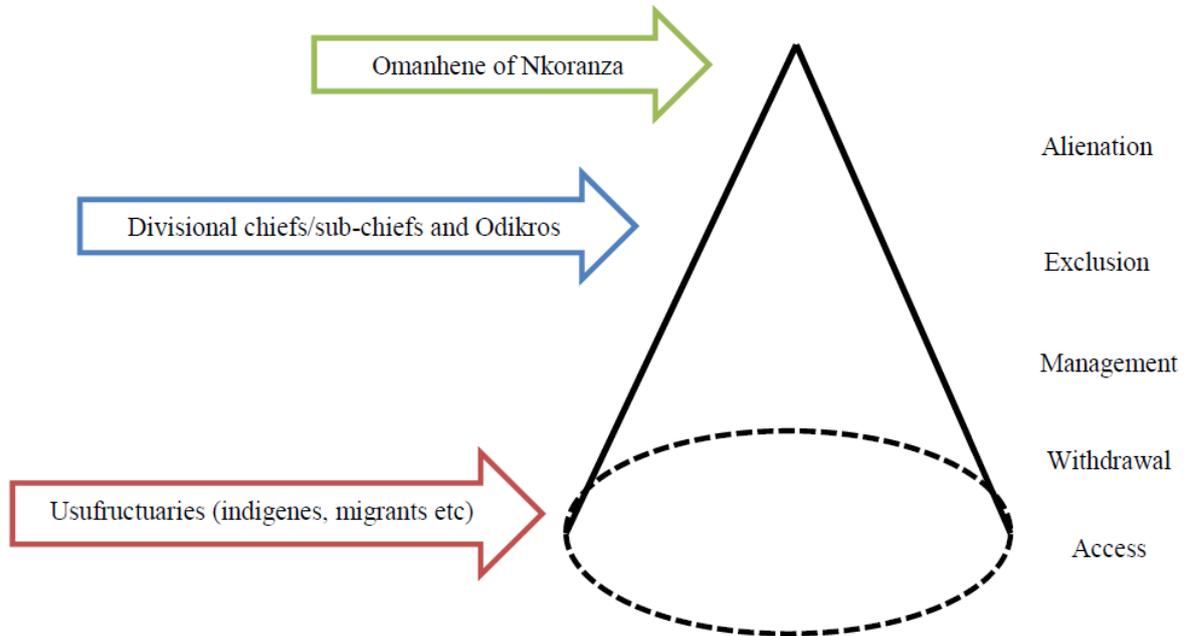
The entire Nkoranza customary land area is vested in the allodium of the Paramount Chief (*Omanhene*) of Nkoranza, Okatakyie Agyeman Kodom IV. The lands are, however, sub-divided among his divisional chiefs (*Nhenfo*), sub-divisional chiefs (*Apakanhene*), heads of communities (*Odikros*) and clan/family heads (*Abusuapanin*). Figure 3 below depicts the traditional structure within which lands are administered in Nkoranza.



**Fig 3: Customary Authority Relations Over Land Management**  
 Source: Generated from Fieldwork (June – August, 2013)

From Figure 3 above, there is an upward and downward flow regarding administration of customary lands. The downward arrows show authority relations as orders and instructions flow from the *Omanhene* through the *Ohene* all the way to the *Abusuapanin*. The upward arrows show reporting relationships as the *Abusuapanin* reports through the *Odikro* up to the *Omanhene*. Within this system, higher level chieftains have the power to sanction lower level chieftains who contravene any directives. This is the traditional structure for the allocation and governance of land and natural resources within Nkoranza.

Understanding the customary land tenure system is important to the understanding of the land reforms that have taken place. The reformed land tenure system of Nkoranza can best be described as an access cone which tacitly endorses the existing traditional system in a rather unique way. The higher one moves up the cone, the fewer the rights holders. At the broad base of the cone are indigenes and all other land users except purchasers and long term lessees. Their rights are limited to access and withdrawal and to some limited extent management. The right to exclude and alienate lands solely rest with royalty whose allodial title has been reconstructed to that approximating ownership, enabling chiefs to alienate communal lands. This is contrary to the claim by the *Nifahene*, Nana Kwabena Tetteh II to the effect that customarily, Nkoranza lands cannot be alienated. The chiefs only charge what they refer to as drink money. While this may traditionally be accurate, it is disputable to the extent that lands purchased have deeds and titles covering them; have the highest level of security; and the rights are transferable as data obtained from the CLS and the Municipal Magistrate Court suggest. The reformed land tenure system of Nkoranza is depicted in figure 4 below portraying a situation whereby the relationship between allodial title holders and community members approaches one of landlord and tenants.



**Fig 4: Graduated Rights to Land in Nkoranzaman**

Source: Author's Construct based on Fieldwork (June – August, 2013)

The customary land tenure system of Nkoranza, which is similar to that pertaining in many Akan speaking communities in Ghana, played a useful role in the land tenure reform system currently in place. The land tenure reform system based on Customary Land Registration and rooted through the traditional chieftaincy system by the creation of Customary Land Secretariats (CLS) only seeks to perpetuate that depicted in figure 4 above. It places all decision making rights (management, exclusion and alienation) in the hands of the chiefs, while granting ordinary users access and withdrawal rights only.

The land reform system creates a governance paradigm which is theoretically within the agency model of land governance and administration of Fitzpatrick (2005). This is a system whereby the state intervenes to identify an agent to act as a representative of the customary group and to entrust in that person trusteeship over land on behalf of the group. Fitzpatrick (2005) discusses this system as simplifying state and community relations as the state only has to deal with the agent without having to meddle in the internal affairs of the community. He also concedes that, it has the potential to empower local agents, who then act contrary to the interests of the community groups they represent. This model is deemed appropriate by land reformers in Ghana because it simplifies state-agent relations and helps government achieve its objective of making lands readily and easily available to investors in a secure and transparent manner. But it must be recognized that this development coupled with other variables within and without Nkoranza are contributing to shape land rights entirely with the potential to create access problems for peasant usufructuaries in the future.

#### **RIGHTS TO LAND IN THE NKORANZA MUNICIPALITY**

Two broad categories of rights to land were identified in the Nkoranza South Municipality. These are primary rights and secondary rights. In this paper land rights is used broadly to encompass rights of access, withdrawal, management, exclusion and alienation. Land rights are also defined here as “claims that are legally and socially recognized and enforceable by an external legitimized authority, be it a village-level institution or some higher level body of the State”(Agarwal, 2002, p. 3).

##### **Primary Rights to Land in Nkoranza Municipality**

There are several ways by which primary rights to land in the Nkoranza South Municipality can be exercised. The mode is, however, dependent on one's position as a native or a non-native of the Nkoranza customary area. All natives have a birth right to land through the kinship relations. Non-

natives, on the other hand, can obtain primary rights to land through grants, sharecropping, long term leases and outright purchase. Primary rights, refer to the set of rights approximating “fee simple absolute”, the “customary freehold or ownership” guaranteeing the owner rights in perpetuity to the access of a specified land (Food and Agriculture Organisation (FAO), 2003, pp. 16, 17). Primary land rights are generally inheritable, secure, permanent to a certain degree and inalienable but alienated; that is to say not saleable but transferable.

Primary land rights exercised through family lineage often take the form of inheritance. For a clearer description of such rights, however, a reproduction of the response of interviewee 0606 of the Nkwabeng Community to a question on how land is accessed by women in Nkoranza is made. The responses were captured in a re-identifiable manner and the first 2 digits 06 stand for the 6<sup>th</sup> community visited while the next 2 digits 06 represent the 6<sup>th</sup> person interviewed in that particular community. Interviewee 0606 of Nkwabeng community had this to say on her land rights:

*“The land I work on was inherited from my mother. I have my portion and other siblings also have theirs. My uncle gave me land to work on but it was taken back last year and given to another family member. I cultivate yam, maize, groundnuts and pepper. If I require more land for any purpose I will have to discuss that with my family head (Abusuapanin). If there is any vacant family land he can authorise that I use it. I had education only to the level of class 3 and farming is my only occupation. I also did have access to the family lands of my husband but I have since been divorced and have had to give back those lands.*

*I can do whatever I wish on the family lands which are at my disposal except having to sell them off. These are family lands and must be kept for use by future generations. I cannot also cut down timber trees for personal use. To do so I require the consent of the Abusuapanin. These days, however, people are able to will out their lands and other properties directly to their children, instead of their nephews as custom demands.”* (Personal Interview, August, 2013).

The position expressed in this interview was re-echoed in several other interviews. This position is affirmed by a study conducted by the Nkoranza South Municipal Assembly (NSMA) in 2010 where it was realised that 66 percent of farmers in Nkoranza gained access to land through family inheritance; 28 percent through rentals and 6 percent through outright purchase (Nkoranza South Municipal Assembly (NSMA), 2010, p. 27). Inheritance in the Nkoranza South Municipality is matrilineal. Matrilineal inheritance is a system of inheritance whereby descent is traced through maternal ancestors. It is evident from the interview that primary land rights are not as stable as they used to be because the respondent did indicate that family land which was in her possession had been reallocated to another family member and it is even possible for the land to be sold to some external economic interest. It is therefore fair to conclude that as land becomes scarce due to large family sizes contestations are on the increase and inheritance rules are changing as a result.

People also gained primary rights to land in the past through political incorporation. This was the case when chiefs and other custodians of land accommodated migrants who exhibited extreme communal spirit (*Kroye*) and a high sense of responsibility and respect to local community customs. During the fieldwork, interviewee 0102 of Babiani community had this to say:

*“My father migrated to this community in the 1960s. He was readily welcome and to date he cultivates lands that were gifted to him by the chief and his elders. We are originally from Bongo-Beo in the Upper East Region but we expect that in the unlikely event of the demise of our father, we will still be given the right to use portions of the land. It is, however, impossible for land to be granted to any migrant these days because of land scarcity. These days migrants access land purely through rentals”* (Personal interview, June, 2013).

As evident from the narrative, it is obvious that land access through political incorporation is an outmoded practice and land access by migrants is only negotiable by rental agreements, long terms leases and outright purchases.

Primary rights to land in the Nkoranza area were in the past, also obtainable through sharecropping arrangements involving permanent tree crops. The advent of cocoa farming in the 1960s and 70s and

later cashew led to a situation whereby landowners gave out lands to migrants to cultivate on sharecropping arrangements. The farmers cultivated the lands and  $\frac{1}{2}$  or  $\frac{2}{3}$  went to the farmer and the other  $\frac{1}{2}$  or  $\frac{1}{3}$  going to the landlord under arrangements locally referred to as “*abunu*” and “*abusa*” respectively. These arrangements no longer exist and the only means by which non-natives of Nkoranza can obtain primary land rights now are through long term lease arrangements and outright purchase of a piece of land. In separate interviews with migrant farmers, they lamented the high land values associated with purchases and long term leases. They rather prefer to rent on annual basis, although rentals do not guarantee them primary rights. As a result long term lease arrangements and purchases covered by deeds and titles as was evidenced from records at the CLS are the preferred options of large scale commercial farmers investing in mango, teak, cashew and oil palm plantations across the length and breadth of the Nkoranza South Municipality.

The acquisition of large hectares of land for commercial farming is made possible through land reforms which tacitly support the alienability of land by chiefs. Customary land rights guaranteed natives and to some extent non-natives secure, inheritable rights to land. This is affirmed by Kasanga (1996) that the full enjoyment of the fruits of one’s labour and efforts are guaranteed, and in regard to land, no man is ‘big’ or ‘small’ in his own village or town. This can no longer be the case as chiefs are now “too big” while natives are becoming “really small”. Similarly, Ubink et al. (2009) for instance observe that chiefs in the peri-urban areas of Kumasi use their claim of allodial title to appropriate lands from farmers and sell them to real estate developers and in the process making huge profits to themselves.

### **Secondary Land Rights in Nkoranza Municipality**

Secondary land rights also often referred to in the literature as derived rights are defined as “non-definitive transfers of use rights in favour of someone outside the family group”. Such secondary transfers are said to encompass rental arrangements, sharecropping or indigenous forms of loans, mortgage or pledge. Characteristically, they are dependent on social relations, are diverse, dynamic and subject to constant change and evolution (UN Habitat & Global Land Tools Network (GLTN), 2008, p. 6).

Secondary rights to land in the Nkoranza South Municipality have undergone several changes. Such rights started as grants, evolved into sharecropping arrangements and now take the form of rental agreements. It is important to indicate at this stage that contrary to popular claims of the existence of the customary commons in Africa (Toulmin, 2006; Toulmin & Quan, 2000), the phenomenon was not observed in the Nkoranza South Municipality. Indeed the Municipal Magistrate Judge in a personal interview indicated that “*there is no vacant land in Ghana as all lands belong to one group, family, stool or individual*” (Personal Interview, July, 2013). This was the position even as far back as the colonial days when the Aborigines Rights Protection Society (ARPS) in an argument against the introduction of the Crown Lands Bill in the Gold Coast (now Ghana) indicated that all lands in the country had owners and that the declaration of crown lands in the Gold Coast was a violation of the rights of the people (Ubink & Amanor, 2008). Places that have some semblance of community commons in the Nkoranza South Municipality are sacred grooves, although there is also restricted entry to such places.

Both natives and non-natives of Nkoranza, in the past could obtain secondary rights to land by way of gifts. Landowning families gave out land to landless members of the communities for agricultural activities. This practice was common with land stressed natives as well as migrant families. Access to such land as grant was usually dependent on demonstrated good behaviour as can be attested to by community members. This is the case as interviewee 0201 of Koforidua community claimed: “*Menfa masaase enma mansotweeni*” to wit I will not give my land to a litigant on grant. This is still relatively practiced among natives but has since phased out on migrant-landlord land use relations.

Sharecropping known locally as “*abunu*” and “*abusa*” are the other means through which secondary rights to land can be obtained. Under *abunu* arrangements, the farmer who tills the land gets  $\frac{1}{2}$  of the farm produce while the other  $\frac{1}{2}$  goes to the landowner. Under *abusa* arrangements, the farmer gets  $\frac{2}{3}$  of the farm produce with  $\frac{1}{3}$  going to the landowner. It is said to have emerged in the 1960s and 1970s

in response to increasing demand for land and labour for the cultivation of commercial crops such as cocoa, oil palm and much later cashew. It later evolved to encompass food crops cultivation. It is viewed by migrant farmers as unfair although it is the only means through which they obtained primary rights to lands in the past. Because the crops were permanent trees landless farmers assumed primary ownership of lands after the division was reached between them and their landlords. Sharecropping, be it on commercial crops or food crops, has since been phased out (Field interviews, June – August, 2013).

Grants and sharecropping arrangements have now given way to rentals. Rentals of land in the Nkoranza Municipality take two forms, depending on the community, the landowner and or both. In some instances, rental agreements take the form of 100kg bag of maize to an acre of land per farming season. Because Nkoranza has a bi-modal rainfall pattern and two farming seasons, it implies 2 bags of 100kg of maize per acre per year, if this arrangement is entered into. In some other instances, rentals take the form of GHC50.00/USD25.00 per acre per year. Rentals are also mostly on annual basis and in some rare occasions biennially.

In the past secondary rights also covered such activities as hunting, gathering of fruits and other resources, harvesting thatch, harvesting roots, barks and leaves of medicinal plants, picking snails, and harvesting other timber and non-timber forest resources to support livelihoods. These practices have since disappeared. In the words of interviewee 0703 of Dandwa community:

*Growing up, we had free access to all manner of resources without having to seek permission from anybody. Mangoes were left rotten all over the place and picking them for consumption was seen as cleaning up the environment. Most of the natural resources we required were seen as wild plants and animals. Nobody made any deliberate effort to cultivate them or ensure their growth and access was unrestricted. Although, all such resources still exist they have attained commercial value. Vehicles come from Accra and other cities to buy mangoes every season; bush meat is now sold along the major highways to rich consumers; and herbal medicine is gaining much popularity these days. So whatever resource you find on your land can be sold to one person or the other. And we are all protecting that which belongs to us (Personal interview, July, 2013).*

### Summary on Land Rights and Implications for Future Land Access

Rights to land as have been narrated are customarily embedded in the socio-cultural practices of the people of Nkoranza. These rights have, however, undergone some changes due to combination of a number of factors. Table 1 below, has been employed to summarise the past and present land rights situation, thereby providing a basis to examine the forms that primary and secondary land rights are likely to assume in the future.

**Table 1: Past, Present and Future Trends to Land Rights in Nkoranza**

|                  | Trends | Past   | Present  | Future   |
|------------------|--------|--|--|--|
| <b>Rights</b>    |        |  |  |  |
| <b>Primary</b>   |        | <ul style="list-style-type: none"> <li>• use only rights</li> <li>• property of the collective social group held in trust by the stool in practice</li> <li>• restricted to indigenes</li> <li>• secure, inheritable and not alienable</li> <li>• had features of a commodity, gift and a sacred object</li> </ul> | <ul style="list-style-type: none"> <li>• use only rights</li> <li>• property of the collective social group managed by the custodians</li> <li>• restricted to indigenes, buyers and lessees</li> <li>• less secure, inheritable and alienable</li> <li>• has features of a commodity and a sacred object</li> </ul> | <ul style="list-style-type: none"> <li>• use only rights</li> <li>• property of custodians under use by the collective social group</li> <li>• available to indigenes, migrants and buyers on lease, rentals and sale bases</li> <li>• secure, inheritable and alienable</li> <li>• features of a commodity</li> </ul> |
| <b>Secondary</b> |        | <ul style="list-style-type: none"> <li>• access and use only rights</li> <li>• had no restrictions</li> <li>• managed by the collective social group</li> </ul>  | <ul style="list-style-type: none"> <li>• disappearance of access and use rights</li> <li>• restricted use dependent on community in</li> </ul>   | <ul style="list-style-type: none"> <li>• No access and use rights</li> <li>• restricted use based on contractual agreements</li> <li>• managed by individuals</li> </ul>   |

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|   |                        |
|---|------------------------|
| question, availability of resource and position in community as an indigene or tenant | and business interests |
| <ul style="list-style-type: none"> <li>• managed by individual land owners</li> </ul> |                        |

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Source: Compiled from Fieldwork (June – August, 2013)

The conclusions that can be drawn from Table 1 above are that, custodians are likely to strengthen their hold over land – a hitherto communal resource only held in trust. This will lead to increased sales, the absence of secondary rights and further pushing the rights of natives to one approximating that of tenants and landlords. This will create landlessness for the majority of land users with the attendant negative.

The extent to which primary and secondary land rights are undergoing changes in the Nkoranza Municipality is akin to findings made by Amanor (1999) about the degree to which new land pressures and commercialisation of land resources have led to contestations and redefinitions of rights to land and labour in the cocoa, oil palm and forestry areas of Ghana.

### **TRIGGERS OF LAND RIGHTS CHANGE**

The changing land rights in the Nkoranza South Municipality are related to several factors, paramount among which is the national land policy objectives and reform processes and global resource consumption and multinational land deals, categorised in this study as external influencers. Others such as rapid population growth, changing socio-economic and cultural dynamics and changes in the quality of the land resource base have also been influencing factors. These, however, have been part of the evolutionary processes of land governance throughout the history of Nkoranza and can be appropriately termed internal influencers. A brief overview of the internal influencers is made, while the external influencers which are considered as unsolicited interventions into an otherwise self-evolutionary system are discussed in detail.

Nkoranza's population is said to be growing at an annual rate of 2.3 percent (2010 estimate) (Nkoranza South Municipal Assembly (NSMA), 2010). Between 1960 and 2010 (50 years) the population has more than quadrupled. It was 22, 923 in 1960, 24,263 in 1970, 55, 712 in 1984, 76,569 in 2000 and 100,929 in 2010; these years representing census years in Ghana (Nkoranza South Municipal Assembly (NSMA), 2010). Such a rapidly growing population is definitely bound to have effects on land rights, given that land is a fixed and relatively scarce resource and agriculture is the dominant occupation in Nkoranza employing about 65 percent of the active labour force (Nkoranza South Municipal Assembly (NSMA), 2010).

The socio-cultural systems that governed communal land rights are also changing. Customary inheritance in Nkoranza is fast evolving from matrilineal to patrilineal system. The family system which govern kinship relations and for that matter inheritance practices is also changing from extended family system to nuclear family systems (Nkoranza South Municipal Assembly (NSMA), 2010). The gradual but continuous breakdown of the family and inheritance systems coupled with the rapidly growing population combine to alter the rights to land in the Nkoranza South Municipality. This development is not peculiar to Nkoranza as studies by Cotula (2007) observed that extended family systems have been reconstituted and reinterpreted over time due largely to colonial and post-colonial influences leading to changes in the customary land tenure systems in Africa. Similarly, Yankson, Asiedu, and Yaro (2009) in a study on land vulnerabilities in the Kete-Krachi area of Ghana observe that socio-cultural systems are being altered due to the growing influence of Christianity and Islam and in the process leading to changes in land rights.

The quality of the land resource itself has also undergone drastic changes. It came up quite succinctly during the fieldwork in Nkoranza that the land is no longer supportive of productive activities. To make it productive large doses of fertilizer must be applied leading to increases in cost of production. It has also led to increased drudgery and pushed other vulnerable groups to marginal lands. Indeed the

2010 Medium Term Development Plan (MTDP 2010-2013) of the Nkoranza South Municipal Assembly identifies among others, declining soil fertility, declining soil fertility due to uncontrolled deforestation, bushfires and erosions and pests and diseases outbreaks affecting crops and livestock, especially the annual infestation of army worm in the municipality as the major problems facing the agricultural sector (Nkoranza South Municipal Assembly (NSMA), 2010).

These variables are internal to Nkoranza and its resource governance systems. As such they are evolutionary responding to societal land needs, governance challenges as well as economic and production concerns. While they may equally pose challenges the evolution over a period of time allows for internal adjustments and readjustments and as such the effects may not be too drastic.

Beyond the internal factors are those other factors which are external to the internal dynamics of Nkoranza. These are the contemporary drivers of land rights change in the Nkoranza South Municipality in particular and Ghana in general. To begin with, the long term land policy goal of the Government of Ghana as expressed in the Project Appraisal Document (PAD) of the LAP is that government will seek “to stimulate economic development, reduce poverty and promote social stability by improving security of land tenure, simplifying the process for accessing land and making it fair, transparent and efficient, developing the land market and fostering prudent land management”(Ghana Government, 2003, p. 3). In this regard, one of the key indicators for monitoring progress towards the realisation of the goal and objectives of LAP is the “titling and registration of 300,000 parcels of urban land to individuals and at least 80 allodial titles to **stools, skins, tendambas clans and families**. This indicator is being realised by the establishment of Customary Land Secretariats, the Nkoranza CLS being one, with the chiefs as owners of communal resources. This is a reconstructive policy which equates allodial titles to outright ownership of land and places the management of land resources at the discretion of chiefs. Records available at the Nkoranza CLS indicate that over 600 building plots and 150 large scale agricultural plots have been sold or leased to buyers and investors between 2008 and 2013, 5 years into the operations of the CLS.

Within the customary land administration system being implemented, the chiefs are rather consolidating their position as landowners and not trustees of communal lands. It is a system described by Fitzpatrick (2005) as the “agency method” of land governance. It is a system by which the state appoints an agent to represent a customary group in all land dealings. Fitzpatrick (2005) observes that this practice was common in a number of British colonies in Africa. He points out that it does not only appoint an agent but also provides that land deals could be routed through the agents as though they were the owners of the land. Fitzpatrick (2005) indicates that the agency model of land governance was experimented in the Federal Territory of Lagos under the Registered Land Act, 1965; the Solomon Islands under the Land and Titles Ordinance of 1968. Papua New Guinea also tried implementing a similar system in 1971, but had it withdrawn after criticisms of its potential for abuse by traditional leaders (Trebilcock, 1984).

Blotcher (2006, p. 179) observes that land has multiple owners, the chief being the title holder with many other “rights-holders claiming lesser interests of possession, use, or transfer”. Impliedly, land rights as existed customarily in Nkoranza did not repose absolute ownership in any individual, be they chiefs, investors or customary usufructuaries. “It is, instead delimited by a strong sense of community directed obligation, and rooted in a contextual network of mutual constraint and social accommodation” (Gray & Gray, 1998, p. 21). Land in the Nkoranza South Municipality is “primarily a spiritual affair” and land reforms erred by focusing on “artificial jural abstractions rather than physically verifiable phenomena” (Gray & Gray, 1998, pp. 9, 14). Deducing from this understanding, it can be argued that the allodial title reposed in chiefs needs to be seen in the traditional sense as a responsibility bestowed on chieftains to mediate equitable land access for their subjects and not a call to exercise ownership. The reformed system puts excessive regulation into the hands of chiefs and this is fading into confiscation of ownership, a practice unintended under customary land tenure relations.

Within these complexities, Government’s agenda of making land readily available in a secure and simplified manner to investors is being achieved as investors have only to route their transactions through chiefs and custodians of land resources. The result has been the rampant sale of land to all

kinds of investors throughout the country. Within Nkoranza the goal of government is being met by the increase in the number of land deals relating to multinational corporations and wealthy Ghanaian investors in teak, mango, cashew and jatropha plantations. Indeed a Canadian firm is cultivating 13,000 hectares of jatropha in the Bredi area of Nkoranza under an arrangement which gives 25% of profit to the caretaker chief. While the total acreage could not be ascertained, British American Tobacco (BAT) operates huge hectares of teak plantation in the Bonsu area of Nkoranza. There are also about 1,500 hectares of mango and 4,100 hectares of cashew plantations scattered across various locations of the municipality, owned by wealthy Ghanaian and foreign investors (District Agricultural Development Unit (DADU), 2013).

This development is recounted by Tsikata and Yaro (2011) to the extent that there is close to 1,000,000 hectares of transnational land acquisitions in the Pru, Atebubu-Amantin, Gomoa East, Mfantseman, Dangbe West, South Tongu, North Tongu, Nkoranza, Asante Akim North, Sene, Yendi, East Gonja and Central Gonja districts of Ghana, mainly for the production of mango, jatropha and rice. Cotula (2007) catalogue a number of factors responsible for changing land tenure systems in Africa, identifying among others demographic change, urbanisation, integration in the world economy, socio-economic and cultural change, HIV/AIDS, conflict and public policy and legislation. Under current developments land rights in the Nkoranza South Municipality will change drastically in the future and the food security implications could be dire.

## **RECOMMENDATION**

The study recommends that lands in Ghana, viewed generally as belonging to a triad, exhibit characteristics of commodities, gifts as well as sacred objects referred to in the cosmivision as natural world, spiritual world and human world. Reforms must therefore create a structure that enable land management to be conducted in an alienable and alienated (commodities/human), inalienable but alienated (gifts/natural) and inalienable and un-alienated (sacred objects/spiritual) manner. Failure to take these three important features into consideration in the formulation and implementation of land policy is bound to create problems for land actors. As things stand now Ghana's land reform process is a departure from such a well-defined system, which create opportunity for the inculcation of our customs into land reform processes. Such an approach is an anthropological view long espoused by Godelier when he argued that:

“For people not only live in society, like the other primates and social animals, they also produce society in order to live. And it seems to me that to produce society, three bases and three principles must be combined. There must be certain things that are given, others that are sold or battered, and still others that must be kept for good. In our societies, buying and selling have become the main activities. Selling, means completely separating the thing from the person. Giving means maintaining something of the person in the thing given. And keeping means not separating the thing from the person because in this union resides the affirmation of a historical identity that must be passed on, at least until such time as it can no longer be reproduced. It is because these three operations – selling, giving, and keeping – are not the same that objects in these contexts are presented as respectively as alienable and alienated (commodities), as inalienable but alienated (gifts), and as inalienable and un-alienated (sacred objects) ”(Godelier, 2004, p. 19).

## **CONCLUSION**

Land rights are constantly changing and this study sought to understand the factors behind such changes in the Nkoranza South Municipality of Ghana. In so doing, the research examined the changing land rights situation to come to the conclusion that there are internal and external drivers of those changes. The internal factors are part of societal evolution and as such respond effectively to changing needs and problems. The external factors pose serious challenges to land resource governance as they seek to alter local land relations, by creating an agent who now acts as a land owner over communally owned resources. The study concludes that the main drivers of land rights change in Nkoranza currently are the national land policy objectives and global resource consumption and transnational land deals. While the national land policy objectives are being met as investors are

able to obtain land, covered by deeds and titles in a secure manner, local customs and land rights are being reconstructed and this can have serious consequences for local land users.

In the light of the developments, espoused in this study, it is concluded that land reforms can be made much more beneficial if they are so constructed that they embody the spiritual, physical and human worlds, the elements of the cosmovision of the people of Nkoranza and Ghana in general.

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