

CUSTOMARY LAND TENURE AND LAND DOCUMENTATION IN THE WASA AMENFI DISTRICT, WESTERN GHANA

Osman Alhassan,
Institute of African Studies
University of Ghana
Legon

ABSTRACT

This paper explores the land ownership and use arrangements in Wasa Amenfi noting that both external and internal influences have resulted in adaptations in the traditional land tenure system. Using primary data complemented by documentary evidence, the perceptions of community members concerning the evolving customary land tenure practices in Wasa Amenfi, various forms of land documentation are detailed. The expositions give examples of the evolving nature of land tenure where the old practice works alongside new adaptations though interpreted differently.

This paper concludes by emphasising land remains the most essential resource for sustaining the livelihoods of people in Wasa Amenfi. Competing demands for land has resulted in pronounced land conflicts and the National Land Policy and the Land Administration Programme are policy and programme interventions aimed at streamlining land administration including customary land tenure to reduce land conflicts and enhance productivity of land. While traditional and formal means of resolving conflicts exist, the paper recommends that standardisation of local documentation practices can assist in establishing benchmarks for determining land boundaries, providing common grounds for conflict resolution, and consequently enhance agricultural production as a way of reducing poverty at both local and national levels.

Introduction

Ghana as a whole is typically primary in its productive profile and relies heavily on land based activities such as agriculture, fishing, forestry, and mineral extraction. The country has huge natural resources, and primary

economic activities produce not less than 70% of the GDP and employ close to 60% of the active population. It has often been noted that Ghana can achieve sustainable growth and development if it manages its land resources well.

Currently, population growth, competing demands for land use, increasing land scarcity, and commercialisation of land have resulted in customary tenure systems evolving fast to accommodate these changes. As these external and internal influences take root, even the traditional tenure systems in rural communities have seen adaptations ensuring that land rights are increasingly being redefined.

One major problem has been the lack of documentation during land transactions. Land rights documentation has in the past been conceived as very essential in defining land holding, use pattern and security of tenure, and an incentive for investment and improved productivity. Unfortunately, most customary land tenure arrangements are based on oral agreements with its attendant problems. Documentary proof of ownership or use rights to land is gaining currency because it provides evidence which assists in resolving disputes (LAP, 2003).

The objective of this paper is to explore the current state of land rights documentation in the Wasa Amenfi District in the Western Region. The paper further discusses the major problems confronting documentation of land holdings. Citing some examples from other parts of Africa, the paper proposes some measures through which land documentation could be improved to enhance land investment and subsequently make land productive

Study Area and Context of Study

In terms of land area the Wasa Amenfi District (until January 2004 when it was split into two) was the largest district in the region, and second only to the Gonja West District in the whole country. The original district capital at Asankrangwa now serves as the administrative capital for the newly created Amenfi West, while Wasa Akropong is the administrative capital of the Amenfi East district. The present study covers both districts and reference will be made to Wasa Amenfi District (hereafter referred to as WAD), the name by which it was known during the time of the research.

The district has a land area of 4,747 km², about 20% of the total surface area of the Western Region. According to the 2000 Population and Housing Census, the district had a population of 234,384 (out of the Regional total of 1,924,577). Asankrangwa, the administrative capital, had a population of 11,611. Other major settlements and populations were Samreboi (8,891), Wasa Akropong (6,170), Asankran-Breman (5,056), and Manso-Amenfi (3,460). The population of the district is typically rural (70%), with the majority of this population living in very small settlements of less than 200 people (GSS, 2002).

The indigenous population is the Wassaw. Due to the region's abundant agricultural and other natural resource endowments, people have migrated there from other parts of the country to acquire land for farming. A diverse cultural composition is found in the district including Fantes, Nzemas, Asantes, Akuapems, Krobos, Ewes, and Northern Ghanaians such as the Dagomba, Grunse, Dagarti and Builsa. Information from some key informants estimated the migrant population to be between 30 and 40% of the total population of the district¹.

The migrant or settler populations are concentrated in the cocoa and oil palm growing areas (Wasa Amenfi District Assembly, 2004). This has given the district a unique cultural blend for cross-cultural integration, and a pool of human resources necessary for vibrant development. These unique advantages however come with some problems such as land conflicts, as population increase and pressure on land and other natural resources seems to intensify with time. The Wasa Amenfi area is one of the country's frontier agricultural areas which attract large numbers of settlers yearly, and where a variety of crops, including food and cash crops, and vegetables and fruits, are grown. Principal cash crops grown are cocoa, oil palm, coffee, coconut, and citrus, while cassava, maize, plantain, and valley bottom rice are the major food crops. These food crops are also increasingly being sold for cash. As in other parts of Akan-speaking Southern Ghana, access to agricultural land in the WAD is

¹ The District Chief Executive of the Wasa Amenfi District and other district administration sources indicate that preliminary information contained in the 2000 Population and Housing Census estimate the migrant population in the district at around 35 to 40%.

governed by customary land tenure, an issue which will be elaborated upon in later discussions.

Field Methods

This study focuses on land tenure change and informal documentation in the Wasa Amenfi District in Western Ghana. It is part of a wider ongoing study on the dynamics of land tenure and land rights documentation in Ghana. The main fieldwork for this study covered six settlements in the district: Asankrangwa (the district capital), Wasa Akropong, Manso-Amenfi, Akyikyere, Yirase, and Sureso (which includes Pebase and Kamaso). A reconnaissance survey was conducted in May 2006 to locate settlements and the respondents to be included in the survey. It was also to ascertain the trend of key variables since the last general survey. Following this, a sample of 100 respondents was purposively chosen. They comprised settler and indigenous farmers, traditional authorities, staff of land sector agencies, and policy makers and implementers at the district level.

A more focused study on land tenure change and informal land documentation was carried out in the district in October and November 2006. The method sought to explore both the dynamics of land tenure change and the linkages between tenure change and informal land documentation in the WAD. With the assistance of local contacts, all the respondents were covered through in-depth interviews. Thirty of the respondents involved in the field interviews they were involved in also participated in one of three group discussions. Of the 100 respondents, there were 30 settler farmers, 50 indigenous farmers, and 20 other respondents representing staff of land sector agencies, traditional authorities and opinion leaders, youth and women's groups, and policy makers/implementers at the district level. Care was also taken to include up to 25 women representing the major stakeholder groups. This enabled the research capture views that reflect women's concerns and experiences.

Customary Land Tenure in Wasa Amenfi

Land tenure refers to the rights of individuals or groups in relation to land. The exact nature and content of these rights, the extent to which people have confidence that they will be honoured, and their various degrees of recognition by the public authorities and communities concerned will have

a direct impact on how land will be used (Fourie, 1999). As Fischer (1995) noted:

Tenure often involves a complex set of rules, frequently referred to as a 'bundle of rights'. A given resource may have multiple users, each of whom has particular rights to the resource. Some users may have access to the entire 'bundle of rights' with full use and transfer rights. Other users may be limited in their use of the resources (i.e. nature of the use ... length of use etc).

According to the Land Administration Programme (LAP), the customary sector controls roughly 80% of the land holdings in Ghana. It is governed by customary law, and the rights and interests in such land range from allodial (freehold), through usufruct to tenancy (LAP, 2003). As is the practice in many parts of Ghana, land for farming and other productive purposes in the WAD is through the customary land tenure system. In this paper, customary land tenure is used interchangeably with traditional land tenure.

Customary systems are usually managed by a traditional authority such as a chief or a family head, and its general principles stem from rights established through first clearance of land, or conquest. Other general characteristic of this system of landholding is that it is largely verbal, though witnessed by third parties and based on local practices and norms. In addition, customary land tenure is flexible, negotiable and location specific (Bentsi-Enchill, 1975; Asante, 1975). This is because many factors including colonial rule, socio-political organization, and subsequent introduction of tree crop agriculture and commercial exploitation of timber and mineral resources have played leading roles in shaping the current customary land tenure system.

Many academic discourses on land tenure indicate that contemporary customary land management in Ghana is understood through the indigenous culture that manages the land. Many rural areas still have active aspects of the communal land tenure but these tenure systems have evolved with time through other influences (Alhassan and Manuh, 2005). As noted by Deininger (2003), the penetration of capitalist land use practices in many parts of Africa has provided impetus for the fast adaptation of other systems leading to changes in the original communal land tenure systems.

Customary land tenure as generally practiced in Wasa Amenfi is the same as the type exemplified today among the Akans. Through the matrilineal inheritance system, communities, families and individuals belonging to the land owning group hold customary rights to land used for residential and food and cash crop farming purposes. "Indigenes" or members of the land owning group have guaranteed access to the usufruct right of land, implying they can only use the land but not transfer it.

Non-indigenes (commonly referred to as settler/migrant/stranger farmers) acquired lands from the chiefs or family heads following some customary procedures which eventually give them access to land. Both indigenes and settlers in the area are through allocation, gift, marriage and inheritance.

Sharecropping has been and still is the common system of land use arrangement, and functions in two main prominent ways, *abunu* and *abusa*. Under the system of *abunu*, the completed farmland which mainly involves tree crops such as cocoa, oil palm, and coconuts is physically divided into two with the tenant and landlord taking equal shares of the cropped land (Kasanga and Kotey, 2001). In the case of *abusa*, the proceeds from the farm are periodically shared in the ratio of 1:2 for landlord-tenant. Increasingly, food crops were also being contracted on *abusa* terms.

The discussion in the next section attempts to show how various forms of land access and ownership have evolved, and in some places radical enough to generate enormous land conflicts.

Changing Customary Land Tenure and Land Documentation in Wasa Amenfi

Interactions with some indigenes of Wasa Amenfi reveal that the land problem in the area arose partly because huge tracts of land were doled out to strangers who were received with open arms in indigenous communities. Indeed, chiefs were all too willing to have strangers who, in addition to providing labour for farms, increased the glory of chiefs and their stools. This is because traditional authorities cherished having bigger settlements, as these brought both power and wealth (Berry, 2003).

However, with demographic pressures and the privatisation of communal lands, farm holdings have reduced in size, and many indigenes have become landless. This, coupled with the tendency for some migrant

communities and individual tenants to own large chunks of farm lands under *Abunu* tenancy, has revived agitations by the landowning groups for the return of their lands. These claims are made even under circumstances where lands were acquired from landowners through outright purchase, sometimes with documentation supporting the acquisitions contracted several decades earlier (LAP, 2003).

In a field study involving six farming communities in Wasa Amenfi, Alhassan and Manuh (2005) note that the different interpretations over land transfer through 'outright purchase' is not surprising because there are similar misconceptions around land transactions in the area. While customary authorities consider the cash that change hands during land acquisition as "drink money", it has often been understood by land acquirers as "outright purchase" as these monies are often so substantial to be considered the capital value of the land acquired. An added dimension to the problem is the lack of documentation, and though monies change hands, most of the land transactions are made orally and no written documents exist on such arrangements.

Over the last four decades, there have been persistent calls on government to change the land tenure system in the country. Not surprising, Ghana's National Land Policy (GOG, 1999) has a long list of problems associated with customary land tenure in the country. These include the lack of clarity in the determination of land boundaries, evolving and unclear customary tenancy systems, indiscipline in the land markets, lengthy and/or expensive litigations over land, and a weak land administration system among others.

In line with these perceived changes and the associated problems confronting customary land tenure, land titling or registration which refers to legally sanctioning land claims which are already recognized informally by the local community. It involves taking these claims out of the realm of informal lineage or community land ownership and making them fully legal, formal and individual, and measuring precisely the boundaries of each claim (Atwood, 1990; Simpson, 1976).

Titling of land has been put forward as a better way of ensuring land management because of perceived benefits this is likely to bring to countries. These benefits include efficient use of the land as land is likely to be transferred from less to more dynamic farmers, land can be consolidated into larger holdings for efficient management, and farmers

with title to land are more likely to raise loans to invest in the improvement of their land, since they can use the title as collateral with financial institutions (Cotula, et al., 2004; Quan, 2000). Further, titling provides governments and city authorities with information on landholders from which revenue can be generated from property taxes.

Land registration or titling is not new to Ghana. Some attempts made in the past to initiate, encourage and improve registration of interest in land include the Land Registry Ordinance (1895) which was re-enacted as the Land Registry Act, 1962 (Act 122). The Land Title Registration Law, 1986 (PNDCL 152) was also introduced as an effective and better system of land titling and registration (LAP, 2003) targeting Accra-Tema and Kumasi, and prescribing compulsory title registration to address the shortcomings of the Deeds registration system. The concern was, and still remains that indigenous land tenure arrangements have become some problematic that it constrains agricultural development and farm productivity. The expectation is that a shift to formal individual land rights was needed to create incentives for increased farm productivity.

The National Land Policy (NLP) was formulated to enhance security of land rights by speeding up the registration process and phasing out the Deeds registration system which is currently a voluntary option in both rural and urban settlements. As a follow-up to the NLP, a Land Administration Programme (LAP) is currently underway to improve access to land and ensure certainty of land rights. The pilot phase of the programme has been on since 2004 and has among other objectives sought to establish pilot projects in the demarcation and registration of allodial boundaries, improve the deeds and title registration and to strengthen customary land secretariats for effective documentation and record keeping of land transactions in Ghana. This process is expected to take 15 years with the first five years used to undertake selective piloting of these activities before wider replication countrywide.

In the following discussions we examine the kind of documentation in the Wasa Amenfi district, first by exploring the extent of documentation, secondly by examining the kinds of documents held (and by whom), and thirdly the progress made so far by the Communal Land Secretariat (CLS) of the LAP in promoting simple documentation of land rights in the district. But first we explore the dominant perceptions about customary land tenure in the area.

Land Documentation in Wasa Amenfi District

Table 1 shows the kinds of documents used in the informal documentation process in the study area. It also specifies some of the salient characteristics of the documents used to enhance security of use and/or ownership. The main documents found included site plans, indentures, printed receipts such as those being sold in stationery

shops for general use, and written receipts as obtains in many stools where letter heads also serve as official receipts for land transactions. In some cases a simple paper is used to write up the receipt.

Table 1. Kinds of Informal Documentary Evidence in the WAD

No.	Type of Document	Holder	Salient Features	Issuing Authority
1	Written documents (indentures)	Tenant farmers and land owners, stools	<ul style="list-style-type: none"> • date • type of tenancy (abunu/abusa) • amount involved • names and signatures of parties transacting land • names and signatures of witnesses • stamp of agent • size of land and location 	<ul style="list-style-type: none"> • Stool and family heads • Law firms • Commissioners of Oaths • Court Clerks
2	Site plans	Tenant farmers, land owners, stools,	<ul style="list-style-type: none"> • date • name and address of owner or leasee • size of lan and location (stool area) • name of surveyor 	<ul style="list-style-type: none"> • Surveyors (both licensed and unlicensed) • Draughtsmen
3	Printed receipts	Tenant farmers and land owners	<ul style="list-style-type: none"> • date • names and signatures of parties • money involved • type of tenancy • stamp of leasor/stool or the one disposing land • thumb-print over affixed postage stamp 	<ul style="list-style-type: none"> • Stool and family heads • Land owners • Land agents • Other literate parties
4	Written receipts/paper including Letterhead papers as in the case of some families and stools	Tenant farmers and/or land owners	<ul style="list-style-type: none"> • date • captions such as "official receipt" typed boldly in handwriting and in few cases type-written • signature of leasor • amount involved 	<ul style="list-style-type: none"> • School teachers • Agricultural/forestry extension officers • Revenue officers (OASL) • Community development officials

Source: Field Data, November 2006

As intimated earlier, land scarcity and use conflicts have driven many communities into some form of documentation. However, these

documents remain unstandardised and are often interpreted differently. The lack of common benchmarks for interpretation and application reduces their relevance. Usually, the same legal document is reproduced over and over again with different insertions for names, dates and locations as the contractual agreement may specify. As expected, many of these documents contain statements that are quite difficult to understand, especially at the local level, because the documents are done by all kinds of people who are considered literate.

Very few tenancy agreements convey the actual amounts charged as rent or paid as consideration fees. This is because in some of the cases where duplicates and triplicates of such documents find their way to the stool or paramount chief, some rents have to be paid. Higher land values or rents attract higher charges and both parties try to avoid paying full fees by understating the values in the documents.

Progress of Land Documentation

Notwithstanding the uncertainties surrounding documents held, the documentation process is gaining ground now, as many farmers are engaging in some form of documentation following land scarcity, the lack of transparency in oral transactions, and increasing conflicts over land ownership and use in the area. In group discussions with migrant farmers, they were firm in their answers and remarked that many, if not all migrants, did not bother to document their land holdings ten or so years earlier. It is likely the limited public awareness programmes by the land agencies and district assemblies on the benefits of documentation might have been partly responsible for the level of progress achieved so far.

In addition to the above, migrant farmers hold receipts of annual rents and tributes paid to revenue officers of the Office of the Administrator of Stool Lands (OASL) to cater for royalties to stools and traditional councils in the areas they operate. Most tenants keep these as documentary evidence of their right to use land. This is particularly important at places such as Manso Amenfi and Akyikyire where land scarcity is biting hard and indigenes, especially the youth, want tenants to relinquish some of their lands to the land owners. Various stools also keep records of these land transactions within customary areas. The Ohene of Akyikyire keeps a log book in which all site plans and indentures lodged at the palace are recorded and safely kept. These documents are very vital and indeed

constitute the first step to formal registration of customary land at the Customary Land Secretariats in all the pilot areas in Ghana.

Table 2 shows the kinds of documents farmers in various locations in the WAD actually hold. It also gives an idea of the extent of documentation in the study area.

Table 2. Forms of Documentation Engaged by Farmers in Wasa Amenfi District

No.	Settlement	Site plan only	Indenture only	Site plan & Indenture	Written receipt	None	Total
1	Wasa Akropong	4	2	(2)	6	8	20
2	Manso Amenfi	4	2	(1)	4	6	15
3	Asangrangwa	3	1	(1)	5	6	15
4	Akyikyire	5	3	(2)	3	1	12
5	Yirase	3	2	(2)	3	2	10
6	Samreboi	1	1	(0)	3	3	8
TOTAL		20 (25)	11 (13.8)	(8) (10)	24 (30)	26 (32.5)	80 (100)

Source: Field Data, November 2006

As can be observed from Table 3, site plans, indentures, and written receipts are the forms of documents prepared to enhance farmers' ownership or use rights to land. The column showing site plans and indentures are left out of the totals to avoid repetition. Fifty-five respondents, representing close to 68.5% interviewed, had some form of documentation. Around 32% had no form of documentary evidence for their land holdings and still rely solely on oral transactions. Written receipts were the most subscribed forms of documentation, followed by site plans, and then indentures. The reasons for the relatively high subscription of written receipts as a form of documentation in the study area were not difficult to find. Receipts were easier and cheaper to draw up, and many community residents could help in writing them. It was also said to a credible document with widespread usage beyond the community.

In Akyikyire where there is a higher rate of documentation (of close to 92%), site plans happen to be the most preferred form of documentation. There is an equally high number of all kinds of surveyors, making site plans easier to acquire than legal documents such as the indentures. The responses do not show any particular trend for bigger settlements such as Wasa Akropong and Asangrangwa where rapid urban growth, competition for land, and land conflicts are seen as possible areas more likely to make farmers explore documentation to help secure their holdings.

Another point not conveyed by the table but which is worth noting is the fact that 20 of the 26 farmers without any form of documentation were indigenous farmers. This corroborates the earlier assertion that indigenes perceive the land as their own and therefore have no incentive to secure documents covering lands they hold. This is particularly strange, considering the fact that there are increasing numbers of landless indigenes, a situation which has often resulted in land conflict (Alhassan and Manuh, 2005).

As a point of reference, the progress of four pilot registration areas in the Wasa Amenfi CLS in Wasa Akropong was considered in order to determine how the registration process was progressing. Table 3 shows the number of farmers so far covered in the registration exercise which is aimed at improving land documentation.

Table 3 Pilot Registration of Farmers at Wasa Akropong, WAD

Stool area	Indigenous farmers	Settler farmers	Total
New Abiri	24	186	210
Wasa Saaman	21	160	181
Wasa Asikuma	0	119	119
Akyikyire	0	331	331
Total	45	796	841

Source: Customary Land Secretariat, Wasa Akropong, January 2005.

As at the end of 2004, farmers who registered their farm holdings in the CLS at Wasa Akropong in the WAD were mostly settler farmers. In all the four stool areas, only settler farmers have responded positively to the registration exercise even though it is meant for all categories of farmers in the area. It is clear the exercise is more popular with tenant farmers than with indigenes among whom, based on evidence available, are equally large numbers of farmers in the areas where registration has commenced.

Two reasons were given for these differences in response towards the registration exercise, namely, (i) the indigenes do not see the need to be part of the registration exercise because they say that as landowners, they cannot be subjected to any mandatory exercise that tends to lump them together with tenants, and (ii) the CLS carries out the registration exercise usually through the chief farmers of various settlements who assist to organise the farmers. Most of these chief farmers are settler/migrant farmers and they tend to contact and organise other migrants better than they can indigenous farmers.

Problems Associated with the Documentation Process

This documentation, though impressive compared to what pertained just a few years ago, is not standardised and takes many forms. This becomes a problem in many respects, the most serious being that since various forms of receipts are acquired, and since some of these receipt books can be bought from stationery stores, their authenticity is questionable. Indeed, land owners complained that some tenants fraudulently acquire receipts by themselves and cheat illiterate land lords who would not have understood the whole import of the written agreement.

Another serious problem associated with the informal documentation is that many tenant farmers rely on the literate, such as teachers, agricultural extension officers, court clerks, and revenue officers from the OASL, to help them prepare these documents. Indeed, an examination of some of the documents collected by the researcher and corroborated by respondents indicates that they are written by school children who are often asked by parents and community members for assistance. Since these literate people who offer assistance in drawing up these written tenancy agreements are not lawyers and/or licensed surveyors, they produce various kinds of documents. In many instances, not only are the spaces provided for witnesses thumb-printed by parties contracting the tenancies and vice

versa, but also many of the written documents are difficult to read, let alone be interpreted the way they were intended to be.

The distortions in documents for some written tenancy contracts at Manso Amenfi were very unsettling. A resident of the town who happens to have links with an employee of the district court at Asankrangwa is an active agent who assists tenant farmers to obtain written documents when they engage in tenancy agreements with land owners. The circumstances surrounding this informant's activities, as he explained them, are that many indigenes hold a popular perception that as land owners they do not need any proof of ownership and rights to use land. Hence they do not find the need to register lands they hold, and this applies also to indigenes facing land shortage in their families and having to rent farming land from other land owners.

However, tenant farmers are keen on having some form of documentation to enhance their security of tenure since many oral contracts are daily being abrogated by land owners. In what became known from group discussions in Asankrangwa as the normal practice across the entire district, the court messenger mentioned above uses a standard *abumu* tenancy contract already in existence to draw up new ones. All he needs to do is change the names of the contracting parties, the date, and the witnesses in the new document that is being prepared. A visit to the district court premises at Asankrangwa revealed that many Commissioners of Oath adapt old documents when they help farmers in land documentation.

The problem is that many *abumu* contracts do have different arrangements besides the common sharing ratio associated with the practice. To lift a standard document which only changes names of contracting parties and witnesses is not sufficient since the document that is used might have specified different conditions for food crop sharing and set time limits for the size of land that should be established. Many conflicts arising out of non-compliance from either land owners or tenant farmers have been due to the differences between what they intended in the tenancy and what the document specified.

These problems notwithstanding, things are changing in many rural communities in the WAD. For instance, in Wasa Akropong, Asankrangwa, Manso Amenfi, Breman and Samreboi where land scarcity and land boundary disputes are increasingly being felt, some limited

efforts are made to agree on generally accepted boundaries when land transactions are made. The normal procedure where one physical benchmark was taken as a boundary has gradually given way to having two or more boundary locations. However, a few farm boundaries are still being defined using benchmarks such as rivers, trees, bamboo stands, and valleys. The reason for this old practice of boundary demarcation stems from the short duration of leaseholds of between 2 and 4 years which serves as a disincentive for tenants to engage the services of licensed surveyors².

Conclusion

Land remains the most essential resource for sustaining the livelihoods of Ghanaians, especially those in the rural areas. Population pressure, competing demands for land uses, increasing land prices, general land scarcity, and individualisation of land have increased competition for land among users, often leading to conflicts. Though traditional and formal means of resolving conflicts exist, the scale of land litigations has overstretched the mechanisms for resolving land disputes. The Wasa Amenfi District is no exception and migrant farmers and indigenous land owners often encounter conflicts over ownership and use of land.

Though the scale of land litigations is growing with serious negative impacts on national development, land transactions in many areas in Ghana remain oral and not documented. This situation has made it difficult to have a land administration system which is transparent and promotes socio-economic development. While in a few instances supporting documentation of the acquisitions has not helped in resolving conflicts, the gross lack of documentation creates bigger problems because it is difficult to establish benchmarks for conflict resolution.

The need for a documentation process cannot be overemphasised and recent efforts by government to improve land administration, especially the customary sector which holds most of the land, is timely. The way

² As at the end of 2006, the cost of demarcating 1acre of land was around GHC 65 00 at Wasa Akropong and Asankrangwa. This is slightly lower in other areas but still considered high and beyond the means of many tenant farmers

forward is to increase awareness about the benefits of land documentation. Documentation should not only be limited to migrants, the indigenous population should also document their interests in land.

In line with Government's commitment to improve the well-being of its citizenry, some 15 CLSs have already gotten support from the LAP. The LAP is strengthening existing CLSs as well as facilitating the establishment of new ones to make customary land tenure very responsive to the needs of its people. The opening of more CLSs in other areas will promote and improve land documentation and reduce litigations.

The key functions of the CLSs is the provision of information about community land ownership to the public, maintaining up to date land records of their communities including the keeping of all fees on land grants, and preparing periodic reports on the activities of the secretariats. But in pursuance of these functions, the CLSs continue to face significant challenges pertaining to availability of requisite skills to perform their functions effectively. The LAP has conducted a number of studies to assess the financial viability of the CLSs, as well as the skill gaps needed for effective performance of their functions. The findings of the studies should be implemented to make the CLSs financially viable and efficient in skills and other logistics so as to contribute to improved land productivity through better land access and tenure security.

While the National Land Policy was launched as far back as 1999, and land agencies seem to be highly represented in many parts of Ghana, there is still substantial lack of information on the important role documentation plays in land administration, especially among customary land holders. The LAP and other land agencies should play coordinating roles by bringing government polices to the doorsteps of traditional authorities and communities for debate. This way government policies would promote "voices and choices" among local communities and build consensus on issues governing land access and security of tenure among government, traditional authorities and the range of local community members.

It has been suggested, on many occasions, that the implementation of the new land administration reform can be effectively driven through national and local fora on land and broader natural resource management since there is an intricate relationship between access to land and security of tenure on the one hand, and sustainable natural resources management and rural development on the other. National and local fora would provide

both the space and audiences that matter in land and natural resource administration thus providing opportunities of exchange of ideas and reflect on progress in the light of expected outcomes. It would for instance bring together policy makers/implementers, traditional authorities, rural producers, women's associations, and development workers who will be in the position to appreciate each others' roles, and thus facilitate the building of a level playing field for allowing expression of views and concerns on land in Ghana.

There is equally the need for processes that are aimed at improving information exchange, networking, consultation, and above all coordination of all core competences for the benefit of other CLSs. These should be the responsibility of government land agencies and documented evidence indicate there are best practices in customary land tenure and such best practices as found in the Gbawe Kwatei and the Asantehene's CLSs should serve as successful examples worth replicating in other parts of the country to ensure higher land productivity and food security among the populace.

Again, the importance of local engagement cannot be overemphasised and therefore the LAP and the land agencies should facilitate collaboration between government and traditional authorities on modalities for reaching consensus on rules governing land access and tenure security, and its links with development and poverty reduction in the country. Local dialogues between the land agencies and traditional authorities through regular meetings, briefings, workshops, and round-table discussions will ensure that there are active avenues available for reaching consensus. These kinds of dialogue are important in the Wasa Amenfi area where people have entrenched but wrong notions that indigenes as land owners do not need to register their lands.

The low staff strength and skills and competence levels of staff negatively affected delivery of some functions of the CLSs. The CLSs need training in core competences like land surveying and mapping, office administration, human resource management, book keeping/accounting, public relations, ICT and basic research practice including data collection and analysis, and report writing skills.

Some kind of standardisation at community levels will be in the right direction as it would be possible to have a basic document that is understood by majority of farmers. Why the current forms of

documentation complement oral transactions, there should be a way of phasing out oral transactions due to the problems associated with witnessing and availability of witnesses when needed to testify.

Land documentation relies on surveying and demarcation of land parcels, the cost of which is still very prohibitive to small farm holders. Encouraging documentation means it should be promoted by the state in which case the cost should be considered to make it accessible and affordable to the majority of farmers who want to document their land transactions.

These suggestions if carried out can contribute to improving land access and tenure insecurity in Ghana. There are currently many land cases in the regular courts and the lack of documentation of land cannot be the sole problem confronting the land sector. But there is evidence from the fieldwork including this present work to suggest that documentation of land will enhance security of one's interest. This is observed in the increasing number of farmers who are seeking documentary evidence to support their claims to land. There need to be more education of the populace about the benefits of registration, as well as well functioning land agencies and CLSs which are necessary institutions for achieving land tenure security, improved agricultural production and poverty reduction in Wasa Amenfi and the rest of Ghana.

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